

Minutes

RTA Board of Trustees Meeting

9:30 a.m., June 18, 2019

Board: Clough (Chair), Lucas (Vice Chair), Byrne, Moss and Serrano

Not present: Bibb, **Joyce, McCall and Welo

Also Present: Abrams, Benford, Berry, Blaze, Braschwitz, Burney, Caraballo, Catalusci, Caver, Cottrell, Davis, Doaty, Evans, Faith, Gautam, Gibbons, Gillan-Shafron, Gray, Jaszczak, Johnson, Jones, Keshtkaran, Kirklan, Krecic, Laule, Lewis, Lincoln, Lively, Manning, Manus, Merver, Penning, Pinkney-Butts, Ponder, Robertson, Rodriquez, Ross, Rowe, Schipper, Schnear, Schultz, Sims, Singh, Stover, Sutula, Tarter, Togher, Tucker, Vukmanic, Weg, Weinmann, Wiehe, Williams, Winn, Zeller, Zerby

Mayor Clough called the meeting to order at 9:30 a.m. The secretary called the roll and reported that five (5) board members were present. Five members makes it a quorum. ****Mr. Joyce arrived after the board entered into executive session at the end of the agenda.**

The Secretary advised that notice of this meeting has been posted more than twenty-four hours in advance of the meeting, that the usual notification has been given the news media and other interested persons, and that all requirements of the Ohio Revised Code and Rules and Bylaws of this Board regarding notice of meeting have been complied with.

Minutes

Mayor Clough stated that the minutes from the May 14, 2019 Board Meeting and June 4, 2019 Special Board Meeting had been previously distributed and reviewed and asked whether there were any additions and/or corrections. The minutes were approved.

Invitation for public comment on agenda matters – (2 minutes)

1. Rev. Pamela Pinkney-Butts – Cleveland, OH – She asked for more information about Mott Macdonald, the recommended vendor for resolution 2019-60 and AT&T (radios), the recommended vendor for resolution 2019-61. Cuyahoga County resolution 2017-216 implemented a pro-slavery act. It is targeting people with criminal history and it was based on laws from 1800 when women and people of color didn't have rights in the U.S. She ask what these companies will do as it relates to this. She wants to address human trafficking, racial profiling and terrorism through the transit system and asked if this will increase the crime rate through the vendors that are selected. She asked if the public will have input about filing of grants related to resolution 2019-66. She ask who is benefiting from the grant money. She sees an imbalance with ramps on the east side and elevators on the west side. The E. 79th Street Station is an eyesore. The shelters on the west side are nice, but the east side shelters are broken and dirty.
2. Terry Ross – Cleveland, OH – He is with Clevelanders for Public Transit (CPT). CPT was surprised that Wi-Fi (resolution 2019-61) is a separate cost of \$1 million over five years. In 2016, TransitCenter surveyed 17 agencies and out of a dozen service improvements, 5% of riders said that Wi-Fi was important to them. They noted that quicker service, frequent service, lower fares, shelters at bus stops and real-time monitors were most important. They believe that Wi-Fi is an inappropriate luxury that should be deferred until more vital service

improvements are made. They asked if the board has seen a breakdown of the contract without Wi-Fi and if not, could this issue be tabled until this information is reviewed.

3. Dave Wyman – Cleveland, OH – He is the Sprint government representative for RTA. During the RFP process, there was a router that was not certified on Sprint. They have worked to meet the timeframes in getting the router certified. They have been in a relationship with RTA for over 10 years, providing modems, phones and other services. There was concern that the modem would not be certified by the time of this vote, but it is fully certified and tested on Sprint. They offer unlimited, no throttled service with no caps, no slowdowns for what they believe is a cheaper cost. The competitor cannot offer completely unlimited service. He has the paperwork to prove that the router was certified. Mayor Clough asked when it was certified. He said they were certified June 10 and the deadline was June 12. It cost them a lot of money to get it certified.

Committee Reports

There were no reports.

Introduction of New Employees/Promotions

Dennis Zerby is the new payroll administrator. Linda Braschwitz is the new Workers' Compensation clerk. Teressa Doaty was promoted to facility maintenance manager for Central Bus Maintenance Facility. Alisha Caraballo was promoted to HR business partner. Tamara Weg was promoted to safety data compliance analyst. Sie'ara Williams was promoted to financial analyst. Wesley Keshtkaran was promoted to senior budget management analyst.

