

### Agenda

1. Call to Order Oral  
Roll Call
2. Meeting Minutes Attachment 2a  
Minutes from June 24, 2021, Meeting (Motion Required)
3. Guest Communications (2-minute limit) Oral
4. General Manager's Report Attachment 4
5. Committee Reports Did Not Meet
  - a. Administration Scheduled to Meet 7/20
  - b. Finance Did Not Meet
  - c. Operations Did Not Meet
  - d. Personnel Did Not Meet
6. Old Business
7. New Business
8. Resolutions - Roll Call Approval Required  
  
**#2021-07-01: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (*PARTA*) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO NEGOTIATE, ENTER INTO, AND SIGN AN AGREEMENT WITH CAVANAUGH BUILDING CORPORATION FOR THE CONSTRUCTION OF A DRIVER TRAINING PAD.**  
  
**#2021-07-02: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (*PARTA*) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FEDERAL FISCAL YEAR 2026 TO PURCHASE UP TO THREE (3) CLEAN DIESEL VEHICLES.**
9. Election of Board Officers
10. Executive Session (if needed) - Roll Call Approval Required
11. Adjournment

**Next Regular Meeting:**

**August 26, 2021 @ 7 p.m.**  
**IN PERSON**

***PARTA***  
**PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY**

**BOARD OF TRUSTEES MEETING MINUTES**  
**Held in person and via Zoom**

**June 24, 2021**

**Board Members Present:**

Karen Beck	Debbie Davison	Frank Vitale
Marge Bjerregaard	Mike Lewis, Vice President	Karen Wise, TPO (via Zoom)
Richard Brockett (via Zoom)	R. T. Mansfield	Marvin Woods
Jeff Childers	Morgan Tipton	

**Staff Present:**

Claudia Amrhein	Kelly Jurisch	Rebecca Schrader
Denise Baba	Justin Markey, Roetzel & Andress	Brian Trautman
Marcia Fletcher	Clayton Popik	

**Board Members Not Present:**

David Gynn (1 <sup>st</sup> excused absence)	Jack Murphy (1 <sup>st</sup> excused absence)
Virginia Harris (2 <sup>nd</sup> unexcused absence)	

**Guests Present:**

None.

**CALL TO ORDER**

Vice President Mike Lewis called the June 24, 2021, *PARTA* Board of Trustees meeting to order at 7 p.m. He asked Ms. Marcia Fletcher to call the roll.

Ms. Fletcher then called the roll, and a **quorum was participating**.

Mr. Lewis welcomed everybody back and thanked the *PARTA* team for putting together the streaming to allow other people to join online today. He said a discussion would take place later about how that is going to change moving forward. Hopefully, everybody had a chance to review the minutes from the May 27 meeting. He then asked for a motion for approval. Ms. Karen Beck made a motion to accept the minutes as presented, which was seconded by Ms. Marge Bjerregaard. He asked all those in favor to signify by saying aye. He asked those who were opposed to say no. Hearing no opposition, he said the **motion to approve the minutes, as presented, passed unanimously.**

**GUEST COMMUNICATIONS**

Mr. Lewis said there were no Guest Communications.

**GENERAL MANAGER'S REPORT**

Mr. Lewis said hopefully everybody had a chance to review Ms. Claudia Amrhein's report. He asked if there were any questions or if Ms. Amrhein had anything to add.

Ms. Amrhein thanked Mr. Lewis and said she would be happy to answer any questions. She noted that she would have a brief presentation about the RLB Phoenix contract later in the meeting.

Mr. Frank Vitale said he looked at Ms. Amrhein's report and it had a lot of information about decreased ridership and providing time off for current employees for their hard work during the COVID-19 crisis. He asked what the plan was for finding drivers.

Ms. Amrhein said the plan is what she laid out in her Board report, which is to relieve some of the pressure on the current workforce that has worked continually and without, in many cases, any time off for months. They have been under mandatory overtime. Other staff members, who are qualified to drive, have been backfilling when people get sick or have child or parent issues. All the normal things that happen to everybody else happened to PARTA's workforce too. During the pandemic, some drivers did not want to continue and left. It has been difficult to hire during the pandemic because people cannot be brought in and students from Kent State University (KSU) left. Putting fewer buses on the road was the only thing left to do to keep current employees from burning out or leaving. Moving forward, to be as competitive as possible with other service industries, the current wage structure will be reviewed as well as how the economy is reopening in this area.

Mr. Vitale asked what the starting wage was, how it compared to others, and what was offered in the way of benefits.

Ms. Amrhein said PARTA has competitive wages. Bonuses are being offered right now to current employees. The fact is many people do not want to be drug tested, background checked, or come to work on time - all the things that PARTA requires. She does not have the answers but focusing and generating excitement about bringing trolleys on board and local community economies opening are both very attractive features.

Mr. Vitale asked about providing the opportunity for employees to further their education as a benefit.

Ms. Amrhein said PARTA offers a great benefit package to county and campus drivers.

Mr. Lewis said hopefully the workforce will start to come back, which will help everybody. He asked if there was anything else on the report. Hearing nothing further, he moved on to the committee reports.

### **ADMINISTRATION COMMITTEE REPORT**

Mr. Lewis said the Administration Committee met earlier today and he asked Ms. Karen Wise to report.

Ms. Wise thanked Mr. Lewis and said there were two (2) items of business for the Administration Committee. The first was nominations for the three (3) officer positions: President, Vice President, and Temporary Presiding Officer. The Administration Committee solicited nominations over the past two (2) to three (3) months. At the meeting, they made a motion approving the following slate of officers to the Board:

President	Dave Gynn
Vice President	Mike Lewis
Temporary Presiding Officer	Karen Wise

The second order of business was Resolution #2021-06-01 requesting the Board approve a contract with Metis Construction Services for constructing a fitness studio and storage area in the new vehicle garage. They were the best, lowest, and most responsive bid, and the committee approved that resolution to the Board. The meeting concluded at 6:45 p.m.

Mr. Lewis thanked Ms. Wise and asked if there were any questions. Hearing none, he moved on to the Finance Committee.

## **FINANCE COMMITTEE REPORT**

Mr. Lewis said the Finance Committee met and reviewed *PARTA's* finances first. *KSU Revenues* had a monthly variance against the budget of \$90,309. *Federal Capital Maintenance Assist* had a variance of \$83,333 because that money had not yet been drawn down. It will be drawn down in June. Expenses were pretty much in line. The financial audit caused *Professional/Tech Services* to go up a little bit more than expected. *Fuel and Lubricants* was down because of less driving. There was an invoice for *Premium Public Liab/Prop Damage* for \$52,512 that should have been paid in January but was not received so it was not paid until now. Overall, there was a Gross Operating Deficit of \$41,825 for this period and a deficit of \$45,084 for the year-to-date actual, but there will be a swing in those numbers within the next couple months. The Capital Finance Report did not have a lot of activity. A couple bills were paid for the Bus Storage Facility and Training Pad. Restricted funds remained close to \$4 million. There were not a lot of changes in the Statement of Net Position. There were some Receivables and Accounts Payables but everything else stayed relatively unchanged.

Moving on to the Kent Central Gateway (KCG), Mr. Lewis said there were some good numbers. The Annual Comparison chart for parking showed a substantial change from May of last year (1,535) to May of this year (7,067). Hopefully, with the activity in downtown Kent and at the hotel, parking will continue growing. Finance Report A+ showed this was the first month this year that the Cost Per Car was less than the Revenue Per Car, which was a nice change. It is getting close to balancing out year to year. There was a Gross Operating Surplus of \$12,615, which brought the year-to-date surplus to \$12,537. That is a good change compared to last year. He asked if there were any questions.

## **OPERATIONS COMMITTEE REPORT**

Hearing none, Mr. Lewis said the Operations Committee did not have a need to meet this month.

## **PERSONNEL COMMITTEE REPORT**

Mr. Lewis said the Personnel Committee did not have a need to meet this month.

## **OLD BUSINESS**

Mr. Lewis said there was no Old Business and moved on to New Business.

## **NEW BUSINESS**

Mr. Lewis asked Ms. Amrhein for her presentation on RLB Phoenix.

