



Minutes

Greater Dayton RTA Board of Trustees Public Board Meeting

January 3, 2017

- Trustees: Adrienne L. Heard, President
Sharon Hairston, Vice President
Vince Corrado
Franz Hoge
Sharon D. Howard
Janet Jones
David P. Williamson
Thomas Weckesser
- Excused: John Lumpkin
- Staff: Mark Donaghy, Chief Executive Officer
Chris Cole, Chief Maintenance Officer
Cathy Garner, Sr. Executive Administrative Assistant
Deborah Howard, Manager, Procurement
Allison Ledford, Director, Human Resources
Jim Napier, Chief Operations Officer
Brandon Policicchio, Chief Customer & Business Development Officer
Gene Rhodes, Chief Performance Officer
Bob Ruzinsky, Chief Capital Officer
Mary K. Stanforth, Chief Financial Officer
John Hollingsworth, Hollingsworth & Washington, LLC
- Others: Interested citizens (see attached sheet)

Call Meeting to Order

Ms. Heard called the meeting to order at 3:00 p.m. A quorum was present and proper notice of the meeting had been given.

PLEDGE OF ALLEGIANCE

Ms. Heard led attendees in reciting the Pledge of Allegiance.

ROLL CALL

Roll call was taken:

Mr. Corrado	Yes	Ms. Jones	Yes
Ms. Hairston	Yes	Mr. Lumpkin	Excused
Ms. Heard	Yes	Mr. Weckesser	Yes
Mr. Hoge	Yes	Mr. Williamson	Yes
Ms. Howard	Yes		

APPROVAL OF CONSENT AGENDA

Ms. Heard stated that Greater Dayton RTA (RTA) By-Laws require Board Trustees to approve the Board Meeting Agenda. Ms. Heard stated the Board Meeting Agenda was mailed in advance.

MOTION MADE by Mr. Weckesser and SECONDED by Mr. Corrado to APPROVE today's Board Meeting Agenda as presented.

MOTION CARRIED by voice vote.

Ayes: Eight

Nays: None

APPROVAL OF DECEMBER 6, 2016 MEETING MINUTES

Ms. Heard asked if anyone desired a reading of the minutes or if there were any corrections to the minutes? Upon hearing no requests or corrections, Ms. Heard declared ACCEPTANCE of the December 6, 2016 Meeting Minutes.

FINANCE/PERSONNEL COMMITTEE REPORT (SHARON HAIRSTON)

Ms. Hairston stated the Finance/Personnel and Planning Committees met on December 20th and as a result the Finance/Personnel Committee is recommending four (4) Action Items for approval by the Board of Trustees.

ACTION ITEM #2 – BUS MANUFACTURING INSPECTION AND QUALITY ASSURANCE SERVICES

Ms. Hairston stated the purpose of this procurement is for the Greater Dayton RTA to award a contract to a firm to perform Bus Manufacturing Inspection and Quality Assurance Services for multiyear bus procurements. This

is being done because the Federal Transit Administration requires “in-plant” bus inspections when ten (10) or more buses are purchased. Outsourcing this task is a cost effective method of complying with this requirement which demonstrates RTA’s commitment to the Core Value, Stewardship, managing time and resources efficiently.

The firm will conduct pre-production activities, production line inspections, post-production inspection, and reporting and communication on each bus.

MOTION MADE by Ms. Hairston and SECONDED by Mr. Hoge to AWARD a contract to TRC Engineering Services LLC, in the not-to-exceed amount of \$83,616 plus a contingency of \$11,000 for a total not-to-exceed total of \$94,616. This procurement will be funded with federal funds.

MOTION CARRIED by voice vote.

Ayes: Eight

Nays: None

ACTION ITEM #3 – OVERHEAD INFRASTRUCTURE PARTS FOR VARIOUS LOCATIONS

Ms. Hairston stated the purpose of this procurement is to purchase Electric Trolley Bus (ETB) Overhead Infrastructure Parts for the reinstallation of the ETB system removed for the construction of I-75 through downtown Dayton and rebuilding the intersection of Salem Avenue and Riverview. These installations will help prepare for the anticipated future reconstruction of the Main Street Bridge over the Miami River. These installations fit into the overall plan for upgrading and improving the reliability of RTA’s ETB infrastructure to support the anticipated purchase of NexGen buses.