Community Advisory Committee (CAC)

There was no report.

Introduction of Resolutions

- A. 2019-60 – Authorizing Contract No. 2019-039 with Mott Macdonald, LLC for Project 18.25 – On-Call Signal Engineering Services - 2019 in an amount not to exceed \$450,000.00 for a period of 24 months (RTA Development Fund, Engineering & Project Development Department budget), the adoption of which was moved by Mr. Serrano, seconded by Ms. Moss and approved by unanimous vote.

This went through committee. They will assist with signal work that in-house staff is unable to do. They have a good reputation. They have completed projects for various transit systems, including RTA. Ms. Moss is happy about there being some different DBE firms.

- B. 2019-61 – Authorizing Contract No. 2019-040 with AT&T National Mobility Accounts, LLC to provide mobile data services in an amount not to exceed \$2,047,583.40 for the base five years, and \$409,516.68 for each option year, for a total contract amount not to exceed \$2,866,616.76 for seven years (General Fund, Intelligent Transportation Systems Department budget), the adoption of which was moved by Ms. Moss, seconded by Rev. Lucas.

Mike Lively addressed the board. There was an extensive procurement process. Three major carriers were interviewed. The best selection was made for RTA. RTA purchased

a specific router off the Ohio State contract. It gave RTA significant operational benefits. They were purchased, received and inventoried prior to putting the scope out for this RFP. It was requested in the scope of services that all vendors be certified on this router. Sprint was not certified at the time the proposal was received. They were not officially certified until after the best and finals were received and the vendor was selected. They were certified later in the process, where if they were selected, they would not have known if they could get certified. Legal advised that the committee didn't have to accept the proposal.

Ms. Moss asked why there is a need for Wi-Fi. Dr. Caver said the communication system is separate from the current system. Currently the vehicle system speaks through radio waves (voice and data). With this process and change in technology, voice will be through the radio MARCS system and the data will come across through cellular. The system has a data card to send information like the location of the vehicle. A second card will be for customers who have a phone. They are looking at other ways within their fixed assets to offer data plans. Not everyone has a cell phone. Cleveland has a large digital divide. Some Census tracks have more than 60% of people who don't have Internet access. They are looking at homework hotspots at fixed locations where students can download books. Internet access is needed as education is used on cell phones. There will be roving hotspots throughout the city. Mayor Clough asked if progressive transit systems have this service. Dr. Caver said that many have it in all of their facilities. The five-year contract will match the other service agreements.

Ms. Moss asked who RTA will be serving. Dr. Caver said he believes there will be usage while students are waiting and riding. Ms. Moss asked what would happen if this were tabled and if usage could be tracked. Mike said it would delay the radio project. The schedule is planned to roll out next month. The cell service is needed to start it. If the concern is the Wi-Fi, it's a month to month expense, so the Wi-Fi could be discontinued at any time if it's not being utilized. No additional hardware is needed. Ms. Moss would be comfortable voting favorably if usage could be tracked. Rev. Lucas added that the dispatched communication would be consolidated. Staff will come back in six (6) months with the usage of the Wi-Fi. Rev. Lucas is surprised that Wi-Fi wouldn't be that popular to the riders.

The roll was called. There were five (5) ayes and none opposed.

- C. 2019-62 – Authorizing Contract No. 2019-046 with Quality Control Inspection, Inc. for Project 18.25 – On-Call Inspection Services - 2019 in an amount not to exceed \$450,000.00 for a period of 24 months (RTA Capital and/or RTA Development Funds, Engineering & Project Development Department budget), the adoption of which was moved by Mr. Serrano, seconded by Mayor Byrne and approved by unanimous vote.
- D. 2019-63 – Authorizing Contract No. 2019-066 with Ohio Machinery Co., Inc. for the furnishing of remanufactured Caterpillar C-9 fuel injectors, as specified and as required, for a period of three years in an amount not to exceed \$314,372.90 (General Fund, Fleet Management Department budget), the adoption of which was moved by Mr. Serrano, seconded by Rev. Lucas and approved by unanimous vote.
- E. 2019-64 – Authorizing Contract No. 2019-068 with OSMIC, Inc. for Project 18.09 – West 74th Street bungalow structure repairs, at a total amount of \$169,000.00 (RTA Development Fund, Engineering & Project Development Department budget), the

adoption of which was moved by Mr. Serrano, seconded by Ms. Moss and approved by unanimous vote.

