

CAPITAL AREA TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING

WEDNESDAY, MARCH 19, 2025
4:00 P.M. – DISABILITY NETWORK CAPITAL AREA
901 EAST MOUNT HOPE AVENUE, LANSING, MI 48910

AGENDA

I. CALL TO ORDER

II. PUBLIC COMMENTS ON AGENDA ITEMS

*Members of the public are welcome to speak to the Board on any agenda subject. Anyone wishing to comment on any matter **not** on the agenda may do so immediately prior to adjournment.*

III. CHAIR'S COMMENTS

- Annual Disclosure Form – Policy #209 Code of Conduct

IV. CHIEF EXECUTIVE OFFICER'S REPORT

V. CLOSED SESSION

PROPOSED MOTION: *Closed session to consult with legal counsel to consider attorney client privileged material exempt from disclosure pursuant to MCL 15.268(1)(h) and MCL 15.243(1)(g)*

VI. FOIA APPEAL FROM JASON BEST

VII. ACTION ITEMS – PROPOSED CONSENT AGENDA

A. APPROVAL OF MINUTES OF FEBRUARY 2025, BOARD MEETING

B. TREASURER'S REPORT FOR JANUARY 2025

1. Interim Income Statement
2. Cash Summary
3. Investments
4. Fifth Third Investment Account Reconciliation

C. PURCHASE OF ADDITIONAL LARGE BUSES FROM NEW FLYER

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a purchase of an additional four (4), 40-foot, hybrid-electric transit buses from our original order placed with New Flyer, a subsidiary of NFI Group, Inc., using the State of Washington, cooperative bus procurement contract #06719, at a total purchase price not to exceed \$4,500,000 of federal and state grant funds for the vehicles, training, and accessories, pending successful completion of necessary FTA Buy America audits and inspections on such other terms and conditions as the Board Chair and Chief Executive Officer deem necessary.

D. MDOT PROJECT AUTHORIZATION AND ADDENDUM TO THE CONTRACT WITH VIA TRANSPORTATION, INC.

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute an addendum to the contract between Via and CATA to initiate overnight microtransit service as drafted in the \$15 Million Equitable Mobility Challenge grant which was awarded to CATA in October 2024 on such other terms and conditions as the Board Chair and the Chief Executive Officer deem necessary.

E. MDOT CONTRACT AUTHORIZATION RESOLUTION

PROPOSED MOTION: Staff recommends that the Board approve the Resolution set forth below.

CONTRACT AUTHORIZATION RESOLUTION

WHEREAS, the Capital Area Transportation Authority ("CATA") has the ability to contract with the Michigan Department of Transportation for state and/or federal funds for passenger transportation related services; and,

WHEREAS, the Shared Streets and Spaces Grant will award \$163,400 to CATA for the "Transit to Trails" project which will enhance amenities at four (4) CATA bus stops serving popular entrances to the Lansing River Trail; and,

WHEREAS, CATA does hereby approve Contract Number 25-5079 (the "Agreement").

NOW, THEREFORE, be it resolved that the Chief Executive Officer of CATA, or his or her designee, is authorized and directed to enter into and execute the Agreement with the Michigan Department of Transportation on behalf of CATA, for passenger transportation related services as outlined in the Agreement.

F. SUBRECIPIENT AGREEMENT WITH DISABILITY NETWORK CAPITAL AREA

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a subrecipient agreement with Disability Network Capital Area (DNCAP) for \$28,183 to fund their travel training program utilizing 5310 grant funding.

VIII. ACTION ITEMS – PROPOSED DISCUSSION AGENDA

A. FISCAL YEAR 2024 FINANCIAL STATEMENTS AND AUDIT REPORT – AUDIT COMMITTEE AND PLANTE MORAN

PROPOSED MOTION: That the CATA Board of Directors accepts CATA's Financial Statements and Report on Federal Awards for Fiscal Year 2024 and the Communication to those Charged with Governance and Management of CATA.

B. AMENDMENT TO THE SECURITY SERVICES CONTRACT

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute an amendment to the security services contract with Charlesbrook Protection Services for additional services at a cost not to exceed \$599,156, based on quoted rates, for the remaining three (3) year term on such other terms and conditions as the Board Chair and the Chief Executive Officer deem necessary.

IX. OLD BUSINESS

X. NEW BUSINESS

XI. PUBLIC COMMENT

Members of the public are welcome to speak to the Board on any CATA subject.

XII. ADJOURNMENT

Subject:

FW: CATA Response 2-18-25

From: J Best [REDACTED]

Sent: Tuesday, February 25, 2025 3:08 PM

To: Lindsay Dangl <ldangl@mbspclaw.com>

Subject: Re: CATA Response 2-18-25

Subject: Request for Identification of CATA Supervisor in FOIA Video & Additional Records Request

Dear Attorney Dangl,

Good afternoon.

I would like to acknowledge that **CATA has fully complied with its statutory requirements under FOIA thus far**. I sincerely appreciate CATA's transparency, the waiver of fees, and its patience throughout this process. Thank you for your service as a public body.

Request for Identification of CATA Supervisor

Upon reviewing the video file labeled:

"CTC - C40D Atrium Front Entrance Cafe-2025-01-12_12h11min51s597ms.mp4",

at the **40:45 to 41:30 time mark**, I have identified a **CATA supervisor wearing a CATA hat** who can be seen speaking my friend and I for about one minute before leaving.

I am requesting that CATA **confirm the full name of this supervisor**, as this information is necessary for me to move forward with the grievance process.

ADA Complaint & FTA Violations

The video also confirms that an **interaction did occur between myself, my friend, and the supervisor**, during which a **replacement ride was denied** to us. As I am a person **protected under the ADA**, this constitutes a **violation of federal law (ADA) and FTA regulations**.

Request for Supervisor's Personnel Records

Pursuant to **Michigan FOIA law** and relevant case law (*Bradley v Saranac Community Schools Board of Education, Lansing Ass'n of School Admr's v Lansing School District*, 455 Mich 285; 565 NW2d 650 (1997).), I am formally requesting the following records regarding the **identified CATA supervisor**:

1. **Performance appraisals**
2. **Disciplinary actions**
3. **Complaints made against this employee.**

4. **Confirmation of whether this employee is still employed with CATA**

We request these public records be delivered within **ten (10) business days** in a **downloadable format**, preferably as **PDF documents**.

FOIA Compliance & Redactions

According to case law, **personal identifying information must be redacted** under FOIA. I request that the following be redacted:

- Home address**
- Social Security number**
- Personal phone number**
- Personal email**

Or any other personal identifying information.

However, I request that the **supervisor's full name remain unredacted**, as this is essential for evaluating the provided records and ensuring they pertain to the correct individual in accordance with standard Michigan case law.

Please confirm receipt of this request and provide Cata with notice of this request.

Best regards,
Jason Thomas Best



Lindsay N. Dangl
David M. Klevorn

Caitlin K. Gillies

Karen Maddox
Firm Administrator

Vincent P. Spagnuolo/Retired

Of Counsel:

*Gary L. Bender
Richard A. Cascarilla

*Also admitted in District of Columbia

March 5, 2025

Jason Thomas Best

Dear Mr. Best:

This letter is in response to your FOIA request dated February 25, 2025 wherein you requested the name of the CATA employee as well as: 1. Performance appraisals, 2. Disciplinary actions, 3. Complaints made against this employee, and 4. Confirmation of whether this employee is still employed with CATA. You requested a response within ten (10) business days.

Your request is granted in part and denied in part. As was stated in my correspondence on January 27, 2025, while CATA is not required to answer questions under FOIA, in lieu of providing documents, your request to identify the employee is granted. Upon information and belief, the individual on the surveillance video in CATA uniform is Eric Pryor and he is currently a CATA employee. However, your request for documents is denied as CATA has no records to produce responsive to this request pursuant to MCL 15.233(5).

Please be advised that, pursuant to MCL 15.235(5), CATA is required to advise you that under MCL 15.240 if a public body makes a final determination to deny all or part of a request under the Freedom of Information Act, the requesting person has the right to do either of the following:

- (1) Submit to the head of the public body (in this case, Brad Funkhouser) a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial, or
- (2) Seek judicial review of the denial under MCL 15.240.

