

METRO REGIONAL TRANSIT AUTHORITY

Board of Trustees



JANUARY 26, 2021

PRESIDENT: MR. ROBERT DEJOURNETT
VICE PRESIDENT: MR. NICHOLAS FERNANDEZ



**METRO RTA
MONTHLY BOARD MEETING AGENDA
ROBERT K. PFAFF TRANSIT CENTER BOARD ROOM
VIRTUAL MEETING
TUESDAY, JANUARY 26, 2021
9:00 A.M.**

ITEM 1: CALL TO ORDER

ITEM 2: AUDIENCE PARTICIPATION

In keeping with Governor DeWine’s order of social distancing due to the COVID-19 pandemic, audience participation is suspended for this meeting. All comments may be directed to the Chief Executive Officer via email to Dawn.Distler@akronmetro.org or by phone (330) 564-2211, and must be received by the Friday prior to the meeting. METRO’s Board Meetings are held the last Tuesday of the month as stated within Resolution 2016-28, unless otherwise noted.

To remotely observe and listen to this meeting from your computer, tablet or smartphone, visit:

<https://zoom.us/j/99072051284?pwd=YINWL2FLWUhBSG41UzJPNE1OSWxoUT09>

Meeting ID: 990 7205 1284

Passcode: 089929

To dial in using your phone:

(For supported devices, select the one tap number below to join instantly)

One tap mobile

[tel+19292056099,,99072051284#,,,,,0#,,089929#](tel:+19292056099,,99072051284#,,,,,0#,,089929#)

Download and import the following iCalendar (.ics) files to your calendar system for the monthly meeting:

https://zoom.us/meeting/tJ0tcOuoqzooEtD_8GsP5T4GQnfSNNyazC9u/ics?icsToken=98tyKuChrjwoGtGUshGDRox5Ao_Ca_TwmH5Bj7d5o0fCEBAGVlfRB-xEAZxRCdnK

ITEM 3: RECOGNITION

None

ITEM 4: BOARD MINUTES

*Approval of Board Meeting Minutes for November 24, 2020. (Pages 11-14)

*Approval of Special Board Meeting Minutes for December 17, 2021.

(Pages 15-16)

ITEM 5: EXECUTIVE SESSION

ITEM 6: COMMITTEE REPORTS & RESOLUTIONS

Governance Committee

Chair: Gary Spring

***Resolution 2021-01:** A resolution authorizing the purchase of specialized legal services above and beyond METRO’s daily legal needs. (Page 5)

Customer Experience & Service Performance Committee

(Maintenance / Operations / Customer Care & Mobility Solutions)

Chair: Mark Derrig

***Resolution 2021-02:** A resolution authorizing a contract between the Downtown Akron Partnership (DAP) and METRO for the cleaning, provision of safety patrols, and other services along Main Street and the Robert K. Pfaff (RKP) Transit Center. (Page 6)

Asset Protection & Development Committee

(Employee Engagement Center / Safety & Protection)

Chair: Chuck Rector

Planning / Marketing / Rail Committee

Chair: Donald Christian

***Resolution 2020-03:** A resolution authorizing a one-time exception to METRO’s Public Engagement Policy as it relates to the Title VI Analysis of COVID-19 Service Adjustments. (Page 7)

Finance & Audit Committee

Chair: Nicholas Fernandez

Chairs Committee

Chair: Mark Derrig

ITEM 7: OTHER BUSINESS

ITEM 8: OFFICERS’ REPORT

- Board President
- Chief Executive Officer

ITEM 9: CALL FOR ADJOURNMENT

***Denotes items that need Board approval**

Next Scheduled Meeting – February 23, 2021

**COMMITTEE ASSIGNMENT:
GOVERNANCE**

RESOLUTION 2021-01

A resolution authorizing the purchase of specialized legal services above and beyond METRO's daily legal needs.

WHEREAS, METRO Regional Transit Authority currently has a three (3) year contract with two (2) one year options, for daily legal services under a firm-fixed contract; and

WHEREAS, circumstances arise from time to time, where there is a need for specialized legal services above and beyond METRO's everyday needs; and

WHEREAS, METRO wishes to enter into an agreement for such services with McMahon Berger, P.C.

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the METRO Regional Transit Authority that:

1. The Board hereby authorizes the Chief Executive Officer to enter into an agreement for specialized legal services with McMahon Berger, P.C. not to exceed \$200,000 in 2021.
2. All formal actions of this Board of Trustees related to this Resolution and all deliberations of the Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code.