- F. 2019-65 – Authorizing Contract No. 2019-76 with Dell Marketing, LP for the purchase of a Microsoft Enterprise license agreement through the State of Ohio, Department of Administrative Services, Cooperative Purchasing Program, as specified, in an amount NTE \$171,371.66 for a total amount NTE \$514,114.98 for three years (General Fund, Information Technology Department budget), the adoption of which was moved by Mr. Serrano, seconded by Ms. Moss and approved by unanimous vote.
- G. 2019-66 – Authorizing the filing of grant applications with the State of Ohio for State Fiscal Year 2020 financial assistance under all State of Ohio programs, the adoption of which was moved by Mr. Serrano, seconded by Mayor Byrne and approved by unanimous vote.

This will allow RTA to apply for grant programs from the State of Ohio. Much of the State grants are used for capital infrastructure development. The Red Line West project is a recipient of an ODOT grant under the OTPPP process.

- H. 2019-67 – Amending Section 840.12, “Temporary Promotional Discount Fares” and repealing Sections 840.20 “Promotional Free Fare Programs to Community-Sponsored Events” and 1066.01 “Authorization of Programs” of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority, the adoption of which was moved by Mr. Serrano, seconded by Mayor Byrne and approved by unanimous vote.

This will allow the GM the opportunity to engage in various promotional activities up to and including providing free fares for 60 days.

- I. 2019-68 – Authorizing the Interim CEO, General Manager/Secretary Treasurer to enter into a host agreement with APTA to host APTA’s 2021 International Rail Rodeo and Rail Conference and to provide transportation in connection with that event, the adoption of which was moved by Rev. Lucas, seconded by Mr. Serrano.

This is an opportunity for RTA to host this event. It will bring recognition and economic activity for the area. The cost of this event is estimated at \$200K-\$300K. Other agencies have offset the cost with sponsorships. Ms. Moss asked how this will make RTA look since it is in need of new rail cars. Dr. Caver said it will be an opportunity to get the rail leaders to the city and have them see the need for resources. Many of the leaders at the USDOT and FTA will be here. The Secretary of Transportation may also be in attendance. Ms. Moss asked where the money will come from and what projects wouldn’t get done if this goes forward. Dr. Caver said it will be funded with the general fund and that there wouldn’t be something so visible that a choice would be made between this and something tangible. Rev. Lucas asked about funding from APTA. Dr. Caver said this money would be for the rodeo. APTA handles the conference portion of the program. Ms. Moss asked if this was originally scheduled to be in another city that may have pulled out. Dr. Caver was not aware of that. Ms. Moss requested a roll call.

There were four (4) ayes and one (1) opposed by Ms. Moss. It failed.

- J. 2019-69 – Ratifying and authorizing increases to Contract No. 2017-145 with Panzica Construction Company for Project 24R – East 116th Street Station reconstruction in the NTE amounts of \$242,657.00 and \$28,199.00, for a total contract amount NTE \$5,474,878.00 and reinstating change order authority in an amount NTE \$50,000.00

(RTA Development Fund, Engineering & Project Development Department budget), the adoption of which was moved by Ms. Moss, seconded by Rev. Lucas and approved by unanimous vote.

Staff inadvertently failed to come back to the board for an increase in authority for this project. The original cost was \$4.9 million. Under that, the GM has a \$250K change order authority. The team inadvertently allowed the authority to go beyond this amount believing there was \$500K of authority. For a \$5 million project, the authority is \$500K. This will provide \$28,000 for work on the bracing. It will reestablish authority of \$50,000 to close out the contract in the next month or so. Mayor Clough added that had it been \$5 million, staff would not have come back because they would have had the authority to go up to \$500K as a change order. But since it's below, there was only \$250K. Ms. Moss requested there be checks and balances so this won't happen again. Dr. Caver said this was an error and the first time this has happened. Every \$50,000 change order goes through a committee, including the Internal Audit department.

