



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 at **Tuesday, October 12, 2021** 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 Facebook page (www.facebook.com/rideRTA) for staff and members of the public. Members of the public may also attend in-person. Based on Centers for Disease Control (CDC) guidance to continue to avoid large events and gatherings and Ohio Department of Public Health advice that businesses and other entities may continue to require mitigation measures, as well as RTA's interest in protecting community and employee health and safety, the following measures will be in place for in-person attendance:

1. To allow for social distancing, RTA Board Room capacity is limited to forty-four (44) people. To accommodate members of the public, RTA will limit the number of staff permitted in the Board Room.
2. All persons entering RTA's Main Office Building ("MOB") at 1240 West 6th Street are required to wear a mask/face covering and maintain a distance of six feet or more from other individuals who are not members of their family or household. The mask/face covering must be cloth or other fabric and worn to cover the person's nose, mouth and chin. If a person entering the building does not have a mask, one can be provided to them.
3. All persons entering RTA's MOB will be temperature screened for COVID-19 in accordance with guidance provided by the CDC and the Cuyahoga County Board of Health. If the screening indicates that the person may be infected with COVID-19, that individual will be denied entry.

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

- 9:00 A.M. Organizational, Services & Performance Monitoring Committee
- Negotiated Procurement – A presentation of a negotiated sole source procurement for Taser Program Equipment and Services.
- Audit, Safety Compliance And Real Estate Committee
- Transit Police Update – Update on crime stats.
 - Safety Update – Presentation on Safety Performance Targets.
 - Executive Session Requested – To consider the purchase of property for public purposes or the sale of property at competitive bidding.



Greater Cleveland
Regional Transit Authority

Committee of The Whole

- Transit Police Update - Presentations on Transit Ambassador Program and Civilian Review Board.
- Memorandum of Understanding – A presentation on a memorandum of understanding between the Transit Police and the FBI.
- Code Book Updates – Presentation on various provisions in the Administration and Human Resources parts of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority.
- Executive Session Requested:
 - To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official.
 - To review the negotiations concerning the compensation/terms and conditions of employment for GCRTA's union employees.

A handwritten signature in blue ink that reads "India L. Birdsong". The signature is fluid and cursive, with a long, sweeping tail on the letter "g".

India L. Birdsong
General Manager, Chief Executive Officer

ILB:tab
Attachment

AGENDA

RTA ORGANIZATIONAL, SERVICES & PERFORMANCE MONITORING COMMITTEE

Tuesday, October 12, 2021

Committee Members: Mayor Michael P. Byrne, Chair
Ms. Karen Gabriel Moss
Ms. Roberta Duarte
Mr. Leo Serrano
Mayor David E. Weiss

- I. Roll Call
- II. Negotiated Procurement – A presentation of a negotiated sole source procurement for Taser Program Equipment and Services.

Presenters:

- Chief Deirdre Jones, Transit Police
- Vanessa Penning, Contract Administrator


- III. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

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

Date: October 7, 2021

Subject: Summary of Award – Taser 7 Program Equipment and Services

This is a negotiated procurement for a qualified firm to provide the Authority with a comprehensive taser program to its Transit Police Officers that includes training, certification, materials, equipment and other related services for a period of five years.

At the October 12, 2021, Organizational, Services & Performance Monitoring Committee meeting, we will make a presentation of the sole source procurement process and staff recommendation for contract award. Attached is the summary for this contract award. We will be requesting that the Organizational, Services & Performance Monitoring Committee recommend the award of this contract at the October 26, 2021 meeting of the Board of Trustees.

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

ILB/MD
Attachment

**SUMMARY OF PROPOSED AWARD
TASER 7 Program Equipment and Services**

PROJECT OVERVIEW:

The Greater Cleveland Regional Transit Authority is seeking the services of a qualified company to provide a comprehensive Taser program equipment and services to its Transit Police Officers that includes training, certification, materials, equipment, and other related services.