If you seek judicial review under MCL 15.240 and the court determines that the public records are not exempt from disclosure, the court shall order the public body to cease withholding or to produce the public record withheld. The circuit court for the county in which the complainant resides or has his principal place of business, or the circuit court for the county in which the public record is located is the proper venue in which to bring the action. The court shall consider the case de novo, and the burden is on the public body to sustain its denial. If a person asserting the right to obtain the public record prevails in the action, the court shall award reasonable attorney fees, costs, and disbursements. If the person prevails in part, the court may in its discretion award reasonable attorney fees, costs, and disbursements or an appropriate portion therefore. If the court determines that the public body has arbitrarily and

capriciously violated the FOIA, the court shall, in addition to any actual or compensatory damages, award punitive damages in the amount of \$1,000 to the person seeking the public records.

For the sake of clarity only, I reiterate that CATA disagrees with your version of events stated in your request. To CATA's information, there were no violations of applicable law. However, CATA is not required to answer inquiries other than those for documents under FOIA and declines to engage in further conversation.

If you have any questions, please contact my office. Thank you.

Sincerely,
MURPHY & SPAGNUOLO, P.C.

A handwritten signature in black ink, appearing to read 'LND', written in a cursive style.

Lindsay N. Dangi

LND/drd

March 7th, 2025

Brad Funkhouser
Executive Director
Capital Area Transportation Authority (CATA)
4615 Tranter Street
Lansing, MI 48910

Dear Brad,

I hope this letter finds you well. I am writing to you personally because we have met before, and I have always believed you to be a reasonable and prudent leader who genuinely cares about the people that CATA serves. That is why I feel the need to speak directly to you about my concerns regarding how my FOIA request is being handled and the unnecessary legal conflict that is arising as a result.

I initially made a FOIA request on January 13, 2025, seeking video and personnel records related to a CATA supervisor involved in a clear ADA and FTA violation that took place on January 12, 2025. After a back-and-forth process, CATA provided me with video footage, which confirmed the supervisor's identity. However, now that the individual has been identified, CATA's legal counsel, Lindsay N. Dangl, has denied my request for his personnel records despite well-established Michigan FOIA precedent that supports my right to access them.

I cited *Bradley v. Saranac Community Schools Board of Education*, 455 Mich 285 (1997), a Michigan Supreme Court case that explicitly states that performance appraisals, disciplinary actions, and complaints about a public employee's job performance are not exempt from FOIA disclosure. This case is also referenced in the Michigan Attorney General's FOIA Handbook (January 2023, pg. 39-40), which further confirms that public employee records should be disclosed with only limited redactions.

Despite this, Attorney Dangl has ignored the legal reasoning I provided and continues to deny my request. This has led me to believe that maybe her approach appears to be less about compliance with FOIA law and more about initiating unnecessary legal battles, potentially to increase attorney fees. If Attorney Dangl is confident in her legal reasoning, I would be open to debating her on Michigan FOIA law at MSU Law School in front of other students or another neutral venue. I believe an open conversation would be beneficial to legal education and public understanding rather than public funds spending upwards of \$50,000 in legal fees just to get CATA started with the suits.

Brad, I have to ask—is this truly in the best interest of CATA and the people of Ingham County? Is it really worth dragging CATA into another lawsuit when the law is clear, and compliance would simply allow us to move on? I am not looking to

create public controversy or cause CATA unnecessary trouble. I simply want what is right and just.

The supervisor in question violated my federal ADA rights, FTA regulations, and Michigan's Persons with Disabilities Civil Rights Act (Act 220 of 1976). I want to be clear that I do intend to pursue legal action under the ADA and FTA once the FOIA matter is resolved. However, I am also willing to amicably settle the ADA and FTA violations in the best interest of both the public and myself as a person with a disability who has been affected by this. If you require proof of my disability status, I can provide a certified copy of my Social Security documentation verifying that I am protected under the ADA and Michigan's Persons with Disabilities Civil Rights Act.

However, what does not make sense is why Attorney Dangi is pushing CATA into circuit court over public documents, which would only drag CATA into two lawsuits instead of one. If the goal is to resolve this matter properly, then CATA should release the supervisor's employee records as required under Michigan law, allowing us to move forward to addressing the ADA and FTA violations without unnecessary litigation and public scrutiny.

Brad, I respectfully ask that you step in and ensure that CATA follows Michigan FOIA law, releases the records, and prevent unnecessary legal battles. If you want two lawsuits, then you can continue to support Attorney Dangi's obstruction of public records. If you want one, then comply with FOIA, release the records, and we can move forward.

I trust that you, as someone who values transparency and ethical leadership, will recognize that allowing an attorney to push unnecessary legal conflict is not the right path forward. CATA should be focusing on serving the people of this community, not spending public resources defending legally indefensible positions. Given the strength of my legal position, CATA stands to lose this case, and with that is a lot of attorney fees, and scrutinized press coverage. I encourage an amicable resolution instead.

Thank you for your time, and I appreciate your consideration.

Sincerely,
Jason Thomas Best

A large black rectangular redaction box covering the signature area of the letter.

FOIA Appeal Letter to CATA Executive Director

Jason Thomas Best



March 7th, 2025

Brad Funkhouser
Executive Director
Capital Area Transportation Authority (CATA)
4615 Tranter Street
Lansing, MI 48910

Subject: FOIA Appeal – Denial of Public Records (Personnel File Request)

Dear FOIA Coordinator and Mr. Funkhouser,

I am formally appealing CATA's denial of my **January 13, 2025, FOIA request**, in which I originally sought **performance appraisals, disciplinary actions, and any complaints made against a CATA supervisor** involved in an **ADA and FTA violation** on **January 12, 2025**.

After receiving the video footage CATA provided, the **supervisor in question was identified**, and CATA **confirmed his identity** in correspondence. However, CATA's attorney, **Lindsay N. Dangl**, has now refused to release the **requested personnel records**, despite **Michigan Supreme Court precedent** and **guidance from the Michigan Attorney General's FOIA Handbook** that explicitly establish such records as **public records** subject to disclosure.

Legal Basis for Appeal – Michigan FOIA Law

1. Precedent Cases Confirm Personnel Records Are Public

- **Bradley v. Saranac Community Schools Board of Education, 455 Mich 285; 565 NW2d 650 (1997)**
 - The Michigan Supreme Court ruled that **performance appraisals, disciplinary actions, and complaints about a public employee's job performance must be disclosed under FOIA.**
 - The ruling is explicitly referenced in the **Michigan Attorney General's FOIA Handbook (January 2023, pg. 39-40)**, which affirms that **non-law enforcement public employee personnel records are public records** with only limited redactions.
- **Lansing Ass'n of School Adm'rs v. Lansing School District, 455 Mich 285 (1997)**
 - The court held that **performance evaluations, complaints, and disciplinary records of public employees are not exempt from FOIA disclosure.**

2. MCL 15.243(1)(a) Privacy Exemption Does Not Apply

- To qualify for an exemption, records must be:
 - (1) "Of a personal nature" AND
 - (2) "A clearly unwarranted invasion of privacy".
- **Job performance evaluations, disciplinary records, and complaints about an employee's public duties are NOT personal and are not exempt under FOIA.**

Requested Action

I am **formally appealing CATA's denial** and requesting the release of the following personnel records regarding the supervisor involved in the **January 12, 2025, ADA and FTA violation**:

1. **Performance appraisals**
2. **Disciplinary actions**
3. **Any complaints filed against this employee**

FOIA Compliance & Required Redactions

I acknowledge that **certain personal identifying information must be redacted**, including:

- Home address**
- Social Security number**
- Personal phone number**
- Personal email address**

However, the **supervisor's full name must remain unredacted**, as it is essential for transparency and compliance with Michigan FOIA law.

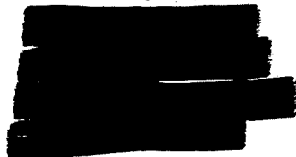
Response Deadline

Under **MCL 15.240(2)**, you must **respond to this FOIA appeal within 10 business days**. If additional time is needed, a **one-time 10-day extension** may be granted.

Failure to provide the requested records may result in **legal action in the 30th Circuit Court**, seeking disclosure, **attorney fees**, and **punitive damages under MCL 15.240(7)**.

I look forward to your prompt response. Please confirm receipt of this appeal and provide a timeline for disclosure.