Interim General Manager/Secretary-Treasurer's Report

Dr. Caver presented the report. June sales tax was \$18.3 million, which is \$450,000 higher than last year and \$300,000 higher than estimate. It is \$2.7 million higher than budget or 2.7%. Passenger fares for May was \$3.51 million compared to the budgeted amount of \$3.5 million. It is down \$1.6 million or 10% YTD. All entrances at the E. 116th Street Station are open. The Farnsleigh Station is finished. The ribbon cutting will be rescheduled for August. For Infrastructure Week, the ground breaking for the West Side Track rehabilitation was kicked off. It was funded by ODOT out of the OTP3 funds. The project will result in closures four weeks prior to the All-Star Game. It will open and close again for four weeks from early mid-July to early August. W. 117th and W. 98th is closed due to issues with the Retaining Wall. Engineers are working on a bracing system. The reconstruction of the Customer Service Center in Tower Center should be complete by the end of July.

The State has been successful in securing \$70 million for the general revenue fund for State transit agencies. There is still a political battle occurring with this money. It was originally understood that the \$70 million would have come over from the transportation budget, but within that budget was \$6.5 million. Staff assumed the total would be \$76.5 million. The Senate introduced a bill to remove the \$6.5 million. Staff is stressing the need for the additional money. There were 17 community meetings and stakeholder meetings in May on the Fare Equity Study and System Redesign Study. The System Redesign survey is closed. They will come back with the results. A team led by Joel Freilich updated the Cleveland City Council Transportation Committee on some of the Pillar Studies. They also spoke to the Cuyahoga County Economic Development Commission. It includes mayors, county officials and other business leaders. They will meet today with the County Council to look at RTA concerns.

The Kids Ride Free promotion began June 2 and will go through August 10. This is the third year for this promotion. On June 22, there is a free ride day sponsored by the Cleveland Foundation, Gund Foundation, City of Cleveland and Cuyahoga County to celebrate Cuyahoga50, which is a weeklong community wide event focused on the rebirth of the city since the fire on the Cuyahoga River. Service changes went into effect. The Amazon facility opening has been delayed so the #1 will be extended when it opens.

Reopen discussion on Resolution 2019-68

Mr. Serrano ask that Resolution 2019-68 related to the APTA Rail Rodeo be reconsidered. It was moved by Ms. Moss, seconded by Mr. Serrano. Mr. Serrano said RTA has a self-interest in getting rail resources. This will give RTA a gold mine opportunity to have an audience with the USDOT.

There is potential for increased infrastructure funds with hosting this event. RTA has to be a good neighbor in the eco-economic system. It will cost money, but we have to be a team player. There is an ancillary economic benefit impact when many people across the country come to Cleveland. RTA works the event, but it benefits the larger region. Four board members are missing today, which gives the present board members inordinate power. This would have passed if the other board members were present. The ability to have a spirited debate was diminished by not having full board participation.

Ms. Moss said she has a duty to vote her conscious. She agrees that it is unfortunate that all the board members are not present, but the responsibility relies on who is present and not the person who votes in opposition. She is aware that it took all present board members to vote yes for anything to pass. She asked if this can be tabled to allow for full participation. Dr. Caver said he has a team going to Toronto tomorrow so he would like to let APTA know if RTA is making a commitment or not. Rev. Lucas said the conference was not just brought up and that it was believed that Cleveland would be eager to host the event. It would be awkward to table this. The financial part can be worked out. Mayor Clough asked if some of the State funds can be used for this. Dr. Caver said that State money can't be used. Ten percent (10%) of the GF sales tax revenue is allocated to capital for matching funds and local match and/or local projects. He doesn't believe the \$200K-\$300K would prevent RTA from executing a capital project. Mayor Clough asked if additional funds could be put in next year to fund this. This opportunity comes around once in a while. This could put RTA in position to receive additional funding.

Rev. Lucas mentioned that sponsorships could be used to offset cost. Ms. Moss said that she believes the plan was not to request sponsorships. She would like to see an analysis of the cost. She doesn't like being put in this position to cast a favorable vote simply because other board members aren't present. The cost could be more than the estimates. She said she would vote with the majority since she sees how strongly the board members feel about it. Ms. Moss is concerned that her favorable vote will be cast because the entire board was not present. Mr. Serrano respected her viewpoint and the fact that she brings up fiduciary concerns. He apologized for putting her in a bad position. Ms. Moss asked for an accounting of the conference cost.