Conducted energy weapons (CEW), commonly referred to as "Tasers" allow transit police officers an important tool that bridges the gap between open hand control techniques and lethal force. CEW can be used at distances of up to 27 feet, depending on what hardware is deployed and are useful in taking people into custody that would be otherwise subjected to more significant amounts of force. The Taser program will reduce the likelihood of officers being injured while dealing with violent and combative subjects. The Authority will be obtaining the Taser 7 units in the yellow handle version, allowing officers the greatest possible chance of recognizing it as a nonlethal CEW and not a lethal handgun. The Taser 7 energy weapon program is necessary so that all Greater Cleveland Transit Police Officers will each have a department issued Taser, equipment, training, and other related services. This will specifically allow the Authority to purchase energy weapon program management, Taser 7 units, license, warranty, Taser 7 certification plans and add-ons, hands on-weapon training through virtual reality, equipment, materials, and other related services. All equipment including includes a five-year warranty.

PROCUREMENT OVERVIEW:

Section 306.43 (H)(3) of the Ohio Revised Code states that a sole source procurement is authorized when "the expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns". Axon Enterprise, formerly known as TASER International, is the only vendor that manufactures and sells the Taser 7 energy weapon Certification plan, Taser 7, and the Taser 7 certification plan with Virtual reality. This procurement will allow the Authority to upgrade its current Taser program, which utilizes older Taser models, with 130 of the Taser 7 model and will include licenses, equipment, and related services. Therefore, this project is deemed a sole source procurement and is exempt from competitive bidding.

With this upgrade comes improved technology including Taser 7 Certification with Virtual Reality (VR): This provides GCRTA with access to Evidence.com for energy weapon program management, annual training cartridges, unlimited duty cartridges, online training content, and VR training.

The Procurement Department received a proposal on September 14, 2021. The proposal was reviewed by representatives from Transit Police and Procurement, and after negotiations, deemed advantageous, fair and reasonable to the Authority.

RECOMMENDATION

Axon Enterprise, located in Scottsdale, Arizona, provides public safety technological security products and services for law enforcement, military, corrections, and private security. The company develops, manufactures, and sells conducted energy weapons, under its brand name TASER, as well as body cameras and cloud-based digital evidence management software.

The strengths of Axon Enterprise include:

- Extensive work with law enforcement agencies
- Thorough understanding of conducted energy equipment and related services
- Prior experience with GCRTA
- Understanding of the Authority's needs and expectations

The DBE Goal for this contract was set at 0% by the Office of Business Development.

CLIENT BASE

Clients of Axon Enterprise include the Greater Cleveland Regional Transit Authority (GCRTA), Metropolitan Atlanta Rapid Transit Authority (MARTA), New York City Transit (NYCT), Maryland Transit Authority (MTA), Bay Area Rapid Transit (BART), and Houston Metro Transit (HMT), among others.

A resolution will request authorization to issue a contract to Axon Enterprise Inc. to provide Taser 7 Program Equipment and Services in an amount not to exceed \$515,890.00 for a five-year term.

REVISED AGENDA

RTA AUDIT, SAFETY COMPLIANCE AND REAL ESTATE COMMITTEE

Tuesday, October 12, 2021

Committee Members: Ms. Karen Gabriel Moss - Chair
Mr. Terence P. Joyce
Mayor Paul A. Koomar
Ms. Valarie J. McCall
Mayor David E. Weiss

- I. Roll Call
- II. Transit Police Update – Update on crime stats.
Presenter:
 - Commander Mike Gettings, Transit Police
- III. Safety Update – Presentation on Safety Performance Targets.
Presenter:
 - Steve Peganoff, Director of Safety
- IV. Executive Session Requested - To consider the purchase of property for public purposes or the sale of property at competitive bidding.
- V. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

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

Date: October 7, 2021

Re: Transit Police Update

A handwritten signature in blue ink, appearing to be 'IB', enclosed in a blue oval.

At the Tuesday, October 12, 2021 Audit, Safety Compliance and Real Estate Committee, the Transit Police Department will provide a 2021 update on crime stats.

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


ID/DJ/mdw



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

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

Date: October 7, 2021

Subject: Presentation on Safety Performance Targets

At the October 12, 2021 Audit, Safety Compliance and Real Estate Committee meeting, Steve Peganoff, Director of Safety will provide an update on the status of the Performance Targets contained in the GCRTA Public Transportation Agency Safety Plan.