MOTION MADE by Ms. Hairston and SECONDED by Ms. Howard to AWARD a contract to Phoenix Mining Equipment, Inc. in the amount of \$177,015. This procurement will be funded with Federal Grant funds.

MOTION CARRIED by voice vote.

Ayes: Eight

Nays: None

ACTION ITEM #4 – VERTICAL BUILDING ENVELOPE RESTORATION

Ms. Hairston stated that RTA solicited bids for a Vertical Building Envelope Restoration. This is long-term exterior renovation work to the Wright Stop Plaza Campus; consisting of the American, Cooper, and LaFee buildings. Work will include masonry, metal, terra cotta, exterior painting and sealing, and window restorations on floors 4 thru 13. This project relates to Stewardship as RTA is committed to properly managing all fixed assets. Failure to maintain the buildings will result in their deterioration.

MOTION MADE by Ms. Hairston and SECONDED by Mr. Hoge to AWARD a contract to NR Lee Restoration Ltd. for the Vertical Building Envelope Restoration for a total of \$874,474 along with an “extra work” allowance of \$175,000 to allow for items which will most likely be uncovered during the actual renovations for a grand total of \$1,049,474. This procurement will be funded 80% through Federal grant funds.

MOTION CARRIED by voice vote.

Ayes: Eight

Nays: None

ACTION ITEM #5 – FINANCE POLICY #11 – CAPITAL ASSET USEFUL LIVES

Ms. Hairston stated that this Policy describes Capital Assets of the Greater Dayton RTA, and provides standards for Capital Asset Useful Lives. A Capital Asset’s Useful Life specifically relates to the timeframe in which said asset is depreciated. This Policy was recently recommended as a result of RTA’s 2015 Financial Audit conducted by Ohio’s Auditor of State.

MOTION MADE by Ms. Hairston and SECONDED by Mr. Hoge that the Board of Trustees APPROVE New Finance Policy #11 – Capital Asset Useful Lives.

MOTION CARRIED by voice vote.

Ayes: Eight

Nays: None

DISCUSSION ITEMS TO MENTION

September Sales Tax Update

Ms. Hairston stated that during the committee meeting, Ms. Mary Stanforth reported that September 2016 receipts are \$184,000 higher than September 2015. This equates to a 5.6% increase. Year-to-Date September 2016 receipts are \$2.01 Million higher than September 2015. This equates to a 7.0% increase.

November 2016 Financial Statements

Ms. Hairston stated that Ms. Stanforth reported that for November 2016 RTA's Net Loss after Local Depreciation is \$244,000 compared to a Budgeted Loss of \$42,000. November 2016 Year-to-Date Net Loss after Local Depreciation is \$955,000 compared to a Year-to-Date Budgeted Loss of \$572,000.

PLANNING COMMITTEE REPORT (SHARON HOWARD)

Ms. Howard reported the Finance/Personnel and Planning Committees met for a jointly held meeting on December 20th and the Planning Committee has no Action Items to be presented today, however, there are important informational items to be shared.

At the meeting, Mr. Policicchio provided a summary document of recent activities in the Customer and Business Development Department. A summary of positive local and national news highlighting our agency was also provided.

Ms. Howard communicated that Mr. Policicchio shared information on the December 6th RideTime celebration. Over 200 customers signed up and participated in the two hour event held at Wright Stop Plaza. Customer usage of RideTime products have grown over the past two months, netting over 800 customer downloads of the RideTime app.

In addition, Ms. Howard commented that other updates include 1) ongoing work refreshing the iriderta.org website and 2) RTA's partnership with the University of Dayton (UD) and Sinclair Community College. This partnership provides free passes to students enrolled in the UD Sinclair Academy.

In closing, Ms. Howard stated that Mr. Policicchio shared upcoming service schedule changes for the Martin Luther King, Jr. holiday.

