



Greater Cleveland  
Regional Transit Authority

1240 West 6th Street  
Cleveland, Ohio 44113-1302  
Phone: 216-566-5100  
riderta.com

## REVISED MEETING NOTICE

Notice is hereby given that the following meeting of the Board of Trustees of the Greater Cleveland Regional Transit Authority will take place on **Tuesday, June 11, 2024** in the Board Room of the Authority, 1240 West Sixth Street, Cleveland, OH 44113 for consideration of the listed items and such other items that may properly come before the Board and be acted upon. This meeting will be live streamed on RTA's Board Page [www.RideRTA.com/board](http://www.RideRTA.com/board) via the meeting date for staff and members of the public. Members of the public may attend in person.

The meeting package will be posted on RTA's website at ([www.riderta.com/board](http://www.riderta.com/board)), on RTA's Facebook page, and RTA's Twitter page.

8:30 A.M. Ad Hoc COC Selection Committee

- Civilian Oversight Committee - Discussion of appointment of two (2) members to the Civilian Oversight Committee (COC).
- Executive Session Requested - To consider the appointment of a public employee or official.

9:00 A.M. Operational Planning & Infrastructure Committee

- Law Enforcement Fund – Amending the appropriation to the Law Enforcement Fund.

Audit, Safety Compliance And Real Estate Committee

- Real Estate Update - Sale of GCRTA property to Miceli Dairy Products Co. to facilitate business expansion and benefit public transit.

Committee of The Whole

- Code Book Update - A request to remove Chapter 640 Introduction, Chapter 652 Use of Computer and Chapter 654 Subpoenas and Indemnification of Employees from the Code Book
- Executive Session Requested:
  - To consider the appointment of a public employee or official; and
  - To enable the Board to conference with GCRTA attorneys for information-gathering, fact-finding and to receive legal advice.

India L. Birdsong Terry  
General Manager, Chief Executive Officer

IBT:tab  
Attachment

Scan this QR code to access the meeting schedule, live streams and meeting materials.

REVISED 6-10-24



REVISED AGENDA  
AD HOC COC SELECTION COMMITTEE

Tuesday, June 11, 2024

8:30 a.m.

Committee Members: Ms. Lauren R. Welch, Chair  
Mayor Paul A. Koomar  
Mayor David E. Weiss

- I. Roll Call
- II. Civilian Oversight Committee – Discussion of appointment of two (2) members to the Civilian Oversight Committee (COC).
- III. Executive Session Requested - To consider the appointment of a public employee or official.
- IV. Adjourn

## AGENDA

### RTA OPERATIONAL PLANNING & INFRASTRUCTURE COMMITTEE

Tuesday, June 11, 2024

Committee Members:            Ms. Lauren R. Welch, Chair  
   Mr. Stephen M. Love  
   Mr. Jeffrey W. Sleasman

I.        Roll Call

II.       Law Enforcement Fund – Amending the appropriation to the Law Enforcement Fund.

Presenters:

- Orlando Hudson – Commander, Transit Police
- Kay Sutula – Director, Office of Management & Budget

III.      Adjourn



Greater Cleveland  
Regional Transit Authority

Interoffice Memo

To: Mayor Paul A. Koomar, President  
and Members, Board of Trustees

From: India L. Birdsong Terry,  
General Manager, Chief Executive Officer

Date: June 6, 2024

Subject: Law Enforcement Fund Transfer

The Office of Management & Budget and the Transit Police Department will present to the Operational Planning & Infrastructure Committee the proposed purchase of two (2) Harley Davidson Road King Motorcycles from the Fiscal Year (FY) 2024 Law Enforcement Fund totaling \$25,000.

The funds from the Law Enforcement account represent proceeds derived from federal and state forfeiture actions and, as such, much be spent in accordance with the laws and regulations governing such accounts. The funds must be spent for law enforcement purposes only and may not be used to supplant the Transit Police budget. The above expenditures are an allowable expense as spelled out in the U.S. Department of Justice's "Guide to Equitable Sharing for State and Local Law Enforcement Agencies."