Ms. Amrhein presented her PowerPoint on the negotiations with RLB Phoenix and the Kent City Health Department, which is attached. She concluded by asking if there were any questions or comments.

Mr. Vitale asked if RLB Phoenix was in bankruptcy.

Ms. Amrhein said they are not bankrupt. Mr. Ron Burbick passed away. He was devoted to reinvesting in downtown Kent; however, his successors are not interested, and they want out of this lease agreement.

Mr. Vitale asked if his successors were local and what the total obligation was on the lease.

Ms. Amrhein said they are local, and the total obligation is \$16,000 for 2021 and \$114,000 for the next three (3) years.

Mr. Vitale said he thought Ms. Amrhein's offer of \$12,000 was reasonable and they just must not want to pay.

Ms. Amrhein said they seem to feel entitled to walk away without any ramifications.

Ms. Wise asked what PARTA's recourse was.

Ms. Amrhein said a decision will need to be made as to how much money PARTA wants to spend to recover what is owed. If it gets to a point where a decision must be made, she wants the Board to be behind her. That will be a conversation with Roetzel & Andress and the Board.

Mr. Jeff Childers asked if RLB Phoenix had contracts that extend through 2024 with the businesses that are there now and if it would be a true statement from RLB Phoenix that PARTA would do well to take over their contracts.

Ms. Amrhein said yes, they have contracts that extend through 2024 with one exception - one extends through 2025 because of a lending issue - and she believes that is a true statement. She said RLB Phoenix has not given an answer as to whether they made alternate arrangements for the Visitor Centre, which they paid for but will not continue to pay. The current tenants include two (2) salons and the Chamber of Commerce.

Mr. Childers asked when their next payment was due and if it was for \$8,000.

Ms. Amrhein said the next payment of \$8,000 is due July 1.

Ms. Marge Bjerregaard asked if legal expenses could be requested if it went to court.

Mr. Justin Markey said for a standard breach of contract usually not. The cost benefit is what has been identified as the problem. To enforce remedies under the contract, it would have to go before arbitration or some type of independent party, which costs money and time.

Ms. Morgan Tipton asked if any conversations took place with RLB Phoenix.

Ms. Amrhein said yes, conversations did take place. She told RLB Phoenix that there would be no further discussion until they were no longer overdue. They came in the next Monday with a check for the second quarter and asked to be released. She thought progress was being made but they have refused offers to settle. She thought her offer was very fair and reasonable.

Mr. R. T. Mansfield asked how they were doing with their other properties.

Ms. Amrhein said she believes they are trying to sell Acorn Alley and any of the properties that Mr. Burbick constructed.

Mr. Mansfield asked how profitable they were with the empty spaces and if tenants were behind on rent.

Ms. Amrhein said she does not know anything specific.

Mr. Mansfield said it sounds like they want to cash out.

Ms. Amrhein said yes, the family does not want to be involved.

Ms. Wise asked if something could be filed against them that would make their sale difficult.

Ms. Amrhein said she would have to ask Ms. Michelle Reese from Roetzel & Andress.

Mr. Markey said there is generally a line between an executive session versus an open session. To the extent that there are legal options, and a Board decision must be made about how to pursue the available options, he would prefer this discussion occur in executive session so that the Board can hear candid options.

Ms. Amrhein said her intent all along has been not to litigate. That has been her focus and that is still where she wants to land. She is hopeful that they will see reason and pay for 2021.

Mr. Childers asked if she was looking for a consensus from the Board.

Ms. Amrhein said not tonight because further legal possibilities will be examined. That would be done at another time once Ms. Reese gets a response to PARTA's counter to RLB Phoenix to pay something.

Mr. Lewis clarified that the plan was to wait and try to negotiate further.

Ms. Amrhein said correct.

Mr. Vitale said he does not see why they would be released since they owe money. He suggested filing a lawsuit against them when they cash out.

Ms. Amrhein said since a decision has not been made yet as far as taking legal action, the discussion will continue in executive session at another time. She is just updating the Board.

Mr. Lewis asked if there was anything else that would fall under New Business. Hearing nothing further, he moved on to the two (2) resolutions on the agenda.

### **Resolutions**

Mr. Lewis introduced Resolution #2021-06-01.

**#2021-06-01: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO NEGOTIATE, ENTER INTO, AND SIGN AN AGREEMENT WITH METIS CONSTRUCTION SERVICES FOR THE CONSTRUCTION OF A FITNESS STUDIO, MEZZANINE EXERCISE ROOM, AND STORAGE SPACE IN THE BUS STORAGE FACILITY.**

Mr. Lewis asked for a motion to accept the resolution.

**Motion: Marge Bierregaard**

**Second: Karen Wise**

Mr. Lewis said it has been moved and seconded. He then asked if there was any discussion at this point.

Ms. Tipton said it is wonderful that PARTA is committed to keeping its employees healthy.

Hearing nothing further, Mr. Lewis asked Ms. Fletcher to call the roll.

Roll Call:	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Michael Lewis	<u>X</u>	_____	R. T. Mansfield	<u>X</u>	_____
<b>Virginia Harris</b>	<b>UNEXCUSED</b>	_____	Marvin Woods	<u>X</u>	_____
Debbie Davison	<u>X</u>	_____	Karen Wise	<u>X</u>	_____
Jeff Childers	<u>X</u>	_____	Frank Vitale	<u>X</u>	_____
Richard Brockett	<u>X</u>	_____	Morgan Tipton	<u>X</u>	_____
Marge Bjerregaard	<u>X</u>	_____	<b>Jack Murphy</b>	<b>EXCUSED</b>	_____
Karen Beck	<u>X</u>	_____	<b>David Gynn</b>	<b>EXCUSED</b>	_____

Mr. Lewis said the motion passed. He then introduced Resolution #2021-06-02.

**#2021-06-02: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (*PARTA*) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO AMEND RESOLUTION #2021-05-03 INCREASING THE COST OF \$1.8 MILLION TO THE NOT TO EXCEED COST OF \$2 MILLION FOR THE PRODUCTION AND PURCHASE OF THREE (3) CNG TROLLEY BUSES, OPTIONAL EQUIPMENT, AND SPARE PARTS FROM TRANSPORTATION EQUIPMENT SALES CORPORATION (TESCO).**

Mr. Lewis asked for a motion for approval.

**Motion: Debbie Davison                      Second: Marvin Woods**

Mr. Lewis asked if there was any discussion.

Mr. Vitale asked why it was increased to \$2 million when it was approved for \$1.8 million.

Ms. Amrhein said when the RFP was done and the white box bus was compared from both companies, the removable trolley windows were unable to be included in the specifications because GILLIG does not produce a trolley with removable windows. The communication of that happened a little late. After it had already gone to the Board, it was determined that to build the trolley under the TESCO contract with the removable windows it would cost about \$30,000 more per bus, which was not accounted for in the original contingency because normal bus builds include windows. Comparing apples to apples, it was not translated clearly because when they start building the bus on paper, it is a different situation than evaluating RFP submissions, and we underestimated a little bit. One option was to bring forward a resolution for \$90,000 but *PARTA* has never built trolleys before and has never built anything in a post COVID-19 world. To avoid delays with any unplanned contingent expenses, she wanted to be able to cover those without having to come back to the Board. She does not expect to spend \$2 million but there is a little more breathing room if something comes up. She asked if there were any other questions.

Hearing none, Mr. Lewis asked Ms. Fletcher to call the roll.

Roll Call:	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Jeff Childers	<u>X</u>	_____	Frank Vitale	<u>X</u>	_____
Richard Brockett	<u>X</u>	_____	Morgan Tipton	<u>X</u>	_____
Marge Bjerregaard	<u>X</u>	_____	<b>Jack Murphy</b>	<b>EXCUSED</b>	_____
Karen Beck	<u>X</u>	_____	Mike Lewis	<u>X</u>	_____
R. T. Mansfield	<u>X</u>	_____	<b>Virginia Harris</b>	<b>UNEXCUSED</b>	_____
Marvin Woods	<u>X</u>	_____	Debbie Davison	<u>X</u>	_____
Karen Wise	<u>X</u>	_____	<b>David Gynn</b>	<b>EXCUSED</b>	_____

Mr. Lewis said that motion passed.