CHIEF EXECUTIVE OFFICER'S REPORT

Mr. Donaghy commented that he had one informational item to report. Mr. Donaghy stated with it being a new year for RTA this means a new physical year. Mr. Donaghy stated that the work now begins with addressing this year's budget and to keep the Board abreast of the potential loss of sales tax revenues beginning July 1st. Mr. Donaghy stated that he remains hopeful with regards to reaching an agreement with the Amalgamated Transit Union (ATU). Mr. Donaghy commented that currently there are no meetings scheduled between RTA and the ATU.

OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENT

Ms. Heard reminded attendees that according to RTA's guidelines, speakers must read, sign, and date a form and provide it to the Secretary/Treasurer of the Greater Dayton RTA before the start of the RTA Board of Trustees Public meeting.

Ms. Heard reminded attendees that anyone who wishes to speak must speak on their own behalf and not someone else's and must address comments and/or concerns to the full Board and not directly to any individual in management. Ms. Heard further stated that if you don't have enough time to speak during the three (3) minute time limit that one may remain after the meeting to discuss any concerns further with RTA Staff.

Mr. Larry Cornwell – 5460 Dove Tree Blvd. – Moraine, Ohio. Mr. Cornwell is concerned about the upcoming strike and about being able to get to his dialysis appointments. Additionally, Mr. Cornwell wanted to make sure that a Ms.

Shawana Horn, a nurse at the Veterans Administration, was picked up should there be a strike.

Ms. Dorothy May – 6605 Grovebelle - Dayton, Ohio. Ms. May stated that she is currently experiencing a dilemma with Project Mobility (PMOB) rules and regulations with regard to living outside of the service range. Ms. May stated that her residence is ten houses away from the three quarter of a mile range for project mobility services. Ms. May stated that PMOB has to pass her house to get to where they are requesting her to wait for her pickup. Ms. May commented that she is here today to ask if her request can be re-visited because it is very hard for her to travel during inclemental weather.

Mr. Donaghy stated there are rules in place regarding boundary limits for reasons mandated by the federal government. However, Mr. Donaghy asked Ms. May if she could stay after the meeting to meet with Mr. Policicchio to further discuss the matter.

Ms. May replied yes.

Ms. Ruby Thompson – 729 W. Grand Ave., Apt. #142 – Dayton, Ohio. Ms. Thompson stated that she is concerned about the number of times that she has called in to Project Mobility with her trips not being recorded properly. Ms. Thompson stated that on one occasion she was not picked up and when she called to ask why she was told that the trip was not in the system. Ms. Thompson would like the matter to be further investigated to find out why this happened. Ms. Thompson also asked if people using PMOB will have a way to work should drivers go on strike.

Mr. Donaghy asked Ms. Thompson if she too could stay after the meeting to further discuss her comments and concerns. Mr. Donaghy thanked Ms. Thompson for bringing these matters to his and the Board's attention and commented, when such instances occur to please bring them to RTA's attention at the time of incident and not to wait until a Board meeting.

Mr. Donaghy replied to Ms. Thompson's second part of her question stating what he does know for sure is that Staff knows that there is enough manpower for medically necessary scheduled trips for Project Mobility customers.

However, from there on it will be how much additional manpower is available to provide PMOB customers trips other than medically related trips. Mr. Donaghy stated this would depend on how many bus drivers crossed the picket line.

Ms. Thompson thanked Mr. Donaghy for his comments.

Ms. Howard took a moment to reiterate to the listening audience that customers with repeated issues should please call in and report such issues to the correct department prior to attending RTA Board meetings. This process will help to resolve and/or speed up the process. Ms. Howard also commented that upon attending a Board meeting it would be of help if the matter was not rectified if you could have the information available of whom you spoke with along with the other pertinent information regarding your specific concern.

Ms. Nozipo Glenn – 1115 Wilson Drive – Dayton, Ohio. Ms. Glenn stated that she has been an RTA passenger since 1975 and serves on RTA's Citizens Advisory Board. Ms. Glenn is an immigrant from Africa. Ms. Glenn is here today to remind everyone of the importance of RTA to the community and its customers. During all of these deliberations Ms. Glenn wanted to remind everyone of one thing and that is that we are dealing with human beings who rely on RTA's services. Ms. Glenn would like to see both sides quickly come together to prevent a strike.