The total cost of the two (2) vehicles is \$25,000, all of which will be funded through the Law Enforcement Fund.

IBT/KS/MJS/CY

## AGENDA

### RTA AUDIT, SAFETY COMPLIANCE AND REAL ESTATE COMMITTEE

Tuesday, June 11, 2024

Committee Members: Mayor Paul A. Koomar, Chair  
Ms. Lauren R. Welch, Vice Chair  
Ms. Calley Mersmann  
Ms. Emily Garr Pacetti  
Mr. Jeffrey W. Sleasman  
Mayor David E. Weiss

- I. Roll Call
- II. Real Estate Update - Sale of GCRTA property to Miceli Dairy Products Co. to facilitate business expansion and benefit public transit.

Presenter:

- Jim Rusnov, Senior Real Estate Manager


- III. Adjourn



Greater Cleveland  
Regional Transit Authority

Interoffice Memo

To: Mayor Paul A. Koomar, President  
and Members, Board of Trustees

From: India L. Birdsong Terry  
General Manager, Chief Executive Officer 

Date: June 6, 2024

Subject: Property Sale to Miceli Dairy Products Co.

At the June 11, 2024, Audit, Safety Compliance & Real Estate Committee meeting, staff will present a request to approve the sale of a small, 0.108-acre portion of excess property along the right-of-way of the Blue and Green Rapid Transit Lines. This will be sold to Miceli Dairy Products Co. ("Miceli") for its appraised fair market value through a two-step process. Step one is a Joint Development Agreement defining each parties' commitments and ensuring compliance with GCRTA/FTA real estate policies, Ohio law and GCRTA joint development goals. Step two will be a Purchase and Sale Agreement to complete the transaction.

Miceli is a third generation Cleveland business located on East 90<sup>th</sup> Street, in close proximity to the Buckeye-Woodhill Station on the Blue and Green Lines. The sale of this small portion of excess property is key to initiating the first phase of a multi-phase expansion planned by Miceli.

Miceli's initial \$16 million expansion phase will result in the creation of 50 new jobs and Miceli's participation in the GCRTA Commuter Advantage Program with the purchase of 25 transit passes. After additional land is secured from the City of Cleveland, two additional expansion phases will include Miceli's further investment of \$112 million, resulting in 200 new jobs.

Staff have been engaged with Miceli principals for more than two years to assist with the planning, design, and development of their expansion plan. This significant Miceli expansion also has the support and cooperation of the City of Cleveland, Cuyahoga County, and the State of Ohio. The \$6,000 fair market value of the GCRTA excess property sale is well below the threshold requiring FTA prior concurrence, but GCRTA will inform FTA of the transaction, as is our policy for all real estate sales.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

IBT/JR



## AGENDA

### RTA COMMITTEE OF THE WHOLE BOARD

Tuesday, June 11, 2024

Committee Members: Mayor Paul A. Koomar, Chair  
Ms. Lauren R. Welch, Vice Chair  
Mayor Anthony D. Biasiotta  
Mr. Stephen M. Love  
Rev. Charles P. Lucas  
Ms. Deidre Y. McPherson  
Ms. Calley Mersmann  
Ms. Emily Garr Pacetti  
Mr. Jeffrey W. Sleasman  
Mayor David E. Weiss

- I. Roll Call
- II. Code Book Update - A request to remove Chapter 640 Introduction, Chapter 652 Use of Computer and Chapter 654 Subpoenas and Indemnification of Employees from the Code Book  
  
Presenter:
  - Dawn Tarka, Associate Counsel II
- III. Executive Session Requested:
  - To consider the appointment of a public employee or official; and
  - To enable the Board to conference with GCRTA attorneys for information-gathering, fact-finding and to receive legal advice.
- IV. Adjourn



Greater Cleveland  
Regional Transit Authority

Interoffice Memo

To: Mayor Paul A. Koomar, President  
and Members, Board of Trustees

From: India L. Birdsong Terry  
General Manager, Chief Executive Officer

Date: June 6, 2024

Subject: Code Book Update

At the June 11, 2024 Committee of the Whole meeting, staff will present proposed revisions to the Authority's Codified Rules and Regulations.