Moving on, Mr. Lewis said there was no need for an Executive Session.

**ADJOURNMENT**

Hearing nothing further, Mr. Lewis asked for a motion for adjournment. Mr. R. T. Mansfield made a motion to adjourn the meeting, which was seconded by Ms. Karen Beck. Mr. Lewis asked all in favor to say aye or wave. He asked any opposed to signify by the same sign. Hearing no opposition, the **motion to adjourn passed unanimously.**

The meeting adjourned at 7:44 p.m.

Respectfully submitted,



Marcia Fletcher  
Executive Assistant



**PARTA**  
2000 Summit Road  
Kent, Ohio 44240

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**GENERAL MANAGER'S REPORT**

**TO:** PARTA Board of Trustees   
**FROM:** Claudia B. Amrhein, General Manager  
**DATE:** July 2021

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**Committee Meetings and Resolutions.** July meetings will be held **IN PERSON** in the board room of our administrative office, located at 2000 Summit Road, Kent. **The board meeting** is set for Thursday, July 22, at 7 p.m. **The finance committee** will meet on Tuesday, July 20, at 11:30 a.m. to review June finance reports and Resolutions #2021-07-01 and -02.

**Virtual Meetings End.** The temporary changes to the Open Meetings Act that allowed virtual public meetings expired July 1, 2021. Board members must be present in-person to count towards achieving quorum and to vote, as was the case prior to the COVID-19 public health emergency. A reference page from *Ohio Sunshine Laws 2021: An Open Government Resource Manual*, is included in this packet.

**July Agenda Items. Annual Board Officer Elections.** The July agenda includes the annual election of board officers. Additional nominations may be submitted until the vote is held on July 22. Resolutions. The July agenda also includes resolutions to authorize an application for funding to support the purchase of three (3) buses or trolleys in federal fiscal year 2026 and to award a contract for constructing the driver training pad.

**#2021-07-01: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FEDERAL FISCAL YEAR 2026 TO PURCHASE UP TO THREE (3) CLEAN DIESEL VEHICLES.**

**CMAQ Application for Transit Bus Replacement.** Resolution #2021-07-01 authorizes applying for federal grant funds to replace large transit vehicles in fiscal year 2026 through the Congestion Mitigation/Air Quality Program (CMAQ). Our application will request funding for three (3) 35' clean diesel trolleys or buses using 80% federal CMAQ funds and 20% local matching funds. The CMAQ grant program requires a board resolution to authorize the application and acknowledge responsibility to fund 20% of project costs.

**#2021-07-02: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO NEGOTIATE, ENTER INTO, AND SIGN AN AGREEMENT WITH CAVANAUGH BUILDING CORPORATION FOR THE CONSTRUCTION OF A DRIVER TRAINING PAD.**

**Contract Award: Driver Training Pad Project.** Resolution #2021-07-02 recommends the award of a contract to Cavanaugh Building Corporation for construction of the driver training pad for an amount not to exceed \$560,625. This project includes furnishing materials and performing labor for the construction of a 14,500 square foot concrete driver training pad, along with associated access drive improvements, storm water retention, revised site fencing, and anticipated contingent expenses.

Two (2) construction companies submitted bids in response to the invitation for bids (IFB) issued in June. The Bowen A&E team, acting with and on PARTA's behalf, determined that Cavanaugh's bid

represented the lowest (best price), most responsive (meets the specifications), and responsible (is qualified to perform the work) bid received.

**FY 2021 Triennial Review Successfully Completed.** FTA Region V issued an “Achievement of Excellence” certificate for completing the 2020 Triennial Review with no findings issued. This review began in 2019 and was delayed by the global pandemic. Pandemic relief funds awarded through CARES and CRRSAA added new review parameters. Congratulations to all senior staff and all team members for their contribution and diligence in completing this lengthy review process.

**Kent City Health Department (KCHD) Utilizing Former Cutler Space.** On July 15, KCHD began utilizing the former Cutler Realty space as outlined in the one-year lease authorized via Resolution #2021-01-01. The value of approaching this scenario on a temporary basis is two-fold: it enables *PARTA* to explore options for filling the space with a long-term tenant post-pandemic, and it allows KCHD and the city of Kent time to determine whether they want or need the space beyond the current health emergency.

**Service Reports. Ridership. (Coronavirus closures began March 2020).** Total county fixed route and DART ridership decreased by 30.05% through June, as compared to June 2020 with total county service performing 92,604 trips as compared to 132,395 trips performed through June 2020.

County fixed route service has decreased by approximately 34.25% as compared to last year, with 73,103 trips completed through June as compared to 111,177 trips completed through June 2020. DART service has decreased by 8.09% through June as compared to June 2020, with 19,501 trips completed as compared to 21,218 trips completed through June 2020. Overall ridership, including campus service, decreased by 64.84%, with campus down by 87.54%. Total system ridership totaled 117,851 as compared to 317,103 through June 2020.

**On-Time Compliance. ADA Complementary Paratransit Service. Correction to May On-Time Compliance.** ADA on-time compliance for May was misreported last month at 95.38% instead of 91.95%. On-time compliance was 90.43% in June as compared to 91.95% in May. Of 648 trips, 62 were performed late, with the latest running 37 minutes behind schedule. The increase in ADA late performance is related to trips being too tightly booked on available routes and buses. We are working to correct this trend as we recruit, hire, and train additional drivers.

**General Public (non-ADA) DART.** On-time performance for general public, non-ADA trips remained flat at 85.15% for June, as compared to 85.90% in May 2021.

**Vehicle Preventative Maintenance (PM).** On-time compliance with established PM inspection schedules was 100% in June as compared to 96% in May 2021.

**Parking Deck.** The number of cars utilizing the deck remained flat in June, with 7,084 total cars in June as compared to 7,067 cars in May. Although usage was flat, revenue continues to trend upward. We remain optimistic that July usage will increase as Kent continues reopening and several large outdoor events return following the 2020 public health-related closures and restrictions.

**Update of 2021 Priorities.** In the February board packet, I included a list of 2021 short term priorities that included stabilizing services as COVID-19 restrictions gradually relax. Please see page 3 of this report for a brief status update.

Thank you for your attention to these matters. If you have any questions prior to the Board meeting, please feel free to contact me by calling (330) 676-6315, or by e-mail at [Amrhein.c16@partaonline.org](mailto:Amrhein.c16@partaonline.org).

## 2021 PARTA Key Priorities: Status Update

- Restore service contracts as businesses and service centers reopen.
  - CADS, PCBDD, UH, PI, KSU gradually resuming service.
- Evaluate long-term implications of the pandemic on service, workforce, and fleet planning.
  - Studying “micro-transit” service possibilities.
  - Ordered three (3) trolley buses; continue promoting arrival in 2022.
- Continue ADA eligibility determination through the “Easy Street” process.
  - 45 evaluations completed through June.
- Lease the vacant Erie Street retail space to Kent City Health Department (KCHD) for one-year and determine a long-term strategy for filling the spaces.
  - KCHD 1-year lease began July 15.
  - 2<sup>nd</sup> Floor rent and maintenance fee increased April 1.
  - RLB Phoenix master-tenant lease agreement remains unresolved.
- Complete the 2020 FTA Triennial Review
  - FTA issued FY 2021 Final Report and Closeout Letter on July 12.
  - “Achievement of Excellence” issued for exemplary completion, no findings.
- Continue staff and board development, community engagement and recruitment strategies.
  - Redesigning monthly “Transit Trends” as resource for board members.
  - Senior staff participating in leadership and communications development exercises.
- Apply for state and federal grants to secure funding for future bus replacement.
  - CMAQ, 5310, OTP2 – 3 transit buses, 3 LTVs, local match assistance.
  - FTA 5307 federal and Ohio annual formula assistance grants.
- Award competitive project contracts:
  - 1) Transit Buses – May 2021
    - TESCO (trolley buses).
    - GILLIG (urban transit buses).
  - 2) Select vendor through AMATS and conduct Connecting Communities Study
    - Arcadis selected, June 2021.
    - Study to begin upon completion of contract.
  - 3) Bowen A&E – Project design, competitive bidding, and contract recommendation.
    - Completed design of mezzanine; issued RFP; awarded June 2021.
    - Completed design of CDL driver training pad; issued RFP; award July 2021.