Sincerely,
Jason Thomas Best

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Subject: FW: FOIA Appeal clarification
Attachments: FOIA Handbook January 2023.pdf; Cata_FOIA_Request.pdf

From: J Best [REDACTED]
Sent: Thursday, March 13, 2025 11:11 AM
To: Brad Funkhouser <BFunkhouser@cata.org>
Subject: Re: FOIA Appeal clarification

LEGAL LETTER FOR BRAD FUNKHOUSER – FOIA COMPLIANCE REQUIRED

Jason Thomas Best
[REDACTED]
[REDACTED]
[REDACTED]

March 6th, 2025

Brad Funkhouser
Executive Director
Capital Area Transportation Authority (CATA)
4615 Tranter Street
Lansing, MI 48910

Dear Brad,

I hope this letter finds you well. I am writing to address a blatant legal issue regarding my **January 13, 2025, FOIA request for CATA employee records** related to an **ADA and FTA violation** that took place on **January 12, 2025**. Initially, I could not name the employee in my request because **CATA claimed they did not know who he was**. However, after reviewing the **video footage provided by CATA**, Attorney **Lindsay N. Dangl** identified the supervisor as **Eric Pryor**.

Now that we know his name, it is **indisputable that my original FOIA request clearly covered these records (SEE FOIA REQUEST ENCLOSED)**. Under **Bradley v. Saranac Community Schools Board of Education, 455 Mich 285 (1997)**, these records **must be disclosed**, and CATA is legally obligated to release them. **Your blatant refusal to follow Michigan FOIA law is now appearing to be arbitrary and capricious conduct.**

Legal Basis for Compliance

- **Bradley v. Saranac Community Schools (1997)** held that **public employee records such as performance appraisals, disciplinary actions, and complaints must be disclosed under FOIA.**

- This case is explicitly cited in the **Michigan Attorney General's FOIA Handbook (January 2023, pg. 39-40)**, which is the **official interpretation of FOIA law—not my opinion, but the Attorney General's directive**.
- Yet, **CATA and Attorney Dangl have ignored my citation of this case**, failing to even acknowledge and even mention it in the email replies.

Brad, why is one of Ingham County's top attorneys, who currently serves on the Board of Directors for the Ingham County Bar Association, completely ignoring a well-established Michigan Supreme Court precedent that is clearly outlined in the state's FOIA handbook in an Email to a layman? Because she knows you gotta pay her no matter what win or lose!

This is no longer just about a **public records request**—this is a **blatant disregard for FOIA law**, and **Attorney Dangl's refusal to comply will result in costly litigation**. CATA is now facing **two lawsuits**—one in **30th Circuit Court for the FOIA violation** and one in **Federal Court for the ADA and FTA violations**.

I hope you understand that **I will file both suits** if this matter is not resolved. My **legal reputation** is on the line, and when I say I am going to file litigation, **I follow through every time**.

Yet, despite the **clear legal precedent in Bradley v. Saranac**, CATA **continues to ignore the law**, refuse compliance, and drag this process out unnecessarily. **Why?**

Brad, **this is your opportunity to ensure CATA follows Michigan FOIA law before this escalates to litigation**. If Attorney Dangl is willing to let CATA sink \$50,000-\$100,000 in legal fees fighting lawsuits you are guaranteed to lose, then that would be beneficial to her right? Not CATA, not the riders, not our community, and it is really NOT GOOD FOR YOU!

But I am giving you the opportunity to prevent that, I am giving you an exit Brad, and this is only because I know you. If I did NOT know you or meet you before I would have not sent this to you. You should take this as a lucky sign Brad.

Brad, here is a link to the Michigan.gov Website that is a pdf of the FOIA handbook, and on page 39, Paragraph 4, under the Bradley case you will SEE THAT THE LAW IS RIGHT! NOT JASON BEST...NOT LINDSAY DANGL, MY GOOD SIR THIS IS SERIOUS!

<https://www.michigan.gov/ag/-/media/Project/Websites/AG/FOIA/FOIA-Handbook-January-2023.pdf?rev=1e665e0ce0de400386fd327310c13598>

See Enclosed FOIA HANDBOOK.

See Enclosed Original January 13th, 2025 FOIA request that includes Employee Records.

Good day to you, sir.

Sincerely,
Jason Thomas Best

[REDACTED]

On Wed, Mar 12, 2025 at 11:50 AM Brad Funkhouser <BFunkhouser@cata.org> wrote:

Mr. Best,

I am in receipt of your letter dated March 7, 2025 asking that I review the FOIA denial you received from CATA legal counsel dated March 5, 2025. I appreciate your desire to appeal Ms. Dangl's decision of denying, in part, your FOIA request for information about the supervisor involved in your initial inquiry and certainly understand your frustration with this process.

I'm wondering if I could offer an alternative view of Ms. Dangl's letter, as I read it, for your consideration?

My understanding is that following the identification of the supervisor, a review of his personnel file took place without locating any of the materials requested. So, I read the denial as an indication that "no such records exist" rather than being denied access to them. I certainly understand how this could be read otherwise.

I hope this clarification resolves this part of your concern with CATA and your FOIA appeal request. Please let me know if you would like to continue the appeal to a formal review and I will prepare the necessary paperwork.

Thank you for reaching out about your concern.

Brad

Bradley T. Funkhouser, AICP

Chief Executive Officer

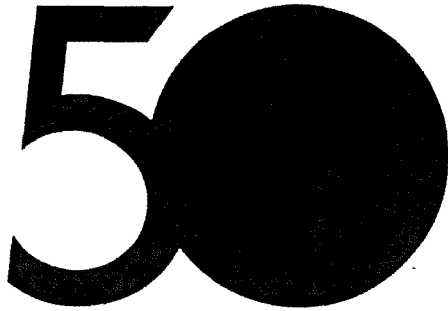
Capital Area Transportation Authority – CATA

4615 Tranter Street | Lansing, MI 48910

Office: (517) 999-2502

Fax: (517) 367-7275

BFunkhouser@CATA.org



Jason Thomas Best

Date: January 13, 2025

To:
Freedom of Information Act Coordinator
Capital Area Transportation Authority (CATA)
4615 Tranter Street
Lansing, MI 48910

Subject: FOIA Request for Records Related to Incident on January 12, 2025

Dear FOIA Coordinator,

Pursuant to the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq., I am requesting copies of public records related to an incident that occurred on January 12, 2025, involving Route 8 and activities at the CATA station located at 420 S. Grand Ave., Lansing, MI. Specifically, I request the following:

Records Requested

1. Surveillance Footage:

- A single video recording from the main lobby area of the CATA station, including the "Skydome" area near the Indian Trails and CATA office, between **12:45 PM and 1:00 PM on January 12, 2025**. This recording must capture the interaction between my friend Michael, myself, and the CATA supervisor, which occurred around **12:50 PM**.
- If a single recording does not capture the entire incident, additional camera footage from the same area is acceptable. However, I am not requesting all footage from the area—only recordings that show the interaction in its entirety from start to finish.

2. Incident Reports:

- Any internal or external reports, logs, or communications related to the failure to provide a replacement bus for Route 8 during the aforementioned time.
- Any communications involving CATA staff, supervisors, or drivers regarding this incident.

3. Employee Record:

- Any one single Record or statement from CATA identifying the supervisor who interacted with me and my friend in the lobby area during this time.

Format of Records

I request that these records be provided in electronic format (via email or USB drive). If certain records are unavailable electronically, I am willing to accept hard copies mailed to my address.

Fee Waiver Request

Given that this request pertains to a matter of public interest involving potential violations of the ADA and FTA regulations, I request a waiver of all fees associated with this FOIA request. Denying a fee waiver in the context of an ADA violation constitutes a constructive denial of my rights under FOIA. If a fee waiver is not granted, please inform me if the total cost exceeds \$50.

If you fail to grant the fee waiver, I will file a formal FOIA complaint with the **30th Circuit Court**, asserting that denying the fee waiver in the context of an ADA violation is a violation of FOIA under **MCL 15.231 et seq.** and potentially the **Michigan Persons With Disabilities Civil Rights Act (MPWDCRA)**. I will pursue legal action for this constructive denial under Michigan law.

Expedited Processing

Due to the time-sensitive nature of this matter, I request expedited processing of this request. The information sought is directly relevant to a potential legal action, and delay could result in the loss of critical evidence.

