

Minutes

RTA Audit, Safety Compliance & Real Estate Committee Meeting

9:17 a.m., January 8, 2019

Committee Members: Moss (Chair), Lucas (Vice Chair), Joyce, McCall, Welo

Other Board Members: Clough, Elkins, Serrano

Not present: Bibb

Also Present: Baker, Benford, Bennett, Bitto, Bober, Burney, Calabrese, Caver, Cottrell, Cranford, Czeck, Dangelo, Davis, Dietrich, Draper, Feliciano, Ferraro, Fields, Garofoli, Gautam, Gillan-Shafron, Houston, Jaszczak, Jones, Lewis, Loh, Lozada, Manning, Pickett, Schipper, Scott, Shariff, Smith, Stocking, Sutula, Tarka, Togher, Tucker, Vukmanic, Wilson, Young, Zeller

Ms. Moss called the meeting to order at 9:17 a.m. The secretary called the roll and reported that five (5) committee members were present.

Safety & Security Update

Safety

Richard Czeck, Director of Safety, gave the presentation. The RTA safety department's mission is to lead a proactive approach in decreasing on-the-job injuries and preventable collisions. They have two TEAM stretch goals. One is the preventable collision rate. For 2018, there was a 3% decrease. The rate at the end of 2018 is 15% below that of 2016 and 21% lower compared to 2015. The improvements are credited to training, operations and service quality. Bus at Hayden and Triskett has a 4% decrease. Paratransit had a 15% increase YTD 2018 compared to 2017. However, they are exceeding the TEAM goal of 1.4%. Rail is back to near zero, a 21% decrease from 2017 to 2018. From 2015 through 2018, events by year and location are down precipitously. The second safety TEAM goal is on-the-job injury rate. It had a double digit 11% decrease for 2018 over 2017. This is excellent work across RTA.

Safety projects include a required Safety & Security Certification Emergency Preparedness exercise at E. 34th Street Station. The focus was on a trespasser being struck by a heavy rail train on September 29, 2018. Various employees participated in a full scale exercise with the Cleveland Hopkins Airport Fire Department in October. The Rail Triennial was held from September 24-28. Safety worked with external and internal stakeholders to host various safety training to include system security and electrical safety. The Rail Triennial is a comprehensive review of rail safety. The results are encouraging. The final report is not in yet. The reviewers stated in the Exit Conference that it was the best Triennial in 12 years.

Rev. Lucas asked for updates with rail. Richard said he has information on collisions, electrical incidents, but he can discuss more in depth with him. Dr. Caver added that in 2017, a majority of the items were related to coupling in the Rail Yard. A coupling could end up being a collision due to an operator unintentionally getting too close to a train. Ms. Moss asked how RTA rail and bus safety compares to other agencies. Richard said the ODOT contractor, Vital Assurance, said that RTA's rail safety program is better than 90% of its peers or similar sized agencies across the U.S. RTA won the 2018 APTA Gold Award and came in 2nd place in 2017 for the Certificate of Merit. This past August, the Board President and former CEO signed off on the Safety Management System Framework, which is the FTA's recommended approach to bus and rail safety.

Security

Chief John Joyce, Transit Police, and Commander Mike Gettings, gave the presentation. Today's presentation will be on crime statistics over the last three years, Community Policing and Training Initiatives. Transit Police' mission is to provide a safe and orderly environment within the transit system. The data covers Jan. - Dec. 2016 through 2018. The report includes Part 1 Crimes and Quality of Life Crimes.

Part one crimes are more serious crimes defined by the FBI. There were no reports of homicides, but in 2016 there was one rape, two rapes in 2017 and one in 2018. Robberies declined significantly with 77 in 2016, 43 in 2017 and 23 in 2018, a 47% drop from 2017 to 2018. There were 16 felonious assaults in 2016. It dropped to 6 in 2017 and 11 in 2018. Felonious assaults are most serious with someone ending up in the hospital. There were no burglaries. There were 169 larceny/thefts in 2016, 111 in 2017 and 78 in 2018 or a 30% decline from 2017 to 2018. Typically larcenies and thefts include electronic devices and catalytic converters from vehicles in RTA parking lots. Auto thefts dropped from 19 to 10 in 2017 and to 3 in 2018. Arsons were not an issue. There was 1 in 2016 and 2017 and none in 2018. Overall, there was a 33% decline in Part 1 crimes from 2017 to 2018 and even more significant drop from 2016 to 2018.

