

**MINUTES OF REGULAR BOARD MEETING
OF
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
MARCH 25, 2021**

The Regular Meeting of the Board of the Southeastern Pennsylvania Transportation Authority was held on Thursday, March 25, 2021 at 3:00 p.m. via teleconference, with the Chairman in the Chair.

Present

Attending the meeting and present in the Board Room was the following Board Member:

Pasquale T. Deon, Sr., Chairman
Honorable Kenneth Lawrence, Jr., Vice Chairman
Thomas Jay Ellis, Esquire

Attending the meeting via teleconference were the following Board Members:

Thomas E. Babcock
Joseph E. Brion, Esquire
John F. Cordisco, Esquire
Mark H. Dambly
Robert D. Fox, Esquire
Kevin L. Johnson, P.E.
Obra S. Kernodle, IV
William J. Leonard, Esquire
Deborah Mahler
Honorable Martina White

Present in the Board Room were the following Staff Members:

Leslie S. Richards - General Manager
Richard Burnfield - Deputy General Manager/Treasurer
Robert L. Lund, P.E. - Deputy General Manager
Gino Benedetti, Esquire - General Counsel
Carol R. Looby - Secretary
Stephanie Deiger - AGM, Employee Development/Relations
Jody Holton - AGM, Planning
Francis E. Kelly - AGM, Government & Public Affairs
Scott Sauer - AGM, Operations
William Webster - AGM, Communications

Chairman Deon called the Regular Meeting of the Board to order. He said the Special Meeting, which was noticed, was canceled. He then conducted a roll call of the Board.

The Pledge of Allegiance was observed.

Chairman Deon stated that for over a year now, SEPTA's workforce has kept our region moving during the pandemic. Despite the challenging circumstances, he said the Authority has made sure people could get to essential jobs and services and now, we are central to the most critical part of our recovery - getting people to-and-from appointments for vaccines.

Chairman Deon said that everyday SEPTA was at the heart of the effort to get thousands of people to vaccination sites. We have worked closely with our partners to make sure residents have safe, reliable, and accessible transportation, which includes the mass vaccination sites, such as the Pennsylvania Convention Center and the Esperanza Vaccination Center, and smaller neighborhood clinics. He added that we have also worked behind the scenes to support the vaccination effort. For example, we have operated shuttle buses to get National Guard personnel to-and-from the Esperanza, which he mentioned has served thousands of residents in North Philadelphia.

Chairman Deon stated that at the same time, there has been a huge effort to get SEPTA employees vaccinated. Thanks to the work of SEPTA staff and our partnerships with the City of Philadelphia, and health care providers such as Jefferson, Einstein, and Main Line Health, he shared that all SEPTA employees have been given access to vaccines. Chairman Deon commented that the health and safety of our riders and employees was our number one priority.

Chairman Deon closed by thanking everyone for their hard work and dedication during the unprecedented drive to get our residents and employees vaccinated.

Approval of the Minutes

Chairman Deon stated that the Minutes of the March 25th Regular Board Meeting had been circulated. He entertained a Motion to Approve the Minutes. Mr. Cordisco moved, Mr. Ellis seconded, and the Minutes of the February Regular Board Meeting were unanimously approved.

Financial Report

Richard Burnfield reported that revenue for the month of February was \$27.7 million below budget with several snowstorms throughout the month transit ridership remained at 35 percent of pre-Covid levels and regional rail ridership at 15 percent of pre-Covid levels.

Mr. Burnfield stated that revenue for the month of March was \$35.8 million below budget. During month, ridership grew slightly with transit ridership at 38 percent of pre-Covid levels and regional rail ridership at 18 percent of pre-Covid levels. He stated that after the first nine months of Fiscal

Year 2021, revenue was \$269.1 million below budget and operating expenses for the year to date were \$103.1 million below budget. Mr. Burnfield added that with the federal CARES relief funding providing operating assistance to offset revenue shortfalls, SEPTA was able to operate with a balanced budget during the fiscal year.

Chairman Deon then entertained a Motion to Adopt the Financial Report. Vice Chairman Lawrence moved, Mr. Ellis seconded, and it was unanimously adopted that the Financial Report be received and filed. The March Financial Report is attached to these Minutes as Exhibit "A."