Contact Information

Please direct all communications regarding this FOIA request to:

- Email: [REDACTED]
- Phone: [REDACTED]
- Mail: [REDACTED]

Response Deadline

Under MCL 15.235, you are required to respond to this request within five (5) business days. If additional time is required, please notify me in writing, specifying the reasons for the extension.

Thank you for your prompt attention to this matter. Please let me know if you require additional information to process this request.

Sincerely,
Jason Thomas Best

CAPITAL AREA TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING

WEDNESDAY, FEBRUARY 19, 2025
4:00 P.M. – LANSING CENTER GOVERNOR'S ROOM
333 E. MICHIGAN AVENUE, LANSING, MI 48933

PRESENT: Nathan Triplett, Chair
Phil Deschaine, Secretary/Treasurer
Mark Grebner
John Prush
Steve Vagnozzi
Kellie Blackwell
Eric Tans
Chelsea Dowler
Ed Rodgers
Keith Barber

CALL TO ORDER:

Chair Triplett called the meeting to order at 4:02 p.m.

ROLL CALL: Keith Barber, Kellie Blackwell, Phil Deschaine, Chelsea Dowler, Mark Grebner, John Prush, Ed Rodgers, Eric Tans, Nathan Triplett, and Steve Vagnozzi were all present.

ABSENT: Shanna Draheim, Vice Chair, Derek Melot, and Jack Schmitt

Chair Triplett welcomed everyone to the Board meeting. He also mentioned that the meeting is being held on Zoom for those who wish to view the Board meeting virtually.

PUBLIC COMMENTS:

Deb Parrish stated that she is looking forward to the finance presentation and expressed her interest in knowing where CATA intends to place its cameras on buses.

Jeff McWherter, Chief Operating Officer at Gravity Works, commented on their work with CATA over the past ten (10) years. He also commented on CATA's decision to award a new contract to another vendor outside of the state.

CHAIR'S COMMENTS:

Chair Triplett requested a motion to excuse Shanna Draheim, Derek Melot, and Jack Schmitt.

MOTION:

Steve Vagnozzi motioned to excuse Shanna Draheim, Derek Melot, and Jack Schmitt. Eric Tans supported the motion.

VOTE: The motion carried unanimously.

Chair Triplett welcomed new Board member Ed Rodgers from Lansing Township. He then asked Ms. Sanders, past Lansing Township representative, to introduce Mr. Rodgers.

Maggie Sanders introduced Ed Rodgers. Mr. Rodgers is a former schoolteacher, Ingham County Prosecutor, Administrative Law Judge and former Director of the Bureau of Services for Blind Persons for the State of Michigan.

Chair Triplett welcomed Mr. Rodgers and thanked Ms. Sanders for her service to the CATA Board.

Ed Rodgers stated he looks forward to being on the CATA Board of Directors.

Chair Triplett noted that with Ms. Sanders stepping down, there is a need to appoint someone to the Audit Committee. He recommended appointing Chelsea Dowler to the Audit Committee.

MOTION:

Phil Deschaine motioned to approve the appointment of Chelsea Dowler to the Audit Committee and Kellie Blackwell supported the motion.

VOTE: The motion carried unanimously.

CHIEF EXECUTIVE OFFICER’S REPORT

Bradley Funkhouser welcomed Ed Rodgers to the CATA Board.

Code Blue Shuttle

Bradley Funkhouser stated that with extremely low temperatures outside, CATA has operated a shuttle to help transport those in need during Lansing’s “Code Blue”. He noted that from Tuesday, February 11 to Tuesday, February 18, CATA transported approximately 460 passengers back and forth between the Letts Community Center and Advent House Ministries. Mr. Funkhouser stated that he has communicated to Mayor Schor about how important this service is to the community and CATA’s commitment to improving the service.

Earned Sick Time Act

Bradley Funkhouser commented on the Earned Sick Time Act that will go into effect on Friday, February 21. Mr. Funkhouser and Marshea Brown, Director of Human Resources, confirmed that CATA’s policy is compliant with the Earned Sick Time Act as written. More to come.

Downtown Developments

Bradley Funkhouser stated that he met with Mayor Schor and Staff to discuss new developments downtown including future housing projects. Mr. Funkhouser explained that with all the new projects being built downtown, there will be an increase in traffic. He has been working with various partners to try to develop a neighborhood downtown that includes affordable housing and transportation. Next, he plans on meeting with Doug Fleming, Executive Director of the Lansing Housing Commission.

Delta Township Millage

Bradley Funkhouser stated that on Thursday, February 20, he will meet with Fonda Brewer, Delta Township Supervisor, and Mary Clark, Delta Township Clerk and EATRAN Board Chair, to discuss a potential millage in Delta Township that would support EATRAN's 2025 Regional Coordination Plan. More to come.

ACTION ITEMS – PROPOSED CONSENT AGENDA

- A. APPROVAL OF MINUTES OF JANUARY 15, 2025, BOARD MEETING
- B. APPROVAL OF MINUTES OF JANUARY 15, 2025, BOARD RETREAT
- C. TREASURER'S REPORT FOR DECEMBER 2024
 - 1. Interim Income Statement
 - 2. Cash Summary
 - 3. Investments
 - 4. Fifth Third Investment Account Reconciliation
- D. ARCHITECTURAL AND ENGINEERING SERVICES AT 511 S. WASHINGTON AVENUE

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to approve a proposal from Progressive AE, Grand Rapids, MI, for architectural and engineering services at 511 S. Washington Avenue, at a cost not to exceed \$351,500 of grant funds, on such other terms and conditions as the Board Chair and Chief Executive Officer deem necessary.

- E. PURCHASE OF ONE (1), 29-FOOT SHOPPING BUS FROM GILLIG

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a purchase of one (1), 29-foot, heavy duty transit bus from Gillig, LLC, of Livermore, CA, using the State of Washington, cooperative bus procurement master contract #06719, at a price not to exceed \$675,000 of federal and state grant funds, pending successful completion of necessary FTA Buy America audits and inspections on such other terms and conditions as the Board Chair and Chief Executive Officer deem necessary.

- F. ARMORED COURIER SERVICE AND CASH HANDLING/PROCESSING EQUIPMENT

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a contract with Fifth Third Bank, to provide

integrated cash handling and armored car services, at a cost not to exceed \$300,000 for a five (5) year term on such other terms and conditions as the Board Chair and Chief Executive Officer deem necessary.

G. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to approve and execute a Disadvantaged Business Enterprise (DBE) program in accordance with regulations set forth by the U.S Department of Transportation (DOT), 49 CFR Part 26, and authorize Staff to submit the program and report to the Federal Transit Administration.

H. AWARD OF CONTRACT FOR NEW WEBSITE DEVELOPMENT, DESIGN, AND MAINTENANCE

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a contract with Exemplifai, LLC, dba Exemplifi, LLC, beginning April 1, 2025, for the development, design, and maintenance of a new website, at a cost not to exceed \$335,025 funded through a combination of grant and operating funds for an initial three (3) year contract and an option for two (2), one (1) year extensions on such other terms and conditions as the Board Chair and the Chief Executive Officer deem necessary.

MOTION:

Mark Grebner motioned to approve the Consent Agenda and Steve Vagnozzi supported the motion.

VOTE: The motion carried unanimously.

ACTION ITEM - DISCUSSION AGENDA

A. POLICY - GUIDELINES FOR USE, VIEWING, AND STORAGE OF VIDEO AND AUDIO SURVEILLANCE - SECONDDREADING

PROPOSED MOTION: That the proposed policy for Guidelines for Use, Viewing, and Storage of Video and Audio Surveillance be accepted for the second reading in accordance with Policy No. 402, Formulation of Policies and Administrative Procedures.

MOTION:

Phil Deschaine motioned to accept the second reading of Discussion Item A, Policy for Guidelines for Use, Viewing, and Storage of Video and Audio Surveillance – Second Reading. Kellie Blackwell supported the motion.

DISCUSSION:

Bradley Funkhouser expressed his appreciation for the Board's patience. He noted that the Policy Committee will meet next month to look over CATA's Formulation of Policies and Administration Procedures Policy to try and simplify the process.

Chair Triplett thanked Staff and the Policy Committee for their work related to creating this new policy. He noted that the Policy Committee will continue to meet to update other CATA Policies.

VOTE: The motion carried unanimously.