Mr. Donaghy stated that he doesn't believe there is any other customer who rides the RTA more than Mama Nozipo and that he appreciates her comments and patronage to RTA.

Ms. Heard thanked Ms. Glenn for her ridership but more importantly for her committed service on the RTA Citizens Advisory Board.

Mr. Gregory W. Johnson – 516 Dakota Street – Dayton, Ohio. Mr. Johnson stated that he is concerned about the possibility of a strike and the rippling effect that it would have upon the Dayton community.

Ms. Howard wanted to go on record stating the potential strike is between the Amalgamated Transit Union (ATU)

and the RTA, not the Amalgamated Transit Union and Mr. Donaghy.

Mr. Matt Trimble – 310 N. Main Street – Englewood, Ohio. Mr. Trimble stated that he has been an employee of RTA for eleven years. Mr. Trimble stated that he is a Maintenance Representative for the ATU Local 1385, and that he serves on the contract negotiating committee. Mr. Trimble is here today to suggest that the Board select a binding, 3rd party arbitrator, in order to prevent a strike from occurring.

Ms. Heard thanked Mr. Trimble for his comments.

Mr. Donaghy stated that he wanted to make a comment for those who may be unaware that the Union requested binding arbitration back in October 2016. ATU's recommendation was to request that the contract be handed off to an Independent Third Party.

Mr. Donaghy stated that years ago, in order to get the “right to strike” back, Unions in Ohio gave up binding arbitration and it was written into many contracts. The fact is that Unions across the board traded it for an alternate dispute resolution process, which is fact finding. Mr. Donaghy stated to Mr. Trimble that Mr. Trimble is well aware that RTA and the ATU has already been through that expensive process, with both parties rejecting the outcome.

Mr. Donaghy went on to say that the difference with binding arbitration is that no one can reject a resulting recommendation. If you allow this situation to go to an arbitrator, that's it! Mr. Donaghy stated that whatever he or she decides - that is the new contract. So if that new decision adds \$4 million or \$6 million more dollars of burden to the taxpayers, that means RTA has to deal with that, and for RTA that means cuts in service, increased fares or some combination of both. These cuts would be significant cuts. Mr. Donaghy stated that even with the ATU's current proposal it adds over \$3.2 million dollars to what was on the table, at the time. Mr. Donaghy commented to Mr. Trimble that RTA made a huge service reduction back in 2007, that's about the same amount of money that we are talking about now. Mr. Donaghy stated he stands behind not handing this decision off to a third party!

Mr. Donaghy added that he doesn't feel as though the customers or the public should have to endure the burden of services being drastically reduced or a significant fare increase, simply so that the ATU can have what they want, when there is a reasonable offer on the table. Mr. Donaghy stated that we can agree or disagree whether the offer is reasonable or not, but the public should know that there has been four (4) different offers on the table since the ATU demanded a final offer on May 5th and it was given to the ATU on May 6th. The proposal has been changed as many times as Staff could. On May 6th it was stated at the meeting that "Final meant Final" and adding money was not possible.

Mr. Donaghy stated this is why he is concerned that RTA and the Union won't resolve this matter and just last Thursday evening the Union President sent Mr. Donaghy a letter adding even more demands.

Mr. Donaghy stated that no one wants to talk about the small fortune that has already been spent of the taxpayer's money by going to Fact Finding because the Union and RTA only met two times, less than four hours both times in actual face to face negotiations, and then the parties went to Mediation and then Fact Finding, and here we are today. Mr. Donaghy stated that the only people that can stop a strike here today are the Amalgamated Transit Union Members. Mr. Donaghy communicated that RTA doesn't get to vote on the decision to strike.

Mr. Donaghy stated yes, Mr. Glenn Salyer and I do not get along however, we don't have to get along to negotiate a contract. Mr. Donaghy stated RTA and the Union require a reasonable agreement that both parties can support. In conclusion, Mr. Donaghy stated that he truly hopes that this can be resolved with a positive outcome for both parties. Finally, Mr. Donaghy, stated that to date he has not received a request to meet by Mr. Salyer, in the attempt to reach an agreement. We do not want to see our employees without pay and our customers without bus services. Mr. Donaghy communicated that if Mr. Salyer is watching to please call him so that they can meet in order to reach an amicable agreement.