Chairman Deon announced that all written comments and voicemail messages that have been received would be included in the official Board Meeting transcript, which would then be posted to the SEPTA website. **The following individuals emailed the Board Secretary: Eric Von Hofen, John Schoen-McCullough, Sam Lifson-Neubardt, Toni Dang, James Cartwright, Luke Mills, Scott McBride, Caroline Slama, Brooke Garcher, James Tosto, Kimberly Gordon, Katrice Cheaton, Lindsay McCormick, Duncan Gromko. These email messages concerning the closing of Somerset El Station have been included in the official Board Meeting Transcript and are attached to the original Minutes as Exhibit "B". (There were no voice mail messages.)**

Chairman Deon mentioned that there were no speakers on the Board agenda.

Consent Calendar

The Chair then presented the Consent Calendar, which consisted of the following:

"Purchase of Excess Workers' Compensation Insurance from U.S. Specialty Insurance Company;"

"Approval of SEPTA's 2021 Title VI Program;"

"Authorization to Enter into an Agreement with PNC Bank for a Renewal and Consolidation of a \$200 Million Unsecured Line of Credit;"

"Award of Contracts Pursuant to Requests for Proposals;"

"Second Amendment to the Lease Agreement Between SEPTA and Greater Media Tower Company for Space on the Y-100 Antenna Tower in Newtown Square, Delaware County, Pennsylvania;"

"Sixth Amendment to the Lease Agreement Between SEPTA and Lincoln Plaza Center, L.P. for Space on the Roof of One Oxford Valley Mall in Langhorne, Bucks County, Pennsylvania;"

"New Lease Agreement with the City of Philadelphia

Pertaining to the Renewal of Leasing a Total of 54,080 Square Feet of Space on the 15th and 18th Floors and Rear Plaza of SEPTA's Headquarters Building at 1234 Market Street;"

"New Lease Agreement with the Philadelphia Housing and Development Corporation Pertaining to the Renewal of Leasing a Total of 68,584 Square Feet of Space on the 16th and 17th Floors of SEPTA's Headquarters Building at 1234 Market Street;"

"Agreement with Independence Visitor Center Corporation Related to Philadelphia Phlash Service;"

"Authorization to Award Contracts for Various Procurements;"

"Award of Contracts for Sole Source Procurements;"

and

"Authorization to Execute Change Orders."

Chairman Deon stated that all the items on the Consent Calendar were reviewed by the appropriate Board Committees in public session. He then entertained a Motion to Adopt the Resolutions. Mr. Brion moved, Mr. Ellis seconded, and the Resolutions were unanimously adopted, with Ms. Mahler abstaining on Items II.A.3. and II.A.4. Mr. Benedetti added that Board Member Michael Carroll would also be abstaining on Items II.A.3. and II.A.4. Mr. Johnson, who had experienced a moment of technical difficulty, informed the Board Secretary via a message at 3:10 PM that he had abstained on Item I.D.1.

Report of General Manager

Ms. Richards began by stating that before she would give her report, she had wanted to acknowledge what a solemn day Tuesday was for our nation. While we celebrate that accountability was finally achieved in the murder of George Floyd, this verdict also honors all the generations of Black and Brown Americans for whom justice was not served. She mentioned that following Mr. Floyd's death last year, Chairman Deon and she had written to employees to let them know that SEPTA was unequivocally committed to diversity, inclusion and acceptance of all people regardless of race, religion, gender identity or sexual orientation.

Ms. Richards said that she was proud of the work we have done as an organization to create more of a culture of belonging, but we cannot be satisfied where we are. Today, we were calling on all employees to join us in recommitting to conversation, collaboration and understanding and to all to do our part to end systemic racism. She said that we cannot and should not let this moment pass. Ms. Richards stated that the last year was very heavy with a culmination of racial strife,

the pandemic, and the financial challenges it brought. We are beginning to see signals that there was light at the end of the tunnel.

Ms. Richards stated that one of the most important contributors to getting back to life as we know it was getting people vaccinated. She said she was happy to share that more than 4,000 of our employees have received the vaccine, thanks to our partners at Jefferson, Main Line Health, Einstein, and the City of Philadelphia. She then gave a shout out to our own Fran Kelly and everyone here, who have made it a priority over these last few months to make sure our employees could get vaccinated.

Ms. Richards commented that she was also proud of the role that SEPTA was playing in removing barriers for people getting their shots. She noted that over one million Philadelphia residents live within a convenient, one-seat ride on SEPTA to a Covid-19 vaccination site. And we were helping to ensure that our community members can get their vaccinations at the Esperanza Community Vaccination Center by transporting the National Guard there to administer the shots.