OLD BUSINESS

Presentation from Jim Frendt, Director of Finance

Bradley Funkhouser stated that there has been a lot of discussion over the decrease in federal funding pertaining to transit. He explained that at the EATRAN Board meeting that took place earlier today, Jim Koenig from Tri-County spoke about the amendments to the Transportation Improvement Programs (TIP). Mr. Funkhouser stated that although CATA has money saved and grants that are already funded, CATA will continue to remain cautious with expenses. He then deferred to Jim Frendt.

Jim Frendt gave his presentation and introduced his Staff. He also commented on the Board approved software that has made a big difference in the day-to-day operations. Mr. Frendt expressed his excitement to work with Fifth Third Bank, which will update CATA's cash handling process. He also commented on CATA's expenses including paratransit service, fuel, and vehicle supplies. Wages, along with healthcare for both active and retirees, continue to be a big expense. Mr. Frendt stated that CATA has completed open enrollment for this year and benefits will start on March 1, 2025. He noted that this year, the union took part in negotiating health benefits for their members as written in their contract. CATA and the union had a very lengthy and healthy discussion and agreed that one main goal is for employees to be more responsible with one's health. Lastly, Mr. Frendt spoke about CATA's audit report that will take place next month and the uncertainties with CATA's FY 2026 budget due to less Local Bus Operating funds from the government.

Phil Deschaine inquired about CATA's deficit to budgeted healthcare expenses.

Jim Frendt stated that the deficit was a result of a high number of claims from CATA's employees and their dependents.

Phil Deschaine inquired whether CATA is self-insured.

Jim Frendt stated that CATA is self-insured.

Bradley Funkhouser stated that CATA offers their employees one of the best healthcare plans available. He explained the generated savings for FY 2026 is partially

based on the incentive for employees to opt into having a health savings account (HSA). He noted that having the union help us make these decisions has been a great accomplishment.

Steve Vagnozzi inquired whether the projected costs were based on last year's plan.

Jim Frenndt confirmed that the estimated costs were based on last year's plan and explained that participation fees will reset on March 1, 2025.

Bradley Funkhouser gave a summary of CATA's process starting with the Board Retreat in January, finance presentation in February, completing CATA's FY 2026 budget by end of June, and Board approving CATA's FY 2026 budget in August. He reconfirmed CATA's position on maintaining service without having to make cuts and being cautious on spending until more funding becomes available.

Chair Triplett commented on the legislation and the lobbying for more federal funding for transit. He stated that it can be frightening with the uncertainties that may lay ahead for transit. Chair Triplett stated that CATA and the Board will continue to monitor the situation. He also thanked Staff for their reports.

NEW BUSINESS

None

PUBLIC COMMENT

Deb Parrish expressed her appreciation for Mr. Frenndt's report. She also commented on CATA's paratransit service being under budget. Ms. Parrish reminded everyone about the memorial service for Gloria Banks which will take place on Saturday, February 22, at Pennway Church of God.

Daniel Black stated that this is the first time he used the auxiliary listening device during a Board meeting and expressed his appreciation to CATA. Mr. Black also commented on CATA's Route 3 providing seamless transportation. His only criticism was that EATRAN requires cash and encouraged them to include multiple forms of payment.

ADJOURNMENT

There being no further business, Chair Triplett adjourned the meeting at 4:49 p.m.

Respectfully Submitted,

Phil Deschaine
Secretary/Treasurer

Tina Orlando
Recording Secretary

**Capital Area Transportation Authority
INTERIM INCOME STATEMENT
For The Month Ending January 31, 2025**

	January Actual	January Budget	Variance	% Variance	FY 2025 Actual YTD	FY 2025 Budget YTD	Variance	% Variance	FY 2025 BUDGET	% of Fiscal Year Completed <u>33%</u>	% Annual Budget Revenues/Expense
REVENUES											
Farebox	\$ 242,435	\$ 200,075	\$ 42,360	21.2%	\$ 937,483	\$ 800,300	\$ 137,183	17.1%	\$ 2,400,900		39.0%
Contracted Services	\$ 512,598	\$ 336,500	\$ 176,098	52.3%	\$ 2,079,964	\$ 1,346,000	\$ 733,964	54.5%	\$ 4,038,000		51.5%
Property Tax	\$ 7,024,294	\$ 2,199,000	\$ 4,825,294	219.4%	\$ 9,618,369	\$ 8,796,000	\$ 822,369	9.3%	\$ 26,388,000		36.4%
State Revenue	\$ 1,691,743	\$ 1,807,000	\$ (115,257)	-6.4%	\$ 6,934,783	\$ 7,228,000	\$ (293,217)	-4.1%	\$ 21,684,000		32.0%
Federal Revenue	\$ 57,227	\$ 1,315,000	\$ (1,257,773)	-95.6%	\$ 4,337,942	\$ 5,260,000	\$ (922,058)	-17.5%	\$ 15,780,000		27.5%
Other Revenue	\$ 286,787	\$ 140,542	\$ 146,245	104.1%	\$ 282,443	\$ 562,168	\$ (279,725)	-49.8%	\$ 1,686,500		16.7%
TOTAL REVENUES	\$ 9,815,084	\$ 5,998,117	\$ 3,816,967	63.6%	\$ 24,190,984	\$ 23,992,468	\$ 198,516	0.8%	\$ 71,977,400		33.6%
EXPENSES											
Labor	\$ 2,179,509	\$ 2,147,633	\$ (31,876)	-1.5%	\$ 8,843,069	\$ 8,590,532	\$ (252,537)	-2.9%	\$ 25,771,600		34.3%
Fringe Benefits	\$ 1,399,405	\$ 1,337,468	\$ (61,937)	-4.6%	\$ 5,736,309	\$ 5,349,881	\$ (386,428)	-7.2%	\$ 16,049,640		35.7%
Services	\$ 447,690	\$ 434,783	\$ (12,907)	-3.0%	\$ 1,669,352	\$ 1,735,131	\$ 65,779	3.8%	\$ 5,210,400		32.0%
Materials & Supplies	\$ 359,721	\$ 490,895	\$ 131,174	26.7%	\$ 1,704,480	\$ 1,962,579	\$ 258,099	13.2%	\$ 5,888,240		28.9%
Utilities	\$ 100,334	\$ 76,725	\$ (23,609)	-30.8%	\$ 323,130	\$ 306,900	\$ (16,230)	-5.3%	\$ 920,700		35.1%
Casualty & Liability	\$ 162,298	\$ 114,000	\$ (48,298)	-42.4%	\$ 473,457	\$ 456,000	\$ (17,457)	-3.8%	\$ 1,368,000		34.6%
Purch. Transportation	\$ 1,033,662	\$ 1,077,775	\$ 44,113	4.1%	\$ 3,927,772	\$ 4,311,100	\$ 383,328	8.9%	\$ 12,933,300		30.4%
Miscellaneous	\$ 140,451	\$ 148,964	\$ 8,513	5.7%	\$ 561,331	\$ 595,797	\$ 34,466	5.8%	\$ 1,787,620		31.4%
TOTAL EXPENSES	5,823,070	5,828,243	5,173	0.1%	23,238,900	23,307,920	69,020	0.3%	\$ 69,929,500		33.2%
NET INCOME (LOSS)	\$ 3,992,014	\$ 169,874	\$ 3,822,140		\$ 952,084	\$ 684,548	\$ 267,536		\$ 2,047,900		

Interim statements are subject to adjustments and year-end audit

**Capital Area Transportation Authority
 Treasurer's Report
 Cash Activity During the Month**

(Page 2 of 4)

01/01/2025-01/31/2025

Cash Balance - 01/01/2025	\$ 2,393,237
Disbursements	\$ (11,262,891)
Receipts	\$ 13,241,752
Adjustments	\$ -
Cash Balance - 01/31/2025	<u>\$ 4,372,098</u>

Disbursements:

Cash Disbursements Register	\$ (4,349,606)
Payroll	\$ (2,115,207)
Healthcare (BlueCross Blue Shield)	\$ (765,772)
Transfers To the ASU Claims Account	\$ (32,306)
Transfers To the Investment Account	\$ (4,000,000)
Total Cash Disbursements	<u>\$ (11,262,891)</u>

Receipts:

Cash Receipt Register	\$ 5,241,752
Transfers From the Investment Account	8,000,000
Total Cash Receipts	<u>\$ 13,241,752</u>