# *The Ohio Open Meetings Act*

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## *Temporary Changes to the Open Meetings Act Due to the COVID-19 Emergency, Effective through July 1, 2021*

In response to the COVID-19 pandemic and the state's emergency declaration, the Ohio General Assembly passed legislation that includes temporary changes to the Open Meetings Act. House Bill (H.B.) 197, effective March 27, 2020, generally allows public bodies to conduct meetings and hearings virtually/electronically while the COVID-19 emergency declaration is in effect, subject to the specific terms below. H.B. 404, effective November 22, 2020, extends these provisions through July 1, 2021.

### *Meetings and Attendance*

- Members of a public body may hold and attend public meetings and hearings by teleconference, video conference, or other electronic means.
- For purposes of establishing a quorum of the public body and to vote, any member of a public body who participates virtually/electronically is considered present as if he or she were present in person.
- All actions taken in a virtual/electronic meeting held during the time period covered by H.B. 197 or 404 have the same effect as if they were conducted during an in-person meeting.

### *Notice*

- Public bodies must continue to provide notice to the public of their meetings. Public bodies conducting virtual/electronic meetings or hearings are required to provide public notice of the meeting or hearing at least 24 hours in advance.
- Public bodies must notify the public, media that have requested notification, and parties required to be notified of a hearing by reasonable methods.
- In the event of an emergency requiring immediate official action, public bodies may conduct emergency public meetings virtually/electronically by giving notice as soon as it is practicable to do so.
- Notice must include the time, location, and manner in which the meeting or hearing will be conducted.

### *Public Access*

- Public bodies must provide public access to any virtual/electronic meeting or hearing that the public would otherwise be entitled to attend.
- Access can be provided through live-streaming, local radio, television, cable, public access channels, call-in information for a teleconference, or by other similar electronic means.
- Public bodies must ensure that the public is able to hear discussions and deliberations, and the votes of all members of the body participating, whether a member is doing so in-person or virtually/electronically.

# The Ohio Open Meetings Act

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- For hearings, public bodies must establish a means, through the use of electronic equipment widely available to the general public, to converse with witnesses and receive documentary testimony and physical evidence.
- As has always been the law, public bodies are not required to afford citizens the right of “public speech” during public meetings. However, as to public hearings, public bodies must provide an electronic mechanism for the provision of public input and interaction.

**Note:** This information is current as of publication of this manual and is subject to change. H.B. 404, by its terms, is effective through July 1, 2021. Legal counsel should be consulted if there is any uncertainty about whether these changes apply.

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<sup>910</sup> See Chapter Seven: A “Public Body”.

<sup>911</sup> See Chapter Seven: B “Meeting”.

<sup>912</sup> See Chapter Seven: B.1.c. “Discussing public business”.

<sup>913</sup> See Chapter Eight “Duties of a Public Body”.

<sup>914</sup> See Chapter Nine “Executive Session”.

<sup>915</sup> “[The Ohio Supreme Court has] never expressly held that once an entity qualifies as a public body for purposes of R.C. 121.22, it is also a public office for purposes of R.C. 149.011(A) and 149.43 so as to make all of its nonexempt records subject to disclosure. In fact, R.C. 121.22 suggests otherwise because it contains separate definitions for ‘public body,’ R.C. 121.22(B)(1), and ‘public office,’ R.C. 121.22(B)(4), which provides that ‘[p]ublic office’ has the same meaning as in section 149.011 of the Revised Code.’ Had the General Assembly intended that a ‘public body’ for the purposes of R.C. 121.22 be considered a ‘public office’ for purposes of R.C. 149.011(A) and 149.43, it would have so provided.” *State ex rel. Am. Civ. Liberties Union of Ohio, Inc. v. Cuyahoga Cty. Bd. Commrs.*, 128 Ohio St.3d 256, 2011-Ohio-625, ¶ 38 (alteration in original).



**U.S. Department  
of Transportation  
Federal Transit  
Administration**

REGION V  
Illinois, Indiana,  
Michigan, Minnesota,  
Ohio, Wisconsin

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Suite 320  
Chicago, IL 60606-5253  
312-353-2789  
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July 12, 2021

Mr. David Gynn  
President, Board of Trustees  
Portage Area Regional Transportation Authority  
2000 Summit Road  
Kent, OH 44240

**Re: Federal Transit Administration (FTA) Fiscal Year 2021 Triennial Review – Final Report and Closeout Letter**

Dear Mr. Gynn:

I am pleased to provide you with a copy of this FTA report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed final report documents the FTA's Triennial Review of the Portage Area Regional Transportation Authority (PARTA) in Kent, Ohio. Although not an audit, the Triennial Review is the FTA's assessment of PARTA's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with award requirements.

The Triennial Review focused on PARTA's compliance in 21 areas. No deficiencies were found with the FTA requirements in any of these areas.

Given the delay in completing the FY 2020 reviews until FY 2021 and the significant amount of additional Federal financial support provided through the CARES Act, FTA developed a supplement to the FY 2020 Contractors' Manual to assist in the evaluation of how recipients have used CARES Act and Emergency Relief funding. This supplement details the specific flexibilities and administrative relief provided by FTA for the use of these funds.

As PARTA moves forward with its transit program, FTA would like to provide a look-ahead for future oversight activities related to new and/or updated requirements, below.

*Public Transportation Agency Safety Plan (PTASP) Regulation*

The PTASP regulation requires all operators of public transportation systems that are recipients and subrecipients of FTA's Urbanized Area Formula Grants (Section 5307) to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). FTA has deferred applicability of this requirement for operators that only receive funds through FTA's Enhanced



Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310) and/or Rural Area Formula Program (Section 5311).

As part of the Annual Certifications and Assurances, transit operators must certify they have a safety plan in place for meeting the requirements of the rule by July 20, 2020. However, in response to the COVID-19 public health emergency, on December 11, 2020, FTA issued a Notice of Enforcement Discretion, effectively extending the PTASP compliance deadline to July 21, 2021. All plans will be reviewed starting October 1, 2021 through FTA's oversight process. For guidance and updates to assist in the preparation and implementation of the PTASP Final Rule, please visit FTA's website at [www.transit.dot.gov/PTASP](http://www.transit.dot.gov/PTASP).

*Random Drug Testing Rate Increase*

On October 17, 2018, FTA published a dear colleague letter "2019 Random Drug Testing Increase". In its letter, FTA notified recipients that effective January 1, 2019 and as mandated by its drug and alcohol regulation at 49 C.F.R. 655.45, the random drug testing rate will change. FTA increased the minimum rate of random drug testing from 25 percent to 50 percent of covered employees, for employers subject to FTA's drug and alcohol regulation. This increased random drug testing rate results from an uptick in the proportion of violations identified through random drug testing.

The 50 percent random drug testing rate applies to entities receiving Federal assistance under 49 U.S.C. 5307, 5309, 5311 or 5339, including recipients, subrecipients, and safety-sensitive contractors. The required minimum rate for random alcohol testing is unaffected and remains at 10 percent.

*Mask Order*

On January 29, 2021, the Centers for Disease Control and Prevention (CDC) issued an [order](#) requiring all persons traveling into and within the United States on conveyances, as well as persons at transportation hubs, to wear masks covering their nose and mouth. The CDC Order requires that, effective February 1, 2021, transit operators may transport only persons wearing masks and must use best efforts to ensure that masks are worn when embarking, disembarking, and throughout the duration of travel. Recipients who are operators of transportation hubs must use best efforts to ensure that any person entering in or on the premises wears a mask. Recipients must ensure that direct employees and contractor employees wear a mask at all times when in vehicles or in or around transportation facilities controlled by the recipient. On February 9, 2021, FTA amended its Master Agreement to incorporate a special provision requiring recipients and third-party participants to comply with the CDC Order.