Quality of life crimes like misconduct on public transit, is almost always associated with fare evasion. From 2016 to 2018, it changed mainly due to the new procedure for fare enforcement on the HealthLine. Currently, operators check the fare passes. TP no longer do the fare checks. As a result, revenue has increased and citations are down. Disorderly conduct in 2016 had 150 citations, 76 in 2018. It declined 47% from 2017 to 2018. Disorderly conduct intoxication had 60 in 2017, but there was a 42% increase from 2017 to 2018 due to strict enforcement. Open containers was pretty consistent over the three years with 332 in 2016, 291 in 2017 and 318 in 2018. Trespassing was also consistent with 77 in 2016, 98 in 2017 and 98 in 2018. Trespassing is typically associated with someone being on or near the tracks. Soliciting had 1 in 2016, 2 in 2017 and 1 in 2018. Total offenses show deep decline, but is skewed by the elimination of misconduct on public transit.

RTA has invested heavily in human resources and technology. Staffing has been sustained and investment in fixed cameras on all RTA properties and on buses and trains contribute significantly to the solution of crime. People are much less likely to continue to offend when they are charged, resulting in a drop in crime. Mayor Elkins asked if TP has body cameras and if cruisers have dash cameras. Chief said the cruisers used for traffic enforcement have dash cams. They haven't needed body cams due to the number of cameras on the system, buses and trains. Local police municipalities who operate mostly on the streets and inside homes have a greater need for body cams. Mayor Elkins asked if the body cams can be considered in cases where TP may be out of the view of system cameras. They have helped his city deter crime and are affordable. Chief McCall was concerned about the quality of life crimes. She asked if Marketing and Safety could run a campaign on the camera system.

There were 16 operator assaults in 2016, 11 in 2017 and 15 in 2018. The numbers are low compared to the number of riders a year. In 2018, they solved 12 of the 15 assaults. Of the 15, one was very serious, where an operator was hit by a brick, three operators were punched and the rest had items thrown at the operator, like soda or the operator was slapped. Some of the root causes involved alcohol, drugs and mental health issues and can often be associated with fare evasion. Ms. Moss asked how the operator assault data compares to similar size agencies. Chief said that operator assaults is one of the biggest issues in the nation. RTA looked at enclosures, but not all of them liked how it blocked them from the customers. He believes the numbers are low and are under control.

The Community Policing program began three years ago. Selected officers report directly to the bus districts for work. The officers interact with the district managers on issues that the operators

encounter. The objective is to identify problems, follow-up on them and report back to the operator. In 2016, Hayden had 119 incidents and Triskett had 228. In 2017, it dropped to 65 at Hayden and 63 at Triskett. It reduced further in 2018 with 56 at Hayden and 47 at Triskett.

Commander Michael Gettings discussed the TP training program. Every appointed peace officer and trooper is required to complete the annually mandated continuing professional training (CPT). The actual number of required hours in a particular calendar year is determined by the Ohio Peace Officer Training Commission (OPOTA), based upon funding availability. In the past few years, some of the required OPOTA training includes online and in-person training. TP sends one or two officers for training and they come back and train the department. It saves money and makes the department more efficient. OPOTA is the only required training, but additional training is needed. They receive a 40 hour block of in-service training, which includes Taser, CPR/First Aid, IED Awareness, Judgmental Simulator, etc. The Judgmental Simulator teaches officers on how to interact with the public by use of de-escalation.

In 2017, there was active shooter training for officers and employees. This training is important because active shooter incidents are occurring frequently and police are often not present during shootings. The average incident is over in five minutes. Police response is usually five minutes or more. Hiding is not lowering casualties. The active shooter training was redesigned in 2018. They conducted a four hour I-Step full scale exercise in October by exploring an active shooter incident on a train and inside the Triskett office. They worked with TSA and local partners at CPD and the Sheriff's office. They plan to certify all TP officers in patrol rifle, train them in active shooter response and conduct small scale exercises at RTA after people receive the training. The purpose was to address strength and weaknesses by testing employees' ability to recognize and report suspicious activities. They used this information to create or revise SOPs.

Two areas identified for improvement was limiting unnecessary access in and out of the district. Lost and Found was moved to Tower City to eliminate the stream of people inside the district. Second, the undercover shooter was able to leap over the dispatch desk quickly so they placed a protective Plexiglas in that area. In 2018, they trained 1,252 employees on active shooters. They received multiple request from transit agencies in Ohio to do the training. Mayor Elkins asked if TP does any training with the local departments. Commander Gettings said they do train local departments on the OPOTA training. They had two TP and CPD officers work together in the active shooter training.

Easement Update – Red Line Greenway

Jim Rusnov, property manager, gave the presentation. Today's presentation is on the Red Line Greenway project development and trail easement agreement with the Board of Park Commissioners of the Cleveland Metropolitan Park District. Kyle Baker, Legal Counsel and Director of Real Estate and Isaac Smith, Conservation Program Manager at Cleveland Metroparks were in attendance.

The purpose of the agreement between RTA and the Metroparks is to formalize the property interest of the parties and allow Metroparks to construct, operate, maintain, manage and secure the Greenway. The agreement creates both shared and non-shared trail easement areas, allows for the parties to remain in compliance with TIGER grant requirements and remain on schedule for substantial completion of the project in late 2020, with the goal of being placed in full service by June 2021. The project is currently in the final stage of design. Additional agreements will be required to further define operating procedures, risk management requirements and safety protocol to place the project into service.