The proposed revisions to the policies include:

1. Remove Chapter 640 Introduction
2. Remove Chapter 652 Computer Use
3. Remove Chapter 654 Subpoenas and Indemnification of Employees

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

Attachment: A. Redline of Chapter 640  
B. Redline of Chapter 652  
C. Redline of Chapter 654

IBT/dmt



## CHAPTER 640

### Introduction

~~EDITOR'S NOTE: This chapter, originally a codification of Resolution 1992-31, passed February 18, 1992 was repealed by Resolution 2001-119, passed August 21, 2001, codified herein.~~

<del>640.01—(Reserved)</del>	<del>640.05 Employee communications with the media.</del>
<del>640.02—Code of ethics.</del>	<del>640.06 Charitable activity; employee use of authority time and resources.</del>
<del>640.03—Political activity.</del>	
<del>640.04—Employee responsibility for GCRTA property.</del>	

### CROSS REFERENCES

~~Labor standards - see 49 U.S.C.A. 1609-~~

~~Civil service - see Ohio R.C. Ch. 124~~

~~Officers generally - see Bylaws Art. II, Sec. 1~~

~~Appointment of officers and employees - see Bylaws Art. VIII, Sec. 2-~~

~~Conditions of employment - see PERS. Ch. 624~~

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#### ~~640.01—(RESERVED)~~

#### ~~640.02—CODE OF ETHICS.~~

~~(a) The Greater Cleveland Regional Transit Authority Code of Ethics adopted by the Board of Trustees on March 6, 1990 is applicable to all employees. The Code prescribes essential restrictions against conflicts of interest and other conduct not consistent with good ethical practices.~~

~~(b) Employees shall not engage in any outside enterprise, be involved in any activities or employment which is detrimental to the operation of the Authority, or which create a conflict of interest or the appearance of impropriety.~~

~~(c) The primary responsibility of an Authority employee is the performance of the duties of his or her position with the Authority. An employee's behavior must be above reproach.~~

~~(d) Employees are not to use Authority facilities for an outside business purpose or conduct outside business while on duty or on Authority property or in an Authority vehicle or uniform.~~

~~(e) Employees are not to have any kind of financial interest in any Authority contract, sale or transaction, or allow family members to bid on Authority property sold~~

~~at public auction.~~

~~(f) Employees who come in contact with vendors or representatives of businesses who solicit service contracts from the Authority shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, consultants, vendors, or other representatives.~~

~~(g) Any employee having doubt as to the applicability of a provision of the Code to a particular situation should consult his or her department director. Violations of the Code constitute a cause for disciplinary action up to and including termination. (Res. 2001-119. Passed 8-21-01.)~~

#### ~~640.03 — POLITICAL ACTIVITY.~~

~~(a) Employees are prohibited from engaging in partisan political activities which may interfere with various regulations governing agencies with programs financed by Federal grants. These activities include a candidacy for public office in a partisan election, using official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office and directly or indirectly soliciting contributions from subordinates in support of a political party or candidate. Authority employees may be a candidate for public office in a non-partisan election, campaign for and hold elective office in political clubs and organizations and campaign for candidates for public office in political fund-raising functions, provided that these activities are not conducted on Authority property and do not interfere with the employment activity of the employee or interfere in any way with related Authority activities.~~

~~(b) The CEO/General Manager may, at his or her discretion, review the political activities of any Authority employee. When these activities are found to interfere or to be incompatible with Authority employment and present a conflict of interest, the CEO/General Manager shall limit or request the employee to terminate such activities. (Res. 2001-119. Passed 8-21-01.)~~