Thank you for your cooperation and assistance during this Triennial Review. Please consider your review to be closed.

If you need any technical assistance or have any questions, please do not hesitate to contact Ms. Melody Hopson, Director of the Office of Program Management & Project Oversight, at (312) 886-1611 or by email at [melody.hopson@dot.gov](mailto:melody.hopson@dot.gov).

Sincerely,



Kelley Brookins  
Regional Administrator

Enclosure

# Achievement of Excellence

*presented to*

the Portage Area Regional Transportation Authority  
Kent, OH



Federal Transit Administration  
Region V

**Certificate for exemplary completion of a U.S. DOT FTA  
Triennial Review during Fiscal Year 2021 presented to federal-funded  
public transportation providers and agencies who had no open  
final report findings in the areas examined.**

A handwritten signature in blue ink that reads "Kelley Brookins".

---

**Kelley Brookins, Regional Administrator**



**FINAL REPORT**

**FISCAL YEAR 2021  
TRIENNIAL REVIEW**

of

**Portage Area Regional Transportation Authority  
(PARTA)  
Kent, Ohio  
ID: 2113**

*Performed for:*

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION  
REGION V**

*Prepared by:*

**The DMP Group, LLC**

**Scoping Meeting / Desk Review Date: March 6, 2020  
Virtual Site Visit Date: May 6, 2021  
Final Report Date: July 12, 2021**

## Table of Contents

I. Executive Summary .....	1
II. Review Background and Process .....	3
1. Background .....	3
2. Process.....	3
3. Metrics .....	4
III. Recipient Description .....	5
1. Organization .....	5
2. Award and Project Activity.....	6
IV. Results of the Review .....	8
1. Legal .....	8
2. Financial Management and Capacity .....	8
3. Technical Capacity – Award Management .....	8
4. Technical Capacity – Program Management & Subrecipient Oversight .....	8
5. Technical Capacity – Project Management.....	9
6. Transit Asset Management .....	9
7. Satisfactory Continuing Control.....	9
8. Maintenance.....	9
9. Procurement.....	9
10. Disadvantaged Business Enterprise (DBE).....	10
11. Title VI.....	10
12. Americans with Disabilities Act (ADA) – General.....	10
13. ADA – Complementary Paratransit.....	10
14. Equal Employment Opportunity .....	11
15. School Bus .....	11
16. Charter Bus .....	11
17. Drug-Free Workplace Act.....	11
18. Drug and Alcohol Program .....	12
19. Section 5307 Program Requirements .....	12
20. Section 5310 Program Requirements .....	12

21. Section 5311 Program Requirements .....	12
V. Summary of Findings.....	13
VI. Attendees.....	15
VII. Appendices .....	16

## I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the Portage Area Regional Transportation Authority (PARTA) in Kent, Ohio. FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by The DMP Group, LLC. During the virtual site visit, administrative and statutory requirements were discussed and documents were reviewed. The Triennial Review focused on PARTA’s compliance in 21 areas.

As shown below, no deficiencies were found during this Triennial Review.

Review Area	Deficiencies	
	Code	Description
1. Legal (L)		
2. Financial Management and Capacity (FM)		
3. Technical Capacity – Award Management (TC-AM)		
4. TC – Program Management and Subrecipient Oversight (TC-PgM)		
5. TC – Project Management (TC-PjM)		
6. Transit Asset Management (TAM)		
7. Satisfactory Continuing Control (SCC)		
8. Maintenance (M)		
9. Procurement (P)		
10. Disadvantaged Business Enterprise (DBE)		
11. Title VI (TVI)		
12. Americans with Disabilities Act (ADA) – General		
13. ADA – Complementary Paratransit (CPT)		

Review Area	Deficiencies	
	Code	Description
14. Equal Employment Opportunity (EEO)		
15. School Bus (SB)		
16. Charter Bus (CB)		
17. Drug-Free Workplace (DFW)		
18. Drug and Alcohol Program (DA)		
19. Section 5307 Program Requirements (5307)		
20. Section 5310 Program Requirements (5310)		
21. Section 5311 Program Requirements (5311)		

## II. Review Background and Process

### 1. Background

The United States Code, Chapter 53 of Title 49 (49 U.S.C. 5307(f) (2)) requires that “At least once every 3 years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient’s program, specifically referring to compliance with statutory and administrative requirements...” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the recipient’s compliance in 21 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of PARTA. The review concentrated on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of award funds. The specific documents reviewed and referenced in this report are available at the FTA’s regional office or PARTA’s office.

### 2. Process

The Triennial Review process includes a pre-review assessment, a desk review and scoping meeting with the FTA regional office, and a virtual site visit to the recipient’s location. The desk review and review scoping meeting were conducted with the Region V Office on March 6, 2020. Necessary files retained by the regional office were sent to the reviewers electronically. A recipient information request was sent to PARTA on November 15, 2019, indicating a review would be conducted during FY 2020. In March 2020, all work on Reviews was halted due to the Public Health Emergency. A subsequent recipient information request was sent to PARTA on October 16, 2020, advising it that a virtual site visit would be taking place and indicating additional information that would be needed and issues that would be discussed. The virtual site visit to PARTA occurred on May 6, 2021.

The virtual site visit portion of the review began with an entrance conference, at which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. In addition, the reviewers evaluated how PARTA has used CARES Act and Emergency Relief funding and the impacts of the COVID-19 Public Health Emergency on the agency by discussing a series of questions included in the supplement to the FY 2020 Contractors’ Manual. Additional documentation was requested for the Financial Management and Capacity and Procurement areas only. The reviewers examined a sample of maintenance records for FTA-funded vehicles and equipment.

Upon completion of the review, FTA and the reviewers provided a summary of preliminary findings to PARTA at an exit conference. Section VI of this report lists the individuals participating in the review.

### 3. Metrics

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are:

- *Not Deficient*: An area is considered not deficient if, during the review, nothing came to light that would indicate the requirements within the area reviewed were not met.
- *Deficient*: An area is considered deficient if any of the requirements within the area reviewed were not met.
- *Not Applicable*: An area can be deemed not applicable if, after an initial assessment, the recipient does not conduct activities for which the requirements of the respective area would be applicable.

### III. Recipient Description

#### 1. Organization

The Portage Area Regional Transportation Authority (PARTA) was established in 1975. PARTA is organized to consist of a 15-member Board of Trustees appointed by the political subdivisions that created the Authority: the cities of Aurora (2), Kent (3), Streetsboro (2), and Ravenna (2); Portage County (3 – northern, middle, and southern); the townships of Ravenna (1) and Franklin (1); and the former village of Brady Lake (1) (residents voted to dissolve the village on May 2, 2017 and the area was made part of Franklin Township). Trustees serve in a voluntary capacity for staggered three-year terms beginning July 1 of the year appointed. PARTA operates within the Akron urbanized area and serves a population of approximately 163,000. PARTA is funded locally in large part by a 1/4 percent sales and use tax originally approved in 2001 and made permanent in 2006.

PARTA operates 15 fixed routes that service Akron (Express Service), Brimfield, Cleveland (Express Service), Franklin Township, Garrettsville, Hiram, Kent, Ravenna, Ravenna Township, Stow, Streetsboro, Windham, and Kent State University. PARTA also operates an ADA complementary paratransit service called Dial-A-Ride and a general public demand-response service. Fixed-route and Dial-A-Ride service is available weekdays from 5:00 a.m. to 3:00 a.m., Saturday from 7:30 a.m. to 7:30 p.m., and Sunday from 4:00 p.m. to 3:00 a.m. PARTA's general public demand-response service operates weekdays from 5:00 a.m. to 11:00 p.m. and Saturday 7:30 a.m. to 7:30 p.m., with no service on Sunday. The basic adult fare is \$1.00 for regular fixed-route service, \$5.00 for Cleveland Express service, and \$6.00 for general public demand-response service. Half-fare discounts are available on all services during all service hours for senior citizens, persons with disabilities, and Medicare cardholders. The ADA complementary paratransit fare is \$2.00 per trip. Kent State University students ride for free by showing their student ID.