DATE ADOPTED: January 26, 2021

**ROBERT DEJOURNETT,
PRESIDENT**

**DAWN DISTLER,
CHIEF EXECUTIVE OFFICER/
SECRETARY-TREASURER**

**COMMITTEE ASSIGNMENT:
CUSTOMER EXPERIENCE AND SERVICE PERFORMANCE**

RESOLUTION 2021-02

A resolution authorizing a contract between the Downtown Akron Partnership (DAP) and METRO for the cleaning, provision of safety patrols, and other services along Main Street and the Robert K. Pfaff (RKP) Transit Center.

WHEREAS, METRO is a member of the Downtown Akron Partnership; and

WHEREAS, this partnership includes METRO participating with DAP in costs incurred by DAP to perform bus stop cleaning and beautification; power washing; graffiti removal; escorts of METRO customers; safety tours; DASH tours; cleaning of the area along Main Street and the RKP Transit Center; and for providing safety patrols, snow removal, and various initiatives.

WHEREAS, the term of this contract will be for 18 months, January 1, 2021 to June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the METRO Regional Transit Authority, that:

1. A contract will be awarded to Downtown Akron Partnership in the amount not to exceed \$199,500.
2. The Chief Executive Officer/Secretary-Treasurer is authorized to execute all documents related to this resolution.
3. All formal actions of this Board of Trustees related to this Resolution and all deliberations of the Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code.

DATE ADOPTED: January 26, 2021

**ROBERT DEJOURNETT,
PRESIDENT**

**DAWN DISTLER,
CHIEF EXECUTIVE OFFICER/
SECRETARY-TREASURER**

**COMMITTEE ASSIGNMENT:
PLANNING / MARKETING / RAIL**

RESOLUTION 2021-03

A resolution authorizing a one-time exception to METRO's Public Engagement Policy as it relates to the Title VI Analysis of COVID-19 Service Adjustments.

WHEREAS, METRO Regional Transit Authority has a Public Engagement Policy effective on September 1, 1994 per Resolution 1994-34; and

WHEREAS, Title VI Service Equity analyses and a public hearing are being conducted for the service adjustments made in response to the COVID-19 pandemic and declared state of emergency as required by the Federal Transit Administration (FTA); and

WHEREAS, METRO published notice of the public hearing in the Akron Beacon Journal and The Reporter on January 14, 2021, in accordance with the Public Engagement Policy; and

WHEREAS, the public hearing will be held virtually on February 15, 2021; and

WHEREAS, METRO will provide a detailed transcript of the public hearing to the Board of Trustees by Tuesday, February 16, 2021, which is 7 days in advance of the February Board of Trustees meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the METRO Regional Transit Authority that:

1. The Board hereby allows for a one-time exception to METRO's Public Engagement Policy as it relates to the Title VI Analysis of COVID-19 Service Adjustments to receive a detailed transcript of the public hearing 7 days in advance of the February Board meeting instead of the 10 days stated in the policy.
2. All formal actions of this Board of Trustees related to this Resolution and all deliberations of the Board of Trustees and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code.

DATE ADOPTED: January 26, 2021

**ROBERT DEJOURNETT,
PRESIDENT**

**DAWN DISTLER,
CHIEF EXECUTIVE OFFICER/
SECRETARY-TREASURER**

ATTACHMENT E

Public Engagement Policy

Effective September 1, 1994 (Resolution 1994-34)

Fare and Service Changes – Public Notification Process

1.) Purpose / Scope

- 1.1 To provide guidance for the proper notification to the public of any and all proposed fare increases or service changes.

2.) Guidance / Authority

- 2.1 306.35 Ohio Revised Code – Powers and Duties of a Regional Transit Authority
- 2.2 FTA Notice Requirements – C 9030-1A
- 2.3 Federal Register, April 17, 1980 DOT Public Hearing Requirements for Service Changes and Fare Changes

3.) Fare Change Policy

- 3.1 It is the Policy of the METRO Regional Transit Authority to not make any permanent change in fares without first giving public notification of such change and allowing the public the opportunity to give comments regarding such change.
- 3.2 Furthermore, the Board of Trustees shall not approve any permanent fare change without first giving consideration to any and all comments received at the public hearing for such purpose.
- 3.3 Temporary, seasonal and charter rates of fare are not subject to Sections 3.1 and 3.2 of this section.
- 3.4 Section 5(i)(3) defines fare changes as an increase or decrease in rate of fare.