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

IB/SP

REVISED AGENDA

RTA COMMITTEE OF THE WHOLE BOARD

Tuesday, October 12, 2021

Committee Members: President Charles P. Lucas (Chair)
 Ms. Karen Gabriel Moss (Vice Chair)
 Mayor Michael P. Byrne
 Ms. Roberta Duarte
 Mr. Terence P. Joyce
 Mayor Paul A. Koomar
 Ms. Valarie J. McCall
 Ms. Luz N. Pellot
 Mr. Leo Serrano
 Mayor David E. Weiss

- I. Roll Call
- II. Transit Police Update - Presentations on Transit Ambassador Program and Civilian Review Board.

Presenters:
 - Chief Deirdre Jones, Transit Police
 - Dr. Floun'say R. Caver, Deputy General Manager of Operations
- III. Memorandum of Understanding – A presentation on a memorandum of understanding between the Transit Police and the FBI.

Presenter:
 - Commander Mike Gettings, Transit Police
- IV. Code Book Updates – Presentation on various provisions in the Administration and Human Resources parts of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority.

Presenter:
 - Dawn Tarka, Associate Counsel
- V. Executive Session Requested:
 - To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official.
 - To review the negotiations concerning the compensation/terms and conditions of employment for GCRTA's union employees.
- VI. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

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

Date: October 7, 2021

Re: Transit Police Update

A handwritten signature in blue ink, appearing to be 'IB', enclosed in a blue circle.

At the Tuesday, October 12, 2021 Committee of the Whole, the Transit Police Department will provide an update on the development of a Transit Ambassador Program and a Civilian Review Board.


Transit Police will also provide information on the change in the memorandum of understanding between the Transit Police and the FBI and recommend that the Committee of the Whole present the memorandum of understanding to the full Board for approval on October 26, 2021.

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

ID/DJ/mdw



To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

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

Date: October 7, 2021

Subject: Administration and Human Resources Code Update

At the October 12, 2021 Committee of the Whole meeting, staff will present proposed revisions to the Authority's Administration Code and Human Resources Code, specifically the chapters relating to the Administration and External Affairs Division, the Legal Affairs Division and the Diversity, Equity and Inclusion policy.

The proposed revisions to the policies include:

1. Enacting a chapter creating the Administration and External Affairs Division and removing chapters relating to the Office of Marketing and Communications and the Office of External Affairs as separate departments.
2. Amending the section regarding the Legal Affairs Division to reflect the movement of the Office of OEO and ADA from the Legal Affairs Division to the Administration and External Affairs Division.
3. Updating the Diversity & Inclusion policy to include Diversity, Equity and Inclusion.

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

Attachments: New Chapter 288 and red-lines of Chapters 291, 295 and Sections 284.01 and 620.04

IB/dmt

CHAPTER 288
Administration and External Affairs Division

295.01 Composition.

295.02 Deputy General Manager-Administration and External Affairs.

CROSS REFERENCES

Federal Transit Administration, Department of Transportation - see 49 C.F.R. Ch. VI

Contracts with other governments - see Ohio R.C. 306.44

Cooperation with other agencies - see Ohio R.C. 306.53

295.01 COMPOSITION

The Administration & External Affairs Division is responsible for the Authority's external affairs, including media relations, marketing, government relations and the Office of Employment Opportunity ("OEO") and administration of the Americans with Disabilities Act ("ADA").

(Res. 2021-XXX. Passed XX-XX-21.)

295.02 DEPUTY GENERAL MANAGER – ADMINISTRATION AND EXTERNAL AFFAIRS

There is hereby established in the Administration and External Affairs Division the unclassified position of Deputy General Manager – Administration and External Affairs.

(Res. 2021-XXX. Passed XX-XX-21.)

CHAPTER 291
Office of Marketing and Communications

291.01—Supervision.———291.02———Executive Director.

CROSS REFERENCES

Public transportation—see 49 U.S.C.A. 5301 et seq.