Adjustments:

Misc. Items	\$ -
Total Cash Adjustments	<u>\$ -</u>

**Capital Area Transportation Authority
 Treasurer's Report
 Cash and Investment Balances & Interest Earned**

(Page 3 of 4)

01/01/2025-01/31/2025

CASH & INVESTMENT BALANCES	PORTFOLIO BALANCE	% OF TOTAL
<u>CASH & CASH EQUIVALENTS</u>		
FIFTH THIRD BANK - General Account	4,372,098	12.44%
FIFTH THIRD BANK - ASU Claims Account	59,520	0.17%
FIFTH THIRD BANK - Savings	545,418	1.55%
MSUFCU CD and Savings	270,647	0.77%
CASE Credit Union CD and Savings	271,684	0.77%
<u>FIXED INCOME INVESTMENTS</u>		
FIFTH THIRD BANK	29,625,238	84.30%
TOTAL	\$ 35,144,605	100.00%

INTEREST EARNED	INTEREST
INCOME EARNED ON INVESTMENTS:	
FIFTH THIRD BANK (Net of Expenses/Accrued Interest)	\$ 58,804
OTHER BANKS	3,163
TOTAL	\$ 61,967
Monthly Average Rate of Return	0.1763%
Annual Average Rate of Return	2.116%

Interim statements are subject to adjustments and year-end audit

**Capital Area Transportation Authority
 Treasurer's Report
 Fifth Third Bank Investment Account Reconciliation**

(Page 4 of 4)

01/01/2025-01/31/2025

Market Value at the Beginning of the Period - 12/01/2024 \$ 25,512,985

Portfolio Activity:

Transfers (To) or From General Checking 4,000,000

Net Income/(Loss) & Expenditures

Interest Earned	\$ 94,330	
Accrued Interest Paid	(33,630)	
Administrative Expenditures	(1,896)	

Total Net Income/Loss & Expenditures 58,804

Realized Gains or (Loss) From Sales 51,916

Market Appreciation

End of Period	\$ 86,713	
Beginning of Period	(113,052)	

Unrealized Gain/(Loss) from Market Appreciation (26,339)

Change in Value From Accrued Income

Previous Accrued Income (-)	\$ (199,449)	
Current Accrued Income (+)	227,321	

Net Change from Accrued Income 27,872

Market Value at the End of the Period - 12/31/2024 \$29,625,238

Interim statements are subject to adjustments and year-end audit .

NOTE:

The Fifth Third Bank Investment Account includes investments in the Federated Government Obligations Fund, Institutional Shares, considered as cash equivalents with a stable market value, and short term fixed income investments in federal and Michigan municipal securities that have market values that may fluctuate prior to redemption or early call dates.

ACTION ITEM – PURCHASE OF ADDITIONAL LARGE BUSES FROM NEW FLYER

Last November, the CATA Board of Directors approved the purchase of nine (9), 40-foot, advanced hybrid-electric, heavy-duty, model XDE40 buses from New Flyer, using a cooperative procurement contract from the State of Washington, which allows public transit agencies in other states to purchase new transit buses. Since the approval of this purchase, the lead times for the delivery of new, heavy-duty buses continue to lengthen.

The recent order is currently scheduled to be built next spring or early summer, with anticipated delivery in July 2026. In an effort to maximize the replacement of older, inefficient buses in a timely manner, and considering the increased projected deliveries which now are into calendar year 2027, Staff reviewed available grant funding and inquired with the vendor as to whether additional buses could be added to our order. With an estimated cost of \$1.031 million per bus, current funding allows for an additional four (4) buses. New Flyer has confirmed available build slots that align with our current order.

If approved, all thirteen (13) buses will utilize upgraded, state-of-the-art, hybrid-electric powertrains, with start-stop technology capable of running a portion of each day in full-electric mode. This new technology from Allison Transmission, known as “eGen Flex Max”, allows for zero-emission capability during part of the service day.

Based on the current age of CATA’s fixed route fleet, in conjunction with our asset replacement schedule, along with New Flyer’s ability to expand our current order, this represents an outstanding opportunity for CATA to modernize even more of our fleet. Staff is requesting approval for this purchase, which shall not exceed \$4,500,000 of available federal and state grant funds.

Following Board approval, the purchase of these vehicles is pending successful completion of both Buy America Pre-Award and Post-Delivery audits, and in-plant build inspections, as required by the FTA.

Staff recommends that the Board adopt the proposed motion set forth below.

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a purchase of an additional four (4), 40-foot, hybrid-electric transit buses from our original order placed with New Flyer, a subsidiary of NFI Group, Inc., using the State of Washington, cooperative bus procurement contract #06719, at a total purchase price not to exceed \$4,500,000 of federal and state grant funds for the vehicles, training, and accessories, pending successful completion of necessary FTA Buy America audits and inspections on such other terms and conditions as the Board Chair and Chief Executive Officer deem necessary.

ACTION ITEM – MDOT PROJECT AUTHORIZATION AND ADDENDUM TO THE CONTRACT WITH VIA TRANSPORTATION, INC.

CATA was awarded Project Authorization 2022-0027-P12 for \$1,687,000 in funds from the Michigan Department of Transportation (MDOT) and the Office of Future Mobility and Electrification (OFME) for our submittal to the \$15 Million Equitable Mobility Challenge, with the purpose of addressing mobility gaps and improving access opportunities in Michigan. This was a highly competitive grant with only six (6) awards selected in the entire state. CATA staff worked in tandem with Via Transportation, Inc. (“Via”) staff to draft the application and accumulate the necessary information in a timely matter to apply for this funding. This partnership ultimately led to the awarding of these funds.

Through this \$1,687,000 million award, CATA seeks to extend our partnership with Via to launch a three-year pilot program that provides microtransit transportation for third-shift workers. The overnight microtransit pilot is proposed to begin late spring/early summer of this year and will connect riders from an area of persistent poverty within Ingham County to an area that is prominently known for offering various overnight job opportunities. This award is funded by MDOT and OFME, and consists of Fiscal Recovery Funds (FRF) and Service Initiative Funds. Per the award agreement, it covers 100 percent of year one of the pilot, 85 percent of year two, and 70 percent of year three. The pricing proposal for offering such a service is indicated below and accounts for the breakdown of the award agreement:

Overnight Turnkey Service Costs:

	Year 1	Year 2	Year 3	Total 3 Years
Total Number of Vehicle Hours	7,280	7,280	7,280	21,840
Days/Week of Operations	7	7	7	7
Average Service Hours/Day	4	4	4	4
Duration of Deployment (Months)	12	12	12	12
Wheelchair Accessible Vehicles in Fleet	5	5	5	5
Total Active Vehicles in Fleet	5	5	5	5
Additional Spare Vehicles in Fleet	1	1	1	1

Fixed Upfront Costs	\$10,000	\$0	\$0	\$10,000
Ongoing Operational (Non-Upfront) Costs	\$640,000	\$660,000	\$680,000	\$1,980,000
Total Cost	\$650,000	\$660,000	\$680,000	\$1,990,000
Vehicle Hourly Rate (Excluding Upfront Costs)	\$86.96	\$90.44	\$94.06	\$90.49

Total Project Costs

	Year 1	Year 2	Year 3	Total 3 Years
Overnight Turnkey Service Total Cost	\$650,000	\$660,000	\$680,000	\$1,990,000

Staff recommends that the Board adopt the proposed motion set forth below.

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute an addendum to the contract between Via and CATA to initiate overnight microtransit service as drafted in the \$15 Million Equitable Mobility Challenge grant which was awarded to CATA in October 2024 on such other terms and conditions as the Board Chair and the Chief Executive Officer deem necessary.

ACTION ITEM – MDOT CONTRACT AUTHORIZATION RESOLUTION

CATA is a recipient of the Fiscal Year 2025 Shared Streets and Spaces grant award administered through the Michigan Department of Transportation (MDOT), in partnership with the Michigan Office of Future Mobility and Electrification (OFME). The Shared Streets and Spaces Grant has awarded CATA with \$163,400 to fund the “Transit to Trails” project which will enhance amenities at four bus stops serving popular entrances to the Lansing River Trail.

This grant is administered by a different MDOT office than the one responsible for all other transit-related project authorizations. Consequently, in order to receive this funding, the Board must approve giving the Chief Executive Officer of CATA authorization and direction to execute Contract Number 25-5079, heretofore, referred to as the “Agreement” pertaining to the Shared Streets and Spaces grant award from MDOT.