4.) Service Change Policy

- 4.1 It is the policy of METRO Regional Transit Authority not to make any significant change in service without first giving public notification of such change, and allowing the public the opportunity to give comments regarding such service changes.
- 4.2 Furthermore, the Board of Trustees shall not approve any significant service change without first giving consideration to any and all comments received at a public hearing held for such purpose.
- 4.3 A significant service change is any permanent change that would effect 25% or more of the transit route miles, transit revenue miles, or ridership of a transit route.
- 4.4 Temporary service changes, detours, and seasonal changes such as Board of Education (BOE) service are not subject to this policy.

5.0 Public Hearing

- 5.1 The METRO Regional Transit Authority shall publish in a newspaper of general circulation within the County of Summit, and at least one newspaper of minority representation, notification of a public hearing concerning any permanent fare changes or significant service changes.

- 5.2 Said notice to be published once at least 30 calendar days prior to the date the public hearing is to take place, and said notice to contain a detailed description of current fares compared to proposed fares, and route service to be revised to current service levels.

6.0 Public Hearing

- 6.1 A detailed transcript of the public hearing must be made by the Secretary-Treasurer.
- 6.2 Such detailed transcript must further be furnished to all Board of Trustees members at least 10 calendar days prior to the Board considering any action to revise permanent fares or approve significant service changes.
- 6.3 The Board of Trustees shall give consideration to the comments received at the public hearing prior to any action approving said changes.

7.0 Documentation

- 7.1 It shall be the responsibility of the Secretary-Treasurer to maintain all documentation relating to any permanent fare changes or significant service changes.

**METRO RTA
BOARD MINUTES
ROBERT K. PFAFF TRANSIT CENTER BOARD ROOM
VIRTUAL MEETING
TUESDAY, NOVEMBER 24, 2020
9:00 A.M.**

Trustees Present: (all via teleconference) Robert DeJournett, Gary Spring, Mark Derrig, Heather Heslop Licata, Renee Greene, Chuck Rector, Vincent Rubino, Donald Christian, Louise Gissendaner, David Prentice

Trustees Absent: Nick Fernandez

Staff Present: Dawn Distler, Angela Neeley, Bambi Miller, Valerie Shea, Jarrod Hampshire, DeHavilland McCall, Shawn Metcalf, Jay Hunter, and METRO team members

Guests Present: Dr. Daniel Van Epps, Crystalynne Justers, Tim Rosenberger

CALL TO ORDER

Mr. DeJournett called the meeting to order at 9:01 a.m.

AUDIENCE PARTICIPATION

In keeping with Governor DeWine's order of social distancing due to the COVID-19 pandemic, audience participation is suspended for this meeting. No comments had been conveyed to the CEO by the Friday prior to this meeting.

RECOGNITION

None

APPROVAL OF MINUTES

Mr. DeJournett asked for a motion to approve the minutes of the October 27, 2020 meeting. Mr. Rector made a motion for approval, second by Ms. Licata. The minutes were unanimously approved.

COMMITTEE REPORTS & RESOLUTIONS

CUSTOMER EXPERIENCE & SERVICE PERFORMANCE COMMITTEE REPORT

Chair: Mark Derrig

Mr. Derrig reported the committee met on November 18. Mr. Derrig reviewed the KPIs. Construction is still on track, except for a delay in labor and materials at the Independence Transit Center. Mr. Hampshire introduced the resolutions.

Resolution 2020-23: A resolution authorizing the Chief Executive Officer/Secretary-Treasurer to award a one (1) year contract for the purchase of Ultra Low Sulfur Diesel Fuel and Gasoline for 2021. Mr. Derrig made a motion for approval, second by Mr. Rubino. All those present voted 'yes.' Resolution 2020-23 was approved by the Board.

Resolution 2020-24: A resolution authorizing the award of a one (1) year contract for the purchase of oils and other fluids specified for use in METRO vehicles. Mr. Derrig made a motion for approval, second by Ms. Greene. All those present voted ‘yes.’ Resolution 2020-24 was approved by the Board.

Resolution 2020-25: A resolution authorizing the award of a contract for the purchase of two (2) fully electric-powered 40 ft. buses from Gillig, LLC. Mr. Derrig made a motion for approval, second by Mr. Christian. All those present voted ‘yes.’ Resolution 2020-25 was approved by the Board.

ASSET PROTECTION & DEVELOPMENT COMMITTEE REPORT

Chair: Chuck Rector

Mr. Rector reported the committee met on November 18. Mr. Rector reviewed the KPIs.