PARTA has one Section 5310 subrecipient, Family & Community Services (FCS). FCS is a nonprofit corporation that provides closed-door, client-based transportation for disabled and elderly clients. PARTA provides one accessible vehicle to FCS and maintains the vehicle on behalf of FCS in accordance with PARTA's own maintenance procedures.

PARTA operates a fleet of 37 buses in its fixed-route service, all of which are either low-floor or wheelchair lift-equipped. PARTA also operates a fleet of 25 accessible small buses and vans in its demand-response service. PARTA directly operates all services from a single FTA-funded operations center located at 2000 Summit Road in Kent, Ohio, and operates and maintains the Kent Central Gateway Transit Center and Parking Garage located at 201 E. Erie St. in Kent, Ohio, which is also FTA funded.

PARTA used its CARES Act funds to pay for ongoing operating expenses during the health pandemic.



## 2. Award and Project Activity

Below is a list of PARTA’s open awards at the time of the review.

Award Number	Award Amount	Year Executed	Description
OH-2021-013-00	\$3,767,454	2021	PARTA Section 5307 CRRSAA 2021 – Operating Assistance Grant
OH-2021-017-00	\$2,544,742	2021	PARTA Section 5339(b)/5307/CMAQ Vehicles, PM and Mobility Management
OH-2018-034-02	\$451,123	2018, Amended in 2019	PARTA Section 5310 Grant – Server and Vehicle Camera System Replacements
OH-2020-041-01	\$2,848,674	2020	PARTA Section 5339/5307/CMAQ Vehicles, Equipment, and PM
OH-2020-003-00	\$1,675,050	2019	PARTA FHWA 5307 Flex Funds (OTPPP) Vehicles, Capitalized Maintenance, Onboard Computers & Electronic Equipment and Security Cameras
OH-2019-034-00	\$2,834,080	2019	PARTA 5339(b) Bus Storage Facility

### Projects Completed

Since its last Triennial Review, PARTA has completed the following activities:

- Construction of a compressed natural gas (CNG) public/private fueling station
- Purchase of
  - Six (6) CNG buses
  - Thirteen (13) Light Transit Vehicles
  - Four (4) Small Transit Vehicles
  - Three (3) refurbished buses
  - Two (2) support vehicles
- Constructed a new bus storage facility
- Installation of Public Information Display Systems
- Construction of three (3) bus shelters
- Parking access control system upgrade (3G to 4G range)
- Purchased new bus cameras

### Ongoing Projects

PARTA is currently implementing the following noteworthy projects:

- PARTA has hired an A&E firm to design and oversee the construction of a mezzanine in the new bus storage facility to house an employee workout room and additional long-term storage for records retention. Construction is expected to begin in July 2021.
- Construction of a bus operator training pad on existing PARTA property. Construction is expected to begin in August 2021.

### **Future Projects**

PARTA plans to pursue the following noteworthy projects in the next three to five years:

- Purchase of new pay-on-foot machines or validators to replace aging and costly fareboxes
- Purchase of additional buses (in accordance with PARTA's vehicle replacement schedule)
- Development of a long-range strategic master plan
- Replacement of all software to support the transit infrastructure (in accordance with PARTA's IT replacement infrastructure plan)

## IV. Results of the Review

### 1. Legal

**Basic Requirement:** The recipient must promptly notify the FTA of legal matters, include clauses in its third party and subrecipient agreements, and additionally notify the U.S. DOT Office of Inspector General (OIG) of any instances relating to false claims under the False Claims Act or fraud. Recipients must comply with restrictions on lobbying requirements.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Legal.

### 2. Financial Management and Capacity

**Basic Requirement:** The recipient must have financial policies and procedures; an organizational structure that defines, assigns and delegates authority; and financial management systems in place to match, manage, and charge only allowable cost to the award. The recipient must conduct required single audits and provide financial oversight of subrecipients.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Financial Management and Capacity.

### 3. Technical Capacity – Award Management

**Basic Requirement:** The recipient must report progress of projects in awards to the FTA timely.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Technical Capacity – Award Management.

### 4. Technical Capacity – Program Management & Subrecipient Oversight

**Basic Requirement:** The recipient must follow the public involvement process for transportation plans; develop and submit a State Management/Program Management Plan to the FTA for approval; report in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) on subawards; and ensure subrecipients comply with the terms of the award.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Technical Capacity – Program Management & Subrecipient Oversight.

## 5. Technical Capacity – Project Management

**Basic Requirement:** The recipient must be able to implement FTA-funded projects in accordance with the award application, FTA Master Agreement, and all applicable laws and regulations, using sound management practices; and prepare force account plans.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Technical Capacity – Project Management.

## 6. Transit Asset Management

**Basic Requirement:** Recipients must comply with 49 CFR Part 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Transit Asset Management.

## 7. Satisfactory Continuing Control

**Basic Requirement:** The recipient must ensure that FTA-funded property will remain available to be used for its originally authorized purpose throughout its useful life until disposition.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Satisfactory and Continuing Control.

## 8. Maintenance

**Basic Requirement:** Recipients must keep federally funded vehicles, equipment, and facilities in good operating condition. Recipients must keep ADA accessibility features on all vehicles, equipment, and facilities in good operating order.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Maintenance.

## 9. Procurement

**Basic Requirement:** The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, and conform to applicable Federal law and the standards identified in 2 CFR Part 200. State recipients can use the state's overall policies and procedures. When applied to Federal procurements, those policies and procedures must still be compliant with all Federal requirements as applied to non-state recipients. The flexibility afforded by 2 CFR Part 200 should not be misconstrued as absolving a state from Federal requirements. For example, FTA does not require each State DOT to have policies and procedures separate from the state education department.

Finding: During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Procurement.

## 10. Disadvantaged Business Enterprise (DBE)

Basic Requirement: Recipients must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. Recipients also must create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts.

Finding: During this Triennial Review of PARTA, no deficiencies were found with the USDOT requirements for DBE.

## 11. Title VI

Basic Requirement: The recipient must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance without regard to whether specific projects or services are federally funded. The recipient must ensure that all transit services and related benefits are distributed in an equitable manner.

Finding: During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Title VI.

## 12. Americans with Disabilities Act (ADA) – General

Basic Requirement: Titles II and III of the ADA of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of PARTA, no deficiencies were found with the USDOT requirements for ADA – General.

## 13. ADA – Complementary Paratransit

Basic Requirement: Under 49 CFR 37.121(a), each public entity operating a fixed-route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed-route system. “Comparability” is determined by 49 CFR 37.123-37.133. Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Finding: During this Triennial Review of PARTA, no deficiencies were found with the USDOT requirements for ADA – Complementary Paratransit.

## 14. Equal Employment Opportunity

**Basic Requirement:** The recipient must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: Equal Employment Opportunity Commission's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Equal Employment Opportunity.

## 15. School Bus

**Basic Requirement:** Recipients are prohibited from providing school bus service in competition with private school bus operators unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for School Bus.

## 16. Charter Bus

**Basic Requirement:** Recipients are prohibited from using FTA-funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Recipients are allowed to operate community-based charter services pursuant to certain regulatory exceptions.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Charter Bus.

## 17. Drug-Free Workplace Act

**Basic Requirement:** Recipients are required to maintain a drug-free workplace for all award-related employees; report any convictions occurring in the workplace timely; and have an ongoing drug-free awareness program.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Drug-Free Workplace Act.

## 18. Drug and Alcohol Program

**Basic Requirement:** Recipients receiving Section 5307, 5309, 5311, or 5339 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Drug and Alcohol Program.

## 19. Section 5307 Program Requirements

**Basic Requirement:** For fixed-route service supported with Section 5307 assistance, fares charged seniors, persons with disabilities or an individual presenting a Medicare card during off-peak hours will not be more than one-half the peak hour fares.

Recipients are expected to have a written, locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

Recipients shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP).

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Section 5307 Program Requirements.

## 20. Section 5310 Program Requirements

**Basic Requirement:** Recipients must expend funds on eligible projects that meet the specific needs of seniors and individuals with disabilities. Projects selected for funding under the Section 5310 program must be included in a locally developed, coordinated public transit-human services transportation plan. Recipients must approve all leases of Section 5310-funded vehicles and ensure that leases include required terms and conditions. Either the recipient or subrecipient must hold title to the leased vehicles.