Resend

It was moved by Mr. Serrano and seconded by Mayor Byrne to resend the original vote on Resolution No. 2019-68. There were five (5) ayes and none opposed.

Reconsider

It was moved by Mr. Serrano, seconded by Rev. Lucas to reconsider Resolution No. 2019-68. There were five (5) ayes and none opposed.

Approve

Resolution No. 2019-68 was read again. It was moved by Mr. Serrano, seconded by Rev. Lucas to approve. There were five (5) ayes and none opposed.

Questions or comments from the audience (2 minutes)

1. Rev. Pam Pinkney Butts – Cleveland Hts, OH – She is the chaplain for the East Cleveland Chapter of the League of Women Voters. She hasn't heard anything about the physical effects of Wi-Fi. The operators still don't have a contract. They are disgruntled about that. She requested to fill the vacancy on the board, but haven't heard back. She hasn't heard a

response about the radio project. She invited the board to the Faithful Few event on Fridays at 7 pm at 2953 E. 79th Street, Cleveland 44104 so that RTA can have a platform. She has addressed legally about the State taking money from the RTA. Cuyahoga County resolution 2018-32 gave money to every city except the mayors whose constituents are of color. This effects RTA.

2. Mr. Rodriguez – Cleveland, OH – He is with Clevelanders for Public Transit (CPT). A GC Logistics operator said that an operator from Provide-A-Ride had a broken bus and was a convicted felon. He asked if RTA screens for criminal records. The West Blvd. Rapid Station elevators are always down. He requested police check the elevators on the west side for vandalism. Dr. Caver said they'd check into it.
3. Jeanetta Abrams – Cleveland, OH – She has attended Paratransit meetings for 2.5 years. She's on a walker. She's been left by buses where businesses have closed. The buses don't show up or call to give updates. She was left at a business two weeks ago on a Saturday. Her pick-up window was from 4:30 pm to 5 pm. At 6:30 pm there was no bus. She asked a contractor to call dispatch, but they wouldn't help. She didn't feel safe waiting alone. The new subcontractor is terrible. A week ago she had a 10:20 am pick up for church. They arrived at 11:45 am. She is a senior that can't protect herself. Mr. Caver apologized. They are working on onboarding new contractors. He asked Joel Freilich to follow-up with her. Rev. Lucas apologized to her too. The new system will allow everyone to call on the same system. They are working with the new vendor because there was a problem with one of their contractors.
4. Alaina Faith – Cleveland, OH – She relies on Paratransit. A monthly pass is \$110. She no longer purchases this pass because the service has been so inadequate that she has to rely on Uber and Lyft. On May 31, she was picked up at JumpStart on Carnegie. One passenger was dropped off in East Cleveland. Five to six others were picked up and dropped off. She was on the bus for a little over 2 hours. Yesterday she used the service with another woman who was dropped off 15 minutes late. Last week the same woman was on the vehicle for 2 hours and 30 minutes, which is equivalent to a trip to Detroit. She will compile a list of concerns for staff to review. She ask that staff attend their next quarterly meeting. She was not picked up from RTA after the last quarterly meeting. She was recently not picked up from City Hall. She has been on hold at least 96 minutes to schedule a ride. She doesn't use the call back option because she never receives a call back. The online location drop down option doesn't function properly.
5. George Zeller – Cleveland, OH – The sales tax figure was good in the county and State. The non-auto sales tax dominated the picture this month. The income tax collection was down 1.3%. The 12-month moving average was down when adjusted for inflation. The gains have been coming from inflation in purchases, not from an improved economy. This was the 24th month in a row that the figure for the 12-month moving average was negative. The projected improvement is really not there. There is no one in the country that can forecast the economy over the next 12 months accurately.
6. Steward Rowe – He's with CPT. They thanked RTA for including them in the CEO search process. CPT has talked to the search consultant K&A to improve the process. For RTA to work, it must work for riders. He asked for the status of the final forum with the final candidates that Dr. McCall mentioned in her External Stakeholders Committee. Mayor Clough said they are getting close to making a decision. He asked what the APTA Rail Conference will bring to RTA other than the focus on the need of rail cars. The Rodeo looks more like a fun exercise. Given the constraints to RTA's budget it would be helpful to understand the plan. Dr. Caver said the Rodeo is the first part and is largely for rail operators and mechanics, based

on their daily work. After that is the conference which includes leaders, managers and vendors. There are professional development sessions, networking and meetings with leaders throughout the industry. Typically 1,000 people attend. This is APTA's second largest conference.