Federal Transit Administration, Department of Transportation see 49 C.F.R.
Ch. VI

Table of organization; establishment of departments; salaries—see BYLAWS,
Art. VIII, Sec. 4

291.01 SUPERVISION.

The Office of Marketing and Communications will report to the General Manager/Secretary Treasurer.
(Res. 2015 124. Passed 12 15 15.)

291.02 EXECUTIVE DIRECTOR.

There is hereby established in the Office of Marketing and Communications the unclassified position of Executive Director of Marketing and Communications.
(Res. 2015 124. Passed 12 15 15.)

CHAPTER 284
Legal Affairs Division

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|--------|--|--------|------------------------|
| 284.01 | Composition. | 284.03 | Outside counsel; fees. |
| 284.02 | General Counsel, Deputy General Manager-Legal Affairs. | | |

CROSS REFERENCES

~~Public transportation~~ – see ~~49 U.S.C.A. 1601 et seq.~~ Federal Transit Administration, Department of Transportation - see 49 C.F.R. Ch. VI
Implementation of the Federal Claims Collection Act - see 49 C.F.R. Part 89
Responsibilities and authority of ~~CEO, General Manager/Secretary–
Treasurer, Chief Executive Officer~~ re Legal Affairs Division - see Bylaws
~~Art. II, Sec. 8(b)(10),(11)Art. VIII, Sec. 1(j) & (k)~~
Attorneys - see Ohio R.C. Ch. 4705
Deputy General Manager-Legal Affairs as member of Executive
Management Team - see ADM. 240.01

284.01 COMPOSITION.

The Legal Affairs Division is responsible for handling the Authority's legal matters, including litigation, transactional and administrative matters, risk management, claims, Workers' Compensation and safety. ~~The office of OEO and ADA is located within the Legal Affairs Division.~~
(Res. 1999-147. Passed 10-26-99; Res. 2015-125. Passed 12-15-15. Res. 2021-XXX.
Passed XX-XX-21.)

284.02 GENERAL COUNSEL, DEPUTY GENERAL MANAGER-LEGAL AFFAIRS.

There is hereby established in the Legal Affairs Division the unclassified position of General Counsel, Deputy General Manager-Legal Affairs, within the executive management structure.
(Res. 1999-147. Passed 10-26-99; Res. 2015-125. Passed 12-15-15.)

284.03 OUTSIDE COUNSEL; FEES.

(a) The Authority maintains an in-house legal staff to provide advice and conduct legal services on customary and recurring matters of a legal nature.

620.04 DIVERSITY, EQUITY AND INCLUSION POLICY.

(a) The Board of Trustees of the Greater Cleveland Regional Transit Authority (the Authority) acknowledges public transportation as an anchor for equal opportunity as well as social and economic equity. The Board affirms the Authority's commitment to diversity, equity and inclusion and ~~takes seriously~~ its responsibility to provide first class public transportation services ~~to the residents of Cuyahoga County. In doing so, the~~The Board believes that to best understand and serve the needs of our customers and communities, the Authority must reflect diversity, equity and inclusion in its Board composition, employees, contractors and suppliers.

(b) The Board believes that diverse, equitable and inclusive organizations find more credibility and support with the public, and success in today's marketplace. Furthermore, the variety of viewpoints that comes from different life experiences, backgrounds, and cultures enhances discussions and decisions, and can add a higher degree of accountability. A diverse, equitable and inclusive organization is able to capitalize on the unique skills and abilities of all employees, expand its supplier and customer base, and better support the communities it serves.

(c) ~~The Board is adopting this~~This policy ~~to affirm its~~affirms the Board's longstanding position that a commitment to diversity, equity and inclusion within the Authority are chief among its responsibilities, priorities, and concerns. The Board therefore seeks to promote equity and support diversity across the full range of operations of the Authority, including its management policies, employment practices, procurement goals, and its approach to services, investments, and community partnerships. The principles supporting this statement will help ensure the Authority is sustainable, innovative and is able to foster economic development and will provide the services that its customers need and want.
(Res. 2010-13. Passed 2-16-10. Res. 2021-XX. Passed XX-XX-21.)