Ms. Richards continued and said that we were also starting to become more optimistic about what our future looks like. She said this was a challenging time for SEPTA as we work through our operating and capital budgets and that we were at a critical juncture with infrastructure funding, and we are hopeful. She explained that we were working with our corporate and community partners to determine when and how riders would be returning to the workplace. We were monitoring that situation and would be prepared to meet our riders' needs when they were ready to come back. Ms. Richards stated that with the warmer weather, we have already seen an increase in ridership on some parts of the system, which has been encouraging.

As many of you know, Ms. Richards stated that we had closed the Somerset Station for two weeks to address emergency safety, security, and infrastructure issues. That work was needed throughout the station to mitigate damage from urination, human waste, discarded needles and other debris. We also reinforced key structures, installed enhanced lighting and new signage, and painted and deep cleaned. She mentioned that work to restore elevators was ongoing and we reopened with a new security plan.

Ms. Richards also mentioned that SEPTA Transit Police officers were assigned to Somerset Station throughout the service day, and there would be a new street-level police booth. She said the police officers would work closely with social outreach specialists who would be assigned to Somerset Station to connect those in need with substance use or behavioral health treatment and other services. She shared that we have made some terrific progress on that front and we were now replicating that strategy at other stations that have been impacted similarly to Somerset.

She then thanked the City for their partnership in helping us provide safe and reliable service for our customers in these

communities.

And lastly, Ms. Richards said she wanted everyone to remember to celebrate Earth Day today! SEPTA plays an important role in the sustainability of our planet and as we chart our future path, she said we would continue to prioritize sustaining our natural environment, creating healthy communities, and focusing on economic vitality.

Chairman Deon thanked Ms. Richards for doing a great job during this past year. He then called for the first speaker, Cameron Adamez.

Speakers

Cameron Adamez

Mr. Adamez stated that he was a member of 5th Square Transit Steering Committee. He explained that 5th Square was a political action committee that supports local candidates committed to policy change in the areas of transportation, land use, and public space. He added that they work with their partners in the Transit Forward Philadelphia (TFP) coalition who work to advance the transit system from their organizational perspectives of economic development, business community, racial justice, public health, and public policy in our case.

Mr. Adamez stated that SEPTA employees and riders deserve to feel safe, and riders should not have to question the biases or ethics of the people that they trust to keep them safe. He stated that at the January SEPTA Board Meeting, TFP members, Tariem Burroughs and Melody expressed their concern about the conduct of the several SEPTA police officers who had attended the January 6th rally, before the insurrection. Following the event, Mr. Adamez stated that two officers posted on social media that they supported the insurrection. SEPTA's spokesperson, Andrew Busch, acknowledged that by saying, "by endorsing the storming of the Capitol, they were condoning criminal activities, which was unacceptable for any police officer." Their support of illegal behavior was in direct opposition of the department's ethos statement. Mr. Adamez stated that in January, Chuck Wexler, Executive Director of the Police Executive Research Forum noted that police leaders in investigations need to evaluate more than just clear criminal behavior and that they must also consider how their actions affect a department's credibility. Wexler states the officers' First Amendment rights do not extend to expressing words that may be violent or may express some prejudice because that was what would be reflected on what they would be doing when they were testifying in court.

Mr. Adamez closed by stating that given these statements and the credibility issue, it seemed that the officers only

rendered a three-day suspension, which was just a token gesture, instead of addressing the root cause of the problem. He then asked the Board if they support this simple punishment for the unusual social media policy violation. He said he would like for the Board Members to clarify their positions on record.

Mr. Benedetti responded and introduced himself as SEPTA's General Counsel. He explained that the police internal affairs department had investigated the matter fully. He said we had followed our normal process in applying discipline and afforded the officers all due process rights. Mr. Benedetti said that while we have accepted the discipline that was handed down, we were at the same time looking at the processes which includes bringing in citizens from the community in to assist us in evaluating our current procedures, and to improve them where we can, so that we can continue to have a trustful relationship with the community that we serve.

Chairman Deon called for the next speaker, Daniel Trubman.

Daniel Trubman

Mr. Trubman introduced himself saying he was from Philadelphia and was also speaking on behalf of 5th Square. (His submitted statement is