#### ~~640.04 — EMPLOYEE RESPONSIBILITY FOR GCRTA PROPERTY.~~

~~(a) GCRTA property and facilities are public property purchased with public funds and are intended solely for use in furtherance of the Authority's operations. No GCRTA employee is authorized to lend, borrow, take, use, sell, or otherwise dispose of GCRTA property or facilities for personal or private benefit or gain. GCRTA property or facilities include but are not limited to: all equipment both revenue and non-revenue; tools; machinery; materials and supplies, office supplies, furniture; computers; fax machines; copy machines; printers; phones; offices; mail room and mail services; electronic devices such as cell phones, iPads, pagers, etc; and scrapped items.~~

~~(b) Any employee found loaning, borrowing, taking, using, selling or otherwise~~



~~disposing of GCRTA property or facilities for personal or private benefit or gain, will be subject to disciplinary action, up to and including termination.~~

~~(c) Any employee found misappropriating or misusing GCRTA property will be subject to disciplinary action, up to and including termination.~~

~~(d) All employees are hereby placed on notice that violation of this policy may also violate criminal statutes of the State of Ohio and that such violations may be reported to the appropriate law enforcement agency(ies).~~

~~(Res. 2001-119. Passed 8-21-01; Res. 2013-95. Passed 9-17-13; Res. 2022-58. Passed 6-28-22.)~~

#### ~~640.05 EMPLOYEE COMMUNICATIONS WITH THE MEDIA.~~

~~Any media request of an employee (e.g. on-camera interview or interview by a newspaper reporter) shall be referred to the Public Information Officer for an official response.~~

~~(Res. 2001-119. Passed 8-21-01; Res. 2022-59. Passed 6-28-22.)~~

#### ~~640.06 CHARITABLE ACTIVITY: EMPLOYEE USE OF AUTHORITY TIME AND RESOURCES.~~

~~(a) Charitable Activity on Authority Time. The Greater Cleveland Regional Transit Authority ("Authority") encourages its employees to engage in charitable activities in support of worthy causes. At the same time, the Authority firmly believes that the taxpayers expect the Authority's employees, while on the clock, to do the jobs they are being paid to do. This policy seeks to balance these two important objectives:~~

~~(1) Limited activity permissible on Authority time.~~

~~A. During "on the clock" hours, Authority employees should, with very limited exception, be engaging in the work for which they have been hired. The General Manager, Chief Executive Officer is authorized to permit de minimis (small or insignificant) expenditures of Authority time in support of charitable activities. An employee who wishes to engage in limited charitable activity on work time must have the permission of the employee's supervisor.~~

~~B. Authority employees desiring to provide substantial, ongoing or regular volunteer services to charitable entities will need to do so before or after work, during lunch, or other authorized break periods, on weekends or during other non-Authority time. Employees may also use vacation, personal or compensatory time for volunteer activities during normal work hours if such leave usage does not interfere with the Authority's operations and is approved by an employee's supervisor.~~

~~(2) General Manager, Chief Executive Officer discretion. This policy is not~~



~~intended to interfere with the discretion of the General Manager, Chief Executive Officer to permit limited, non-recurring, episodic expenditures of Authority time in support of charitable activity. For example, the General Manager, Chief Executive Officer's determination that employees may be excused to give blood at an on-site blood donation drive would be appropriate. In addition, this policy does not preclude employee activity on behalf of the Employee Giving Campaign or other charitable activities that the General Manager, Chief Executive Officer or designee has expressly approved. Such activity shall be permitted so long as it does not interfere with the operational needs of the Authority.~~

- ~~(3) Employee use of flexible schedule opportunities. Employees are permitted to take advantage of Authority-authorized flex time or other flexible scheduling arrangements to accommodate their volunteer activity if it does not interfere with the Authority's operations and is approved by an employee's supervisor. This policy is not intended to require the Authority to modify policies, procedures or contractual arrangements to accommodate employee volunteer activity.~~

~~(b) Fundraising on Authority Property. Within the context of the above parameters, Authority employees may engage in fundraising activity on Authority property. This activity may include fundraising events like bake sales, dress-down days and contests and must comply with all applicable law and regulations (e.g. health safety regulations related to the serving of food).~~