The agreement creates surface trail easements on RTA property for use as a recreational public pathway and to provide the appropriate controlled access points. All users of the recreational amenity will be subject to existing Metroparks regulations. The easement area is a total 6.33 acres of various

surface easements and 0.35 acres of an aerial easement on the Cuyahoga Viaduct. This creates a dramatic overlook of the riverfront and the city skyline, all along a 2.3 mile recreational trail. RTA will retain ownership of all the land and Metroparks will manage, maintain and secure the Greenway in perpetuity. The west terminus is located at the Michael Zone Recreation Center at 6301 Lorain Ave. The north and east terminus is located at Franklin Ave. in the Flats. Metroparks needs easements from the City of Cleveland, ODOT and certain private property owners to complete the trail. The project is more than 90% constructed on RTA property.

Funding is sourced primarily from an \$8 million TIGER grant secured by Metroparks for various trail projects, including the RLG. An additional \$8.5 million from Metroparks will fund various trail connections, neighboring park improvements and a new bridge to further improve and expand the Metroparks Reconnecting Cleveland Program. RTA continues to provide in-kind support for planning and design while contributing additional assets, principally the use of the land. Approval of the initial project agreement will allow progress to continue in a timely manner by defining property rights between the parties going forward. It also allows for completion for the final project design, keeps the parties in compliance with TIGER grant requirements by defining the easement rights and allowing for construction bidding to commence. This agreement also creates the basis for additional agreements to define operating procedures as well as risk management and safety protocol. Funding sources include USDOT, Metroparks, ODNR, NOACA and GCRTA (in-kind).

Public safety is a paramount issue. The trail will be fully fenced along the active Red Line rail service and will have controlled and gated access points. The trail's proximity to the RTA tracks ranges anywhere from 18 ft. to more than 100 ft. depending on the width of the railroad right of way. The width of the actual paved trail averages 10 ft. The RTA service road and the trail and the access points to the trail are distinct and separate. Metroparks will remain responsible for safety and security in coordination with RTA. Staff recommends the Audit, Safety Compliance and Real Estate Committee approval of the Project Development and Easement Agreement with Metroparks for the Red Line Greenway and referral to the full Board of Trustees for action.

Mayor Clough is pleased with the partnership with Metroparks and the fact that they will be responsible for safety and security. Mayor Welo likes the innovation of the project and the partnership. Mr. Joyce asked what this will do for RTA's property and the area to support RTA's agenda of housing and development. Jim believes it can improve property values and encourage TOD. The Greenway is an essential element in the design of the new projects on W. 25th, creating new transportation links and the ability to connect a part of the city that is experiencing significant growth. It is an economic development catalyst. Ms. Moss loves the project, but feels the safety issues need to be addressed. She asked about the fencing and how the narrowness of the Viaduct will be addressed. Jim said a portion of the Viaduct will be used, only to the point where the super structure begins, to provide an overlook platform for the public. Safety will be integrated into the design. She asked that the design be sent to the Board and for the number of entry points. Kyle Baker said there will be four entry points; at Freeze Avenue, Abbey Road, Columbus Road and Franklin Avenue. The Abby access will be ADA accessible. They are looking for partners to create additional neighborhood connections. But at this point the TIGER grant only supports the four entries. Jim said the W. 25 and TOD projects may provide additional access points to the Greenway and RTA service line.

It was moved by Mr. Joyce, seconded by Rev. Lucas. Chief McCall recused herself. There were four (4) ayes and one (1) recuse.

Executive Session Requested

Ms. Moss asked for a motion to go into executive session to discuss real estate updates on the Columbus Road Site Development and Aspen Place and to consider the investigation of charges and complaints against a public employee, official, licensee, or regulated individual.

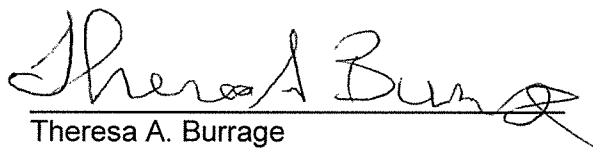
10:09 a.m. - It was moved by Mayor Welo, seconded by Rev. Lucas. There were five (5) ayes and none opposed. The remaining Board members were invited to attend.

11:36 a.m. – It was moved by Mr. Joyce, seconded by Rev. Lucas to come out of executive session. There were three (3) ayes and none opposed. Ms. McCall and Mayor Welo had to leave prior to the roll call.

Ms. Moss adjourned the meeting at 11:36 a.m.



Floun'say R. Caver, Ph.D., Interim CEO
General Manager/Secretary/Treasurer



Theresa A. Burrage
Executive Secretary