Resolution 2020-26: A resolution approving the METRO RTA Public Transit Agency Safety Plan. Mr. Rector made a motion for approval, second by Ms. Gissendaner. All those present voted ‘yes.’ Resolution 2020-26 was approved by the Board.

Resolution 2020-27: A resolution appointing trustees to the Ohio Transit Risk Pool. Mr. Rector made a motion for approval, second by Mr. Derrig. All those present voted ‘yes.’ Resolution 2020-27 was approved by the Board.

Resolution 2020-28: A resolution appointing trustees to the Health Transit Pool of Ohio. Mr. Rector made a motion for approval, second by Ms. Licata. All those present voted ‘yes.’ Resolution 2020-28 was approved by the Board.

PLANNING / MARKETING / RAIL COMMITTEE REPORT

Chair: Donald Christian

Ms. Greene gave the committee report on behalf of Mr. Christian. Ms. Greene reported the committee met on November 18. Ms. Shea introduced the resolutions.

Mr. DeJournett commended Ms. Shea and the team for their hard work and effort put forth in compiling the Strategic Plan. It was very well accepted by the stakeholders and the community, and the public input helped shape the plan. This is just the beginning of the process.

Resolution 2020-29: A resolution appointing trustees to the “NEORide” Council of Government. Ms. Greene made a motion for approval, second by Mr. Rector. All those present voted ‘yes.’ Resolution 2020-29 was approved by the Board.

Resolution 2020-30: A resolution adopting the METRO Strategic Plan and superseding Resolution 2012-13. Ms. Greene made a motion for approval, second by Mr. Christian. All those present voted ‘yes.’ Resolution 2020-30 was approved by the Board.

FINANCE & AUDIT COMMITTEE REPORT

Chair: Nicholas Fernandez

Ms. Licata gave the committee report on behalf of Mr. Fernandez. Ms. Licata reviewed the financial dashboard. Ms. Distler introduced Resolution 2020-31, and Ms. Neeley reviewed Resolution 2020-32.

Resolution 2020-31: A resolution authorizing the Chief Executive Officer to pay “Perseverance Pay” to all METRO employees who continued to work through the pandemic. Ms. Licata made a motion for approval, second by Mr. Prentice. Mr. DeJournett, Mr. Derrig, Ms. Licata, Ms. Greene, Mr. Rector, Mr. Rubino, Mr. Christian, Ms. Gissendaner, and Mr. Prentice voted ‘yes.’ Mr. Spring voted ‘nay.’

Resolution 2020-31 was approved by the Board.

Resolution 2020-32: A resolution authorizing a budget/appropriation measure for calendar year 2021. Ms. Licata made a motion for approval, second by Mr. Derrig. All those present voted 'yes.' Resolution 2020-32 was approved by the Board.

GOVERNANCE COMMITTEE REPORT

Chair: Gary Spring

Mr. Spring reported the committee met on November 17. Ms. Distler introduced Resolution 2020-33, and offered members of the Racial & Social Equity Committee an opportunity to speak about the statement. Committee members include Angela Neeley, Molly Becker, Shawn Metcalf, Shannon Moore, Lori Stokes, and Lavar Jacobs.

Resolution 2020-33: A resolution adopting a Racial & Social Equity Statement as part of the Governing Principles of the METRO RTA Board of Trustees. Mr. Spring made a motion for approval, second by Mr. Christian. All those present voted 'yes.' Resolution 2020-33 was approved by the Board.

Resolution 2020-34: A resolution authorizing monthly meeting dates for METRO Board of Trustees in 2021. Mr. Spring made a motion for approval, second by Mr. Derrig. All those present voted 'yes.' Resolution 2020-34 was approved by the Board.

CHAIRS COMMITTEE REPORT

Chair: Mark Derrig

Mr. DeJournett introduced the Chairs Committee as an ad-hoc committee to keep the Board informed on contract negotiations. Mr. Derrig reported the committee met on November 4, and the committee was briefed by Ms. Distler and Mr. Hunter. Mr. Hunter updated the Board on the November 12 meeting held with the Teamsters union.