**Finding:** During this Triennial Review of PARTA, no deficiencies were found with the FTA requirements for Section 5310 Program Requirements.

## 21. Section 5311 Program Requirements

**Basic Requirement:** Recipients must expend funds on eligible projects to support rural public transportation services and intercity bus transportation.

**Finding:** This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of PARTA.

## V. Summary of Findings

Review Area	Finding	Deficiency Code(s)	Corrective Action(s)	Response Due Date(s)	Date Closed
1. Legal	ND				
2. Financial Management and Capacity	ND				
3. Technical Capacity – Award Management	ND				
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Transit Asset Management	ND				
7. Satisfactory Continuing Control	ND				
8. Maintenance	ND				
9. Procurement	ND				
10. Disadvantaged Business Enterprise	ND				
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	ND				
13. ADA – Complementary Paratransit	ND				
14. Equal Employment Opportunity	ND				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug-Free Workplace Act	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				



Review Area	Finding	Deficiency Code(s)	Corrective Action(s)	Response Due Date(s)	Date Closed
20. Section 5310 Program Requirements	ND				
21. Section 5311 Program Requirements	NA	This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of PARTA.			

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are: Deficient (D)/Not Deficient (ND)/Not Applicable (NA).

## VI. Attendees

Name	Title	Phone Number	E-mail Address
<b><i>Portage Area Regional Transportation Authority</i></b>			
Claudia B. Amrhein	General Manager	330-678-7745	<a href="mailto:amrhein.c16@partaonline.org">amrhein.c16@partaonline.org</a>
Kelly Jurisch	Chief of Staff	330-678-7745	<a href="mailto:jurisch.k88@partaonline.org">jurisch.k88@partaonline.org</a>
Brian Trautman	Chief Operations Officer	330-678-7745	<a href="mailto:btrautman@partaonline.org">btrautman@partaonline.org</a>
Rebecca Schrader	Director of Finance	330-678-7745	<a href="mailto:schrader.r38@partaonline.org">schrader.r38@partaonline.org</a>
Clayton Popik	Director of Planning	330-678-7745	<a href="mailto:cpopik@partaonline.org">cpopik@partaonline.org</a>
Denise Baba	Comm. & Public Advocacy Advisor/EEO/DBELO/CR	330-678-7745	<a href="mailto:dbaba@partaonline.org">dbaba@partaonline.org</a>
<b><i>FTA, Region V</i></b>			
Melody Hopson	Director, Program Management & Project Oversight	312-886-1611	<a href="mailto:melody.hopson@dot.gov">melody.hopson@dot.gov</a>
Marjorie Hughes	Regional Civil Rights Officer	312-353-4025	<a href="mailto:marjorie.hughes@dot.gov">marjorie.hughes@dot.gov</a>
<b><i>The DMP Group, LLC</i></b>			
Donald Lucas	Lead Reviewer	202-726-2630	<a href="mailto:donald.lucas@thedmpgroup.com">donald.lucas@thedmpgroup.com</a>
Gregory Campbell	Reviewer	202-726-2630	<a href="mailto:gregory.campbell@thedmpgroup.com">gregory.campbell@thedmpgroup.com</a>

## **VII. Appendices**

No appendices are included in this report.



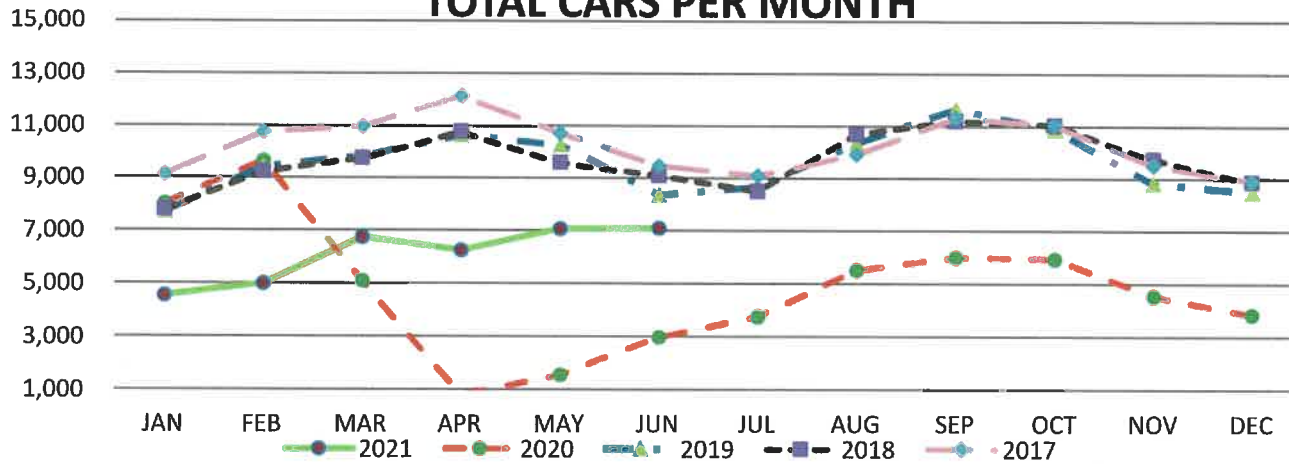
# KENT CENTRAL GATEWAY PARKING SUMMARY - June 2021

6 Month Lookback						
	Monthly	Transient	Total	Cars/Day	Last	Last Year
Jan-21	2,953	1,581	4,534	146	18%	-43%
Feb-21	3,238	1,744	4,982	178	10%	-48%
Mar-21	4,181	2,557	6,738	217	35%	33%
Apr-21	3,703	2,546	6,249	208	-7%	696%
May-21	3,445	3,622	7,067	228	13%	360%
Jun-21	3,474	3,610	7,084	236	0%	139%

## Annual Comparison

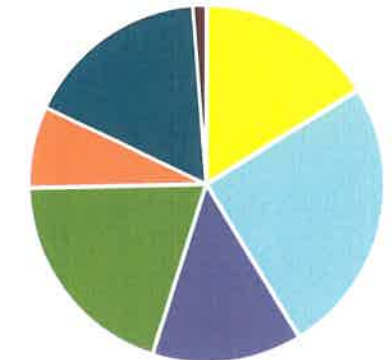
	2021	2020	2019
JAN	4,534	8,024	7,707
FEB	4,982	9,642	9,424
MAR	6,738	5,082	9,836
APR	6,249	785	10,639
MAY	7,067	1,535	10,268
JUN	7,084	2,961	8,371
JUL		3,730	8,672
AUG		5,502	10,352
SEP		5,996	11,657
OCT		5,938	10,888
NOV		4,538	8,812
DEC		3,828	8,505
<b>TOTAL</b>	<b>36,654</b>	<b>57,561</b>	<b>118,373</b>
	30.8%	-50.0%	