7. Lenny Stover – Cleveland, OH – He's with Keep Our Greenway Clean. They want to promote keeping Columbus Road between Abbey and W. 25th Street green. He recently attended the International Trails Symposium in Syracuse, NY where 750 participants from 48 states and 18 foreign countries attended. In 2002, there were 63 trails and 279 miles. At the end of 2018, there were 373 rails with trails totaling 973 miles. Other transit authorities and railroads are benefiting from rails with trails. No other transit system was aware of a public green space being destroyed for private development. And no one was aware of any other transit system having their own access trail next to the trail. They shared the trail. The benefits of rails with trails are higher ridership, lower legal liability, easier maintenance, improved rider experience and a better first impression for visitors. He is concerned that the benefits are not recognized by RTA because of the design of the Red Line Greenway. He reviewed the plan for the Metroparks RLGW. He concludes that RTA's building plan and access drive negatively affects the design. Approximately 90% of it will be a cattle shoot. It lacks trees, space and access to nature. There is little to no social gathering places. It will not be a linear park that will not be as functional as an event space or as a park. He ask when the public will be able to see the building plans. Dr. Caver said the development firm is working on their prospectus, which they will present in the next three months. The plans will be reviewed before moving forward. He will get back to Lenny as to whether the plans will be available to the public.
8. Deborah Gray – Cleveland, OH – She'd like to be involved in ensuring that people from her community receive the 2nd round of surveys for the System Redesign. She works at the downtown library. Library employees have problems with the #26 running late in the mornings on Wednesdays and Saturdays and Saturday evenings. Dr. Caver said he will have staff check into it. Staff followed up on her suggestion to reach out to riders. They went to Windermere, Parma and Southgate.
9. Akshai Singh – Cleveland Hts, OH – CPT was happy to participate in the system redesign community meeting in Cleveland Heights. They have done over 90 in-person surveys. The contract for public Wi-Fi for \$200K a year for five years is larger than the redesign budget. The APTA Rail Rodeo budget is also larger than the redesign budget. RTA should not have to flip the bill for the conference when Cleveland Foundation is willing to fund a Hyperloop for \$600K. RTA needs to increase ridership and to market some type of perk that won't impact long term ridership trends.
10. Brian Gibbons – Fairview Park, OH – He's with CPT. He thanked staff for the system redesign and the fare equity surveys and community meetings as part of the five Pillar Studies. CPT completed both surveys and participated in community meetings. Along with staff, they desire more survey responses and more participation at the meetings. CPT has directly solicited survey responses from people at Public Square and on their website. They have received 200 responses. One or two out of ten persons were aware of the surveys prior to their interaction. It's time to put more effort into the fall survey. Optimal survey results are important for the Strategic Plan and will help the new CEO to lead. The Shaker Square project has a good public participation plan with strategic members involved in the solicitation process. San Diego has a good public participation plan.

Executive Session Requested

11:16 a.m. - Mayor Clough asked for a motion to go into executive session to consider the appointment, employment and compensation of a public employee or official. It was moved by Rev. Lucas, seconded by Mr. Serrano. There were five (5) ayes and none opposed.


No action will be taken after they come out of executive session.

12:28 p.m. It was moved by Ms. Moss, seconded by Mr. Joyce to come out of executive session. There were five (5) ayes and none opposed. Mr. Serrano left before the board came out of executive session. Mr. Joyce arrived after the board entered executive session.

Upcoming Meetings

The next regular Board meeting is scheduled for Tuesday, July 16, 2019 in the Board Room of the Authority, Root-McBride Building, 1240 West Sixth Street, Cleveland, Ohio 44113.

This meeting was adjourned at 12:28 p.m.



President

Attest: 

Interim CEO, General Manager/Secretary-Treasurer