OTHER BUSINESS

None

OFFICERS' REPORT

President: Mr. DeJournett reminded the Board that the review process will take place soon for METRO's Chief Executive Officer. Mr. Fernandez will lead the 360 evaluation and Board input will be needed. Mr. DeJournett thanked the Board members who attended the awards ceremony in October. The ceremony was attended by Congressman Tim Ryan and Minority Leader Emilia Sykes, and Board members Mark Derrig and Vincent Rubino. It was a great opportunity for METRO to continue to shine. Mr. DeJournett said the Board will forgo the December Board meeting if there are no items for discussion.

Chief Executive Officer: Ms. Distler thanked the Board for attending this month's meeting, given a lot of business to take care of. Ms. Distler said in the middle of challenges the team continues to look towards the future and where we need to be as an organization – from electric buses, to implementing a Strategic Plan, and approving a budget. Ms. Distler thanked Board members for their leadership and continued support. She also thanked Operator Lavar Jacobs for his help with the Racial & Social Equity Statement, and noted the turkey giveaway he hosted in the community last week. Ms. Distler commended Mr. Jacobs for giving back to his community and she's proud to have him a part of the team. METRO is part of the Greater Akron Chamber's MaskUp330 campaign. As we go into the holiday season, she encourages everyone to be safe and mask up.

ADJOURNMENT

There being no other business to come before the Board, Mr. Rector made a motion to adjourn, second by Ms. Gissendaner. The motion to adjourn was unanimously approved, and the meeting adjourned at 9:53 a.m.

CERTIFICATE OF COMPLIANCE

Pursuant to Section III, Article 3.2 of the Rules & Regulations of the METRO Regional Transit Authority, METRO has complied with the Notice and Notification to the public and news media.

DATE APPROVED: November 24, 2020

**ROBERT E. DEJOURNETT,
PRESIDENT**

**DAWN S. DISTLER,
CHIEF EXECUTIVE OFFICER/
SECRETARY-TREASURER**

**METRO RTA
BOARD MINUTES
ROBERT K. PFAFF TRANSIT CENTER BOARD ROOM
VIRTUAL MEETING
TUESDAY, DECEMBER 17, 2020
9:00 A.M.**

Trustees Present: (all via teleconference) Robert DeJournett, Nick Fernandez, Gary Spring, Mark Derrig, Vincent Rubino, David Prentice, Chuck Rector, Renee Greene, Donald Christian, Louise Gissendaner

Trustees Absent: Heather Heslop Licata

Staff Present: Dawn Distler, Angela Neeley, Bambi Miller, Valerie Shea, Jarrod Hampshire, Jamie Saylor, Shawn Metcalf, Jay Hunter, Molly Becker, and METRO team members

Guests Present: Dr. Daniel Van Epps

CALL TO ORDER

Mr. DeJournett called the special meeting to order at 9:07 a.m.

DISCUSSION ITEMS

A special meeting was called for the Board of Trustees to accept or reject the Fact-Finding report concerning the collective bargaining agreement with the International Brotherhood of Teamsters Local #348 and Akron METRO Regional Transit Authority. A hearing was held on November 12, 2020 and METRO received the Fact-Finding report December 11, 2020. Mr. DeJournett stated the Chairs Committee met on December 16, 2020 and had a detailed discussion regarding the report.

Mr. DeJournett asked for a motion authorizing the Board of Trustees to vote on whether to accept or reject the Fact-Finding report. Mr. Fernandez made a motion to vote, second by Mr. Rector. Mr. DeJournett conducted a roll call and asked Board members if they accept or reject the Fact-Finding report. Board members who rejected the report were Mr. DeJournett, Mr. Fernandez, Mr. Christian, Mr. Spring, Mr. Rubino, Ms. Greene, and Ms. Gissendaner. Mr. Prentice and Mr. Derrig accepted the Fact-Finding report. Mr. DeJournett confirmed a verbal roll call was conducted and the Board of Trustees rejected the Fact-Finding report.

Mr. Spring added the Board is not looking for a concession package, but rather to return to the bargaining table and try to resolve the issues related to rocketing wage and benefit costs.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no other business to come before the Board, Mr. Rector made a motion to adjourn, second by Mr. Fernandez. The motion to adjourn was unanimously approved, and the meeting adjourned at 9:13 a.m.

CERTIFICATE OF COMPLIANCE

Pursuant to Section III, Article 3.2 of the Rules & Regulations of the METRO Regional Transit Authority, METRO has complied with the Notice and Notification to the public and news media.

DATE APPROVED: December 17, 2020

**ROBERT E. DEJOURNETT,
PRESIDENT**

**DAWN S. DISTLER,
CHIEF EXECUTIVE OFFICER/
SECRETARY-TREASURER**