PROPOSED MOTION: Staff recommends that the Board approve the Resolution set forth below.

CONTRACT AUTHORIZATION RESOLUTION

WHEREAS, the Capital Area Transportation Authority (“CATA”) has the ability to contract with the Michigan Department of Transportation for state and/or federal funds for passenger transportation related services; and,

WHEREAS, the Shared Streets and Spaces Grant will award \$163,400 to CATA for the “Transit to Trails” project which will enhance amenities at four (4) CATA bus stops serving popular entrances to the Lansing River Trail; and,

WHEREAS, CATA does hereby approve Contract Number 25-5079 (the “Agreement”).

NOW, THEREFORE, be it resolved that the Chief Executive Officer of CATA, or his or her designee, is authorized and directed to enter into and execute the Agreement with the Michigan Department of Transportation on behalf of CATA, for passenger transportation related services as outlined in the Agreement.

ACTION ITEM – SUBRECIPIENT AGREEMENT WITH DISABILITY NETWORK CAPITAL AREA

CATA has worked on establishing a 5310 subrecipient program to utilize grant funds aimed at partnering with area non-profits to provide enhanced services to seniors and persons with disabilities. A Call for Projects was released on October 30, 2024, with projects due January 13, 2025. Upon receiving project submissions, a 5310 Selection Committee made up of multiple CATA departments, Tri-County Regional Planning, and members of CATA's Local Advisory Council met to review the projects to select ones to receive funding. The selection was based on meeting requirements for the Call as well as how the project fits the overall needs in the community per the Coordinated Public Transit-Human Services Transportation Plan.

The 5310 Selection Committee has selected Disability Network Capital Area (DNCAP) to enter into a subrecipient agreement to fund their project pending Board approval. DNCAP submitted a request for \$28,183 to fund one (1) year of their project to further expand their travel training program throughout the Tri-County region. This program aims to help individuals learn to use the public transportation systems in our region and improve their overall mobility. This travel training program will allow for a step-by-step process to ensure seniors and those with disabilities are able to utilize the transportation services available to them.

CATA staff determined that all the requirements of the 5310 Call for Projects were met by DNCAP's application and upon selection by the 5310 Selection Committee and approval by the Board, staff will move forward with establishing a subrecipient agreement with DNCAP.

Staff recommends that the Board adopt the proposed motion set forth below.

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute a subrecipient agreement with Disability Network Capital Area (DNCAP) for \$28,183 to fund their travel training program utilizing 5310 grant funding.

ACTION ITEM - FISCAL YEAR 2024 FINANCIAL STATEMENTS AND AUDIT REPORT

The audit firm Plante Moran conducted an audit of CATA's Financial Statements and Report on Federal Awards for Fiscal Year 2024 and the Communication to those Charged with Governance and Management of CATA as of, and for the Year Ended September 30, 2024.

On March 13, 2025, the Board Audit Committee met with Plante Moran to review the audit as provided in the description of duties for the Board Audit Committee.

The Board Audit Committee consisting of Chair, Derek Melot, Phil Deschaine, and Chelsea Dowler along with Board Chair, Nathan Triplett and Chief Executive Officer, Bradley T. Funkhouser, recommend the adoption of the motion set forth below.

PROPOSED MOTION: That the CATA Board of Directors accepts CATA's Financial Statements and Report on Federal Awards for Fiscal Year 2024 and the Communication to those Charged with Governance and Management of CATA.

ACTION ITEM – AMENDMENT TO THE SECURITY SERVICES CONTRACT

Charlesbrook Protection Services was awarded the CATA Security Services Contract RFP 2022-135 on January 1, 2023, to provide security services at the downtown transportation center (CTC) as well as at other CATA properties and events as deemed necessary.

In May of 2024, an amendment to the contract was approved to implement security services at the Capital Area Multimodal Gateway as well as at the CTC to support Route 1 late night service.

In August of 2024 at the start of the Lansing School District school year, our security team was tasked with the responsibility of crowd control for the students which meant breaking up multiple fights between the students, protecting them from other violent events taking place at the CTC, and ushering them onto their perspective buses to get home safely.

At the same time, there was a significant increase in violent events at the CTC including an attack on our CTC Advocacy Program advocate during which he was stabbed in the face and another incident during which a CXR was threatened while at a restaurant on her lunch break by two individuals that followed her back to work at the CTC, made threats to harm her, and attempted to wait on property for her to get off work.

To ensure the safety of its employees, vendors and customers, CATA decided to propose an amendment to the contract instead of going back out to bid.

The specific recommendation is as follows:

- One additional supervisor security guard at 40 hours a week be added to ensure leadership coverage from the time the CTC opens to the time the building closes Monday through Friday.
- A lead security officer be added to Saturday and Sunday shifts at the CTC and be available while security supervisors are on vacation or have days off.
- One additional security guard be added at 40 hours per week for midday school crowd support and additional p.m. coverage to support the Lansing School District students.

Staff is requesting an increase to the existing contract in the amount of \$599,155.76 for the remaining three (3) year term based on the following breakdown and pricing forms.

Costs to add proposed increased coverage:	\$599,155.76
New contract amount:	\$2,594,543.80

Charlesbrook Protection Services LLC Additional Coverage Pricing Years 3 through 5

Task	Rate	Proposed Additional Hours	Year 3 Bill Rate	Year 4 Bill Rate	Year 5 Bill Rate
CTC Security Supervisor	Straight	2,032	\$47.12	\$47.85	\$47.85
CTC Security Supervisor	Overtime	N/A	N/A	N/A	N/A
CTC Security Supervisor	Holiday	48	\$73.12	\$74.25	\$74.25
CTC Senior Security Officer	Straight	1,016	\$39.87	\$40.60	\$40.60
CTC Senior Security Officer	Overtime	N/A	N/A	N/A	N/A
CTC Senior Security Officer	Holiday	N/A	N/A	N/A	N/A
CTC Security Officer	Straight	2,032	\$28.27	\$29.00	\$29.00
CTC Security Officer	Overtime	N/A	N/A	N/A	N/A
CTC Security Officer	Holiday	N/A	N/A	N/A	N/A
CTC On-Board Security Officer	Straight	N/A	N/A	N/A	N/A
Investigation Rate	Straight	N/A	N/A	N/A	N/A
Consulting Rate	Straight	N/A	N/A	N/A	N/A

	Year 3	Year 4	Year 5	Subtotal
Original Cost 3 to 5 Years	\$654,500.04	\$670,444.00	\$670,444.00	\$1,995,388.04
Additional Cost 3 to 5 Years	\$197,210.16	\$200,972.80	\$200,972.80	\$599,155.76
Grand Total	\$851,710.20	\$871,416.80	\$871,416.80	\$2,594,543.80

Staff recommend that the Board adopt the proposed motion set forth below.

PROPOSED MOTION: That the CATA Board of Directors authorizes Board Chair, Nathan Triplett, and Chief Executive Officer, Bradley T. Funkhouser, to execute an amendment to the security services contract with Charlesbrook Protection Services for additional services at a cost not to exceed \$599,156 based on quoted rates, for the remaining three (3) year term on such other terms and conditions as the Board Chair and the Chief Executive Officer deem necessary.