**BOARD MEMBER COMMENTS
- ANNOUNCEMENTS**

Ms. Howard wished everyone a Happy New Year!

Ms. Heard stated that she would like to inform everyone that in looking ahead at the suggested items on the agenda for upcoming RTA Committee and Board meetings, the following meetings will be cancelled due to no Action Items being presented. Therefore, the January 17th RTA Finance, Planning and Personnel Committee meeting will be cancelled. Additionally, the February 7th Board meeting will also be cancelled. Ms. Heard asked the Trustee's that while the above meetings have now been cancelled that they should still tentatively hold the dates in the event that an emergency meeting needs to occur.

Ms. Hairston stated that the Board desires a resolution to the contract negotiations, as well.

Mr. Hoge stated that Mr. Donaghy firmly summarized his comments very well in his closing statements. Mr. Hoge commented that if the Union members knew the entire history of the negotiation process that they would feel differently than they presently feel now.

Mr. Williamson stated that RTA's finances are public information and that they were reported at the end of the year and there seems to be a misconception out there on the street that RTA has buckets of money to be thrown wherever it needs to be thrown, which is not true. Mr. Williamson stated that this organization is running a deficit and that the RTA Trustees are all appointed as volunteers, as none of the Trustees are paid and they each take very seriously the stewardship of RTA and the need to make certain that all that have spoken today get to where need be whether it's work, health care appointments, or otherwise, so there is no other group of people who desire more a resolution of this matter. This is not just a matter of Mr. Donaghy and Mr. Sayler sitting down one-on-one trying to negotiate this contract. Mr. Williamson stated that there is a team from the Union and a team from RTA and it is a fallacy to believe that it is just two people meeting regarding this matter.

Mr. Williamson stated that with all of that said and as Chair of the Investment Advisory Committee the fuel hedging was discontinued last year. The periodic review of the hedging status no longer exists. Mr. Williamson stated that as Chair of this committee he is utilizing his power to cancel the January 19th Investment Advisory Committee meeting. The next meeting will be held on April 20, 2017.

EXECUTIVE SESSION

Ms. Heard stated there is a request to go into Executive Session to discuss the employment and compensation of a public employee, as well as preparing for, conducting, or reviewing negotiations or bargaining sessions with employees.

MOTION MADE by Mr. Hoge and SECONDED by Ms. Howard to RECESS into Executive Session for the purposes specified.

Roll call was taken:

Mr. Corrado	Yes	Ms. Jones	Yes
Ms. Hairston	Yes	Mr. Lumpkin	Excused
Ms. Heard	Yes	Mr. Weckesser	Yes
Mr. Hoge	Yes	Mr. Williamson	Yes
Ms. Howard	Yes		

The meeting recessed at 3:47 p.m.

MOTION MADE by Ms. Howard and SECONDED by Ms. Jones to RECONVENE into regular session.

Roll call was taken:

Mr. Corrado	Yes	Ms. Jones	Yes
Ms. Hairston	Yes	Mr. Lumpkin	Excused
Ms. Heard	Yes	Mr. Weckesser	Yes
Mr. Hoge	Yes	Mr. Williamson	Yes
Ms. Howard	Yes		

The meeting reconvened at 4:43 p.m.

ADJOURNMENT

MOTION MADE by Mr. Williamson and SECONDED by Ms. Howard to ADJOURN the meeting.

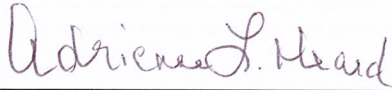
MOTION CARRIED by voice vote.

Ayes: Eight

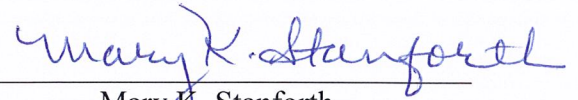
Nays: None

The meeting adjourned at 4:44 p.m.

ATTEST



Adrienne L. Heard
President
RTA Board of Trustees



Mary K. Stanforth
Secretary/Treasurer
RTA Board of Trustees

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