## TOTAL CARS PER MONTH

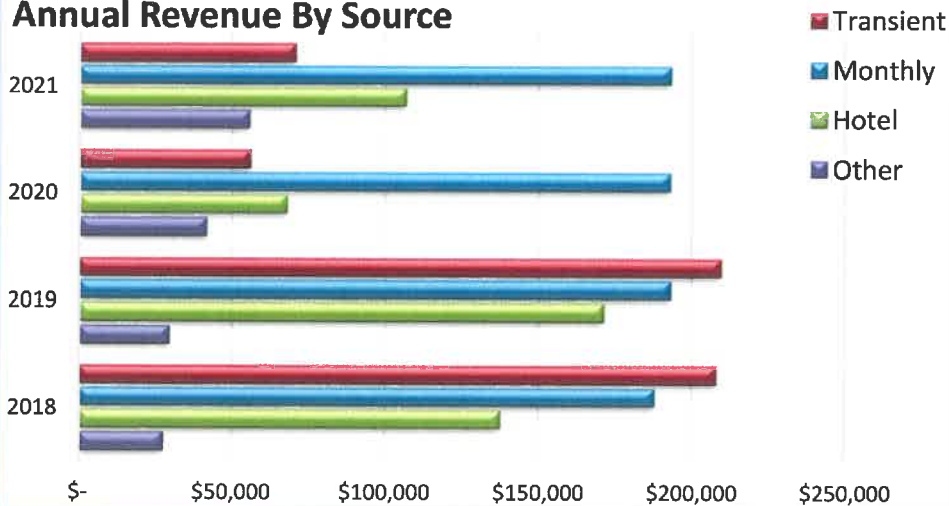


## # Rate Types Collected

- \$1.00
- \$2.00
- \$3.00
- \$4.00
- \$5.00
- \$ 6 - \$ 9
- \$ 10 - \$15
- >15

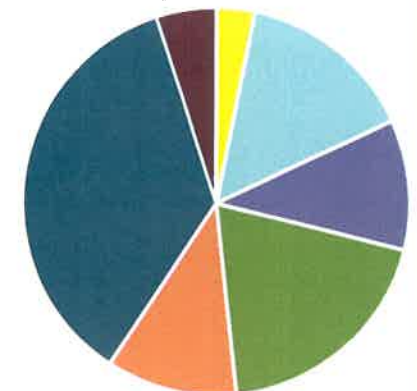


## Annual Revenue By Source



## \$ Rate Types Collected

- \$1.00
- \$2.00
- \$3.00
- \$4.00
- \$5.00
- \$ 6 - \$ 9
- \$ 10 - \$15
- >15



**RESOLUTION #2021-07-01**

**A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (*PARTA*) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FEDERAL FISCAL YEAR 2026 TO PURCHASE UP TO THREE (3) CLEAN DIESEL VEHICLES.**

**WHEREAS**, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation (ODOT), and administered by the Akron Metropolitan Area Transportation Study (AMATS); and

**WHEREAS**, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the Ohio Association of Regional Council (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

**WHEREAS**, the purchase of clean diesel vehicles is a transportation activity eligible to receive federal CMAQ funding; and

**WHEREAS**, if requested funds are granted, *PARTA* shall be responsible for at least twenty percent (20%) of the eligible costs; and

**WHEREAS**, the purchase of vehicles is necessary to stay on *PARTA*'s fleet replacement schedule; and

**WHEREAS**, the fleet replacement schedule is vital to the continued efficient operation of *PARTA*.

**NOW, THEREFORE, LET IT BE RESOLVED** by the Portage Area Regional Transportation Authority (*PARTA*) Board of Trustees that:

1. The General Manager, or her designee, is hereby authorized to apply for Federal Congestion Mitigation/Air Quality (CMAQ) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the purchase of up to three (3) clean diesel vehicles at an estimated total project cost of \$2 million for federal fiscal year 2026.
2. The Board of Trustees acknowledges and understands the AMATS 2021 CMAQ Guidance and confirms, to the best of its knowledge, that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds.

**CERTIFICATION:**

The undersigned duly qualified Board President, acting on behalf of the Portage Area Regional Transportation Authority (*PARTA*), certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Trustees held July 22, 2021.

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Gynn, President  
Board of Trustees

\_\_\_\_\_  
Attested

**RESOLUTION #2021-07-02**

**A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (*PARTA*) BOARD OF TRUSTEES AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO NEGOTIATE, ENTER INTO, AND SIGN AN AGREEMENT WITH CAVANAUGH BUILDING CORPORATION FOR THE CONSTRUCTION OF A DRIVER TRAINING PAD.**

**WHEREAS**, the *PARTA* Board of Trustees authorized the General Manager, or her designee, via Resolution #2020-11-03 to negotiate, enter into, and sign a task order contract with Richard L. Bowen & Associates for Architectural and Engineering (A&E) services to design improvements to *PARTA*'s facilities, as well as consultant and construction oversight services; and

**WHEREAS**, as part of the design improvements, *PARTA* issued a Notice to Bidders in June 2021 for furnishing materials and performing labor for the execution and construction of a 14,500 square foot concrete driver training pad, along with associated access drive improvements, storm water retention, revised site fencing, and miscellaneous site improvements as indicated on the contract documents; and

**WHEREAS**, *PARTA* received two (2) bids on Thursday, July 8, 2021, and determined that Cavanaugh Building Corporation is the lowest, most responsive, and responsible bidder; and

**WHEREAS**, *PARTA* will use funding from the Ohio Transit Partnership Program (OTP2), federal, and local funds, and a contingency of approximately 15 percent for said services in an amount not to exceed \$560,625 for the total project.

**NOW, THEREFORE, LET IT BE RESOLVED** by the Portage Area Regional Transportation Authority (*PARTA*) Board of Trustees that:

The General Manager, or her designee, is hereby authorized to negotiate, enter into, and sign an agreement with Cavanaugh Building Corporation for the construction of a driver training pad in an amount not to exceed \$560,625, including state, federal, and local funds and approximately a 15 percent contingency.

**CERTIFICATION:**

The undersigned duly qualified Board President, acting on behalf of the Portage Area Regional Transportation Authority (*PARTA*), certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Trustees held on July 22, 2021.

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Gynn, President  
Board of Trustees

\_\_\_\_\_  
Attested



HEALTHCARE & PHARMA

JULY 16, 2021 6:13 AM UPDATED 7 HOURS AGO

# CDC defends U.S. transit mask mandate as some call for scrapping

By David Shepardson  
4 MIN READ

WASHINGTON (Reuters) - A senior U.S. health official who signed a sweeping order for masks to be worn on nearly all forms of public transport said they were a key tool in preventing COVID-19 transmission even as some lawmakers call for ending the rules.

FILE PHOTO: Travelers board the air train ahead of the July 4th holiday, at the Newark Liberty International Airport, in Newark, New Jersey, U.S., July 2, 2021. REUTERS/Eduardo Munoz

Marty Cetron, director for the Centers for Disease Control and Prevention's (CDC) Division of Global Migration and Quarantine, told Reuters Thursday the agency's "current position" is the mandate should not be lifted.

"Masks are really powerful and we should make sure they're part of our arsenal," Cetron said in an interview. "We mask not just to protect ourselves - we mask because it's the way we take care and express our concern for each other."

The rules in place since January require masks to be worn by all travelers on airplanes, ships, trains, subways, buses, taxis, and ride-shares and at transport hubs like airports, bus or ferry terminals, train and subway stations and ports.

"The truth is that the unvaccinated portion that's out there is extremely vulnerable," Cetron said, especially in an indoor transportation hub "where the ventilation may not be optimized."

A group of Republican lawmakers this week introduced legislation to prohibit mask mandates for public transport, arguing they no longer make sense with a growing number of Americans getting vaccinated. Republican Representative Andy Biggs said transit mask rules "are only being kept in place by those who relish controlling our day-to-day lives."

In mid-May, CDC said fully vaccinated people could avoid wearing masks indoors in most places - with some exceptions like transit.

The mask mandate has been a huge source of friction on U.S. airplanes. The Federal Aviation Administration said Tuesday that since Jan. 1 it has received 3,420 unruly passenger reports, including 2,559 for refusing to wear masks.

The Transportation Security Administration (TSA) said Sunday was the single-busiest day since February 2020, with nearly 2.2 million passengers.

“I get we’re all just over this emotionally but I do think we will succeed together if we realize the virus is the enemy and it’s not your fellow citizen or the person sitting next to you on a plane or a piece of cloth that you have to wear over your face,” Cetron said.

The CDC transit mask order has no expiration date. In April, the TSA extended its mask requirement until Sept. 13.

“As long as the CDC order is in place, the expectation is the implementing modes ... would continue with their own directives,” Cetron said.

“We won’t wait until September to reevaluate,” Cetron said, adding CDC is regularly reviewing the mandate. “If the pandemic were to suddenly disappear before then we have the ability to take down the order.”

Under Donald Trump, a CDC push to mandate masks in transit was blocked.

Asked if he still believes there is a scientific or public health basis for U.S. travel restrictions that bar entry from some countries in the United States, Cetron said: “I’m not going to get into the details” but said U.S. government discussions are going on.

Reporting by David Shepardson; Editing by Robert Birsel

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