INFORMATION ITEMS

MARCH 19, 2025

1. JANUARY RIDERSHIP REPORT
2. JANUARY RIDERSHIP GRAPH YEAR-TO-DATE
3. FUEL PURCHASE FOR FEBRUARY 2025
4. DEI TASK FORCE UPDATE FOR FEBRUARY
5. ZERO-EMISSION FLEET UPDATE

JANUARY 2025 RIDERSHIP REPORT

<u>Total system rides – January:</u>	<u>900,803</u>
Average weekday system ridership	37,800
Average weekday system ridership change January 2025 to January 2024	-550

	<u>January 2025 vs. January 2024</u>	
	<u>Percentage Change</u>	<u>Ridership Change</u>
Monthly total system ridership	-1.1%	-10,248
Monthly Urban Fixed-Route change	-3.4%	-11,966
Monthly MSU campus ridership change	-1.3%	-5,310
Monthly Spec-Tran ridership change	+8.6%	+2,050
Monthly Total Paratransit ridership change	+6.2%	+1,880

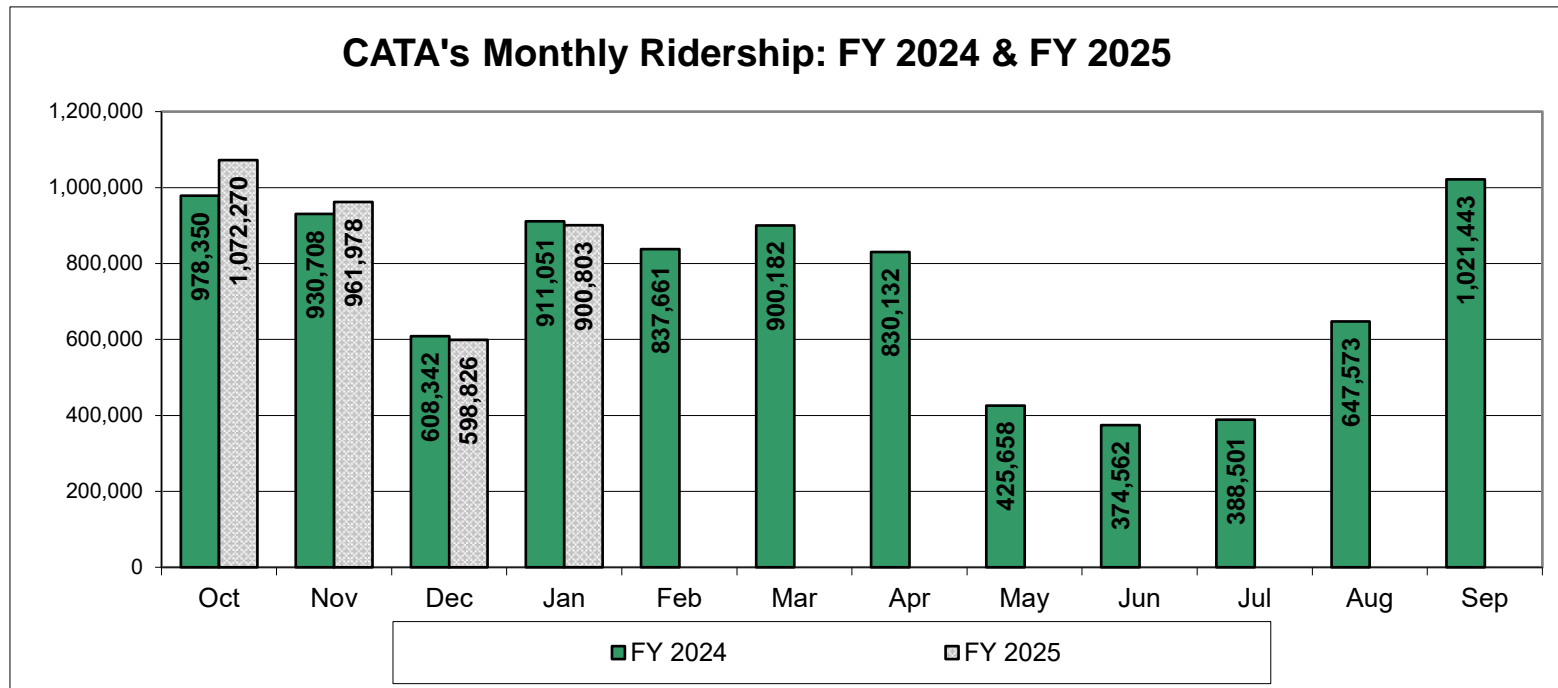
Note: Service on Routes 1, 3, 5, 8, 9, and 18 have been reduced as of 12/20/2021.

FY 2025 YEAR-TO-DATE RIDERSHIP

<u>Total system rides – FY 2025:</u>	<u>3,533,877</u>
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	<u>FY 2025 vs. FY 2024</u>	
	<u>Percentage Change</u>	<u>Ridership Change</u>
Total system rides change	+3.1%	+105,426
Year-to-Date Spec-Tran ridership change	+8.9%	+8,555
Year-to-Date Total Paratransit ridership change	+5.0%	+6,205

Note: Service on Routes 1, 3, 5, 8, 9, and 18 have been reduced as of 12/20/2021.



INFORMATION ITEM - FUEL PURCHASE FOR FEBRUARY 2025

The following lists our prices for diesel fuel for February 2025

<u>Date of Delivery</u>	<u>Price Per Gallon</u>
02/03/2025	\$2.3570
02/07/2025	\$2.3705
02/12/2025	\$2.5275
02/17/2025	\$2.4065
02/21/2025	\$2.4525
02/26/2025	\$2.3455

FY 2025 Current average per gallon fuel cost	\$2.41
FY 2025 Budget per gallon fuel cost	\$2.35

DIVERSITY, EQUITY, AND INCLUSION TASK FORCE MEETING SUMMARY

Guest Speaker: Bradley Funkhouser, AICP, Chief Executive Officer

We were honored to have Bradley Funkhouser, CEO, attend our February meeting. He provided a strong show of support and reaffirmed his pride in the continued work of the committee. Additionally, Andrew Brieschke, Deputy CEO, was recognized by the committee for his active participation in DEI events and underscoring the commitment of our leadership team.

The meeting also featured a presentation by Jay Harvey, Human Resources Generalist. Mr. Harvey provided an overview of the DEI Executive Order and the broader impact it has on organizations. The presentation highlighted trends among listed companies, where some are retreating from DEI programs, while others remain steadfast in their commitment. The discussion explored the reasons behind the pullback, including political shifts, economic pressures, public and employee perceptions, and legal challenges.

As we begin the year, the committee is focused on acknowledging the significant changes occurring in the DEI landscape, while reinforcing our continued support from Executive Leadership and the Board of Directors. The meeting was a reminder of our unwavering commitment to fostering diversity, equity, and inclusion with the organization, even in the face of shifting external factors.

Respectfully submitted,

Marshea Brown
Chair, DEI Task Force
Director of Human Resources



INFORMATION ITEM – ZERO-EMISSION FLEET UPDATE

Since the CATA Board of Directors passed a resolution stating that CATA's fleet will strive to become zero emissions by 2035, Staff has been diligently working to facilitate this transition in a responsible manner. In addition to concerns about the range of electric vehicles in particular, the industry is facing numerous other challenges that have slowed our efforts somewhat. These include but are not limited to ever-increasing costs of electric buses, limited availability of a viable electric, small bus alternative, increased delays in lead and delivery times for heavy-duty buses, and limited grant funding that makes a "one-for-one" replacement of each vehicle not possible. Still, Staff has made great progress with more to come in the near future.

As of this writing, the following achievements have been made to assist in the transition to zero-emission vehicles:

- Two (2), 40-foot, heavy-duty transit buses (On order)
 - Gillig bus:
 - Board Approved: November 2023
 - Anticipated Delivery: July 2025
 - New Flyer bus:
 - Board Approved: November 2023
 - Anticipated Delivery: January 2026
 - Additional heavy-duty EV bus orders, including articulated buses, to be ordered in late 2025/early 2026. Quantity dependent on available grant funds.
- Three (3), Ford E-Transit ADA-Accessible Vans (On order)
 - Will replace small buses operated by Transdev for CATA Rural Service.
 - Board Approved: August 2024
 - Anticipated Delivery: late Spring/early Summer 2025
 - Additional EV vans to be ordered Summer 2025.
- Transition to all-electric, bus operator transport vehicles.
 - Efforts underway to replace twenty (20) bus operator transport vehicles.
 - Currently, we have eight (8) Chevrolet EVs in operation.
 - Three (3) additional EVs on order (ETA: late Spring 2025)
 - Additional EV orders to be placed late summer/early Fall 2025.
 - Anticipate having all EV operator transport vehicles by mid-2026.
- Charging Infrastructure:
 - Currently, we have four (4), 220v EV chargers at Tranter.
 - One, Level II, ChargePoint, heavy-duty bus charger to be installed May 2025.
 - A second and third heavy-duty bus charger to be installed Fall 2025.
 - Tranter facility is undergoing numerous electrical and safety upgrades to accept an on-going transition to increased number of all types of EVs.
 - Four (4), Level II EV chargers for CATA employee usage to be installed in late spring/early summer 2025.
 - Transdev to have the first of two EV chargers installed in Summer 2025.