- ~~(1) Impermissible fundraising activity. Fundraising activities may not involve the service of alcoholic beverages. Fundraising activities, whether on Authority property or not, by Authority employees may not involve any solicitation of food, cash or other items from a contractor, vendor, retail store, restaurant or other private person or entity with whom the Authority does business or a contractor, vendor, retail store, restaurant or other private person or entity that is seeking to do business with the Authority. Fundraising activities, whether on Authority property or not, may not result in the commingling of Authority funds with the funds raised for charity. Because only certain types of entities are permitted to conduct raffles under Ohio law and GCRTA is not one of those entities, GCRTA employees may not conduct raffles such as 50/50 raffles, raffles for prizes or "bingo board" raffles. However, an event such as a chili cookoff that awards a prize is permissible.~~

- ~~(2) Permissible fundraising activity. Fundraising activities may take place in the following circumstances:~~

~~A. Modest non-profit fundraising.~~

- ~~1. Authority employees may engage in limited fundraising~~



~~activities for non-profit organizations on Authority property with their supervisor's permission. Such activity should not disrupt work place activities and should never involve a supervisor directly soliciting an employee. Accordingly, all such solicitations should either be entirely passive (e.g. - a box on a desk corner noting the purpose for which contributions are being solicited) or entirely non-coercive. No employee should ever feel pressured by a co-worker to make any sort of donation to a charitable organization.~~

~~2. Examples of the types of fundraising that would be appropriate under this portion of the policy are sales of candy or gift wrap for a child's school, seeking sponsors for walk-a-thons or other similar events, or circulation of a Girl Scout cookie sale sheet.~~

~~B. Fundraising for the benefit of Authority employees. With a supervisor's permission, fundraising also may occur to benefit fellow Authority employees. Examples of the types of fundraising that would be appropriate under this portion of the policy are the collection of funds for a retirement gift or funeral flowers or for donations to assist a fellow employee with a medical or other family hardship. Any such solicitations should conform to the restrictions above aimed at minimizing workplace disruption.~~

~~(c) Use of Authority Time for Non-Authority Business or Events.~~

~~(1) Non-Authority business or events may include, but are not limited to, activities such as charitable events, golf outings, and receptions. Employees may attend such events before or after work, during lunch or other authorized break periods, on weekends or during other non-Authority time. Employees may also use vacation, personal or compensatory time for non-Authority business or events during normal work hours if such leave usage does not interfere with the Authority's operations and is approved by the employee's supervisor.~~

~~(2) The General Manager, Chief Executive Officer is authorized to permit de minimis expenditures of Authority time in support of non-business events, such as planning an Authority-related holiday party that will take place after work hours. An employee who wishes to engage in non-business activity on work time must have the permission of the employee's supervisor.~~

~~(3) If an express determination is made by an employee's supervisor that attendance at a non-Authority business or charitable event is for the Authority's business purposes, the employee may attend the event on work time and the Authority may pay for the employee's attendance.~~

~~(d) Use of Authority Resources for non-Authority Business.~~

- ~~(1) The use of Authority resources such as money, property, computer equipment, e-mail accounts, paper or staff time for non-Authority business of any kind, including charity, is strictly prohibited.~~
- ~~(2) The General Manager, Chief Executive Officer is authorized to permit expenditures of Authority time and use of Authority facilities in support of the Employee Giving Campaign, a "Stuff the Bus" campaign, quality and district council activities (that use discretionary funds generated from vending machines) or other charitable activities that the General Manager, Chief Executive Officer or designee has expressly approved. The General Manager, Chief Executive Officer is authorized to permit de minimis use of Authority property for an employee news site or barter board or other such uses that the General Manager, Chief Executive Officer has expressly approved.~~

~~(e) Donation of Fare Media. Donations of fare media to local non-profit agencies are permitted in accordance with Section 846.04 of the Code.~~

~~(f) Implementing Procedures. The General Manager, Chief Executive Officer is authorized to establish procedures to carry out this policy.~~

~~(g) Effective Date and Interpretation. This policy is effective January 21, 2020, and questions about its application should be addressed to the Authority's Deputy General Manager for Legal Affairs.~~

~~(Res. 2020-10. Passed 1-21-20; Res. 2021-37. Passed 4-20-21.)~~



## CHAPTER 652 Use of Computer

~~652.01 Acceptable use of GCRTA Technology Assets Policy.~~

~~652.03 Use of internet and the GCRTA intranet. (Repealed)~~

~~652.02 Use of electronic mail message system (E-Mail), bulletin boards, shared folders and web pages. (Repealed)~~

### CROSS REFERENCES

~~Conditions of employment - see PERS. 624 Electronic mail records - see PERS. Ch. 650~~

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#### ~~652.01 ACCEPTABLE USE OF GCRTA TECHNOLOGY ASSETS POLICY.~~

~~(a) The GCRTA recognizes that the use of technology is essential to operating a successful transit authority. All users of GCRTA technology assets must abide by information technology procedures in order to ensure the integrity, security, and availability of GCRTA technology assets.~~

~~(b) GCRTA technology assets include but are not limited to, computing devices (servers, PCs, laptops), peripherals devices (printers, scanners, multi-functional printers, faxes, cameras), communication devices (routers, switches, PBXs, desk phones, mobile phones, probes, smart devices), software (operating systems, firmware, applications, productivity tools) and data. The procedures, Section 1500, define the acceptable use of any GCRTA-owned, leased or licensed technologies.~~

~~(c) Users are responsible for all activities performed with their personal user IDs. Users must report any use by anyone that may violate GCRTA Policies or be a threat to the GCRTA systems immediately to his or her supervisor or the Information Technology Department. Violations of this policy or the accompanying procedures may result in discipline up to and including discharge. (Res. 2013-95. Passed 9-17-13.)~~

#### ~~652.02 USE OF ELECTRONIC MAIL MESSAGE SYSTEM (E-MAIL), BULLETIN BOARDS, SHARED FOLDERS AND WEB PAGES. (REPEALED)~~

~~(EDITOR'S NOTE: Section 652.02 was repealed by Resolution No. 2013-95, passed September 17, 2013. See Section 652.01 for provisions regarding use of electronic mail message system (e-mail), bulletin boards, shared folder and web pages.)~~

#### ~~652.01 USE OF INTERNET AND THE GCRTA INTRANET. (REPEALED)~~

~~(EDITOR'S NOTE: Section 652.03 was repealed by Resolution No. 2013-95, passed September 17, 2013. See Section 652.01 for provisions regarding use of internet and the GCRTA intranet.)~~

~~CHAPTER 654~~  
~~Subpoenas and Indemnification of Employees~~

~~654.01—Complying with subpoenas  
and summons served upon the  
GCRTA.~~

~~654.02—Indemnification policies.~~

~~CROSS REFERENCES~~

~~Indemnification - see Bylaws Art IX., Sec. 4~~

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~~654.01—COMPLYING WITH SUBPOENAS AND SUMMONS SERVED  
UPON THE GCRTA.~~

~~(a) Any employee, upon receipt of any subpoena or summons involving the GCRTA's business, shall deliver it immediately to the General Counsel, Deputy General Manager for Legal Affairs, or his or her designee. The purpose of this policy is to ensure timely compliance with all subpoenas and summonses, and to protect the legal interests of the Authority and its employees.~~

~~(b) All subpoenas and summonses referred to the Legal Department will be handled in accordance with its internal procedures.~~

~~(Res. 2001-119. Passed 8-21-01; Res. 2013-95. Passed 9-17-13; Res. 2016-72. Passed 8-16-16.)~~

~~654.02—INDEMNIFICATION POLICIES.~~

~~(a) GCRTA shall comply with its statutory duties to defend and/or indemnify employees, as outlined in Ohio R.C. Chapter 2744, as the same may be amended from time to time.~~

~~(b) In circumstances not governed by Ohio R.C. Chapter 2744, defense and/or indemnification may be available under the GCRTA Bylaws.~~

~~(Res. 2001-119. Passed 8-21-01; Res. 2013-95. Passed 9-17-13; Res. 2016-72. Passed 8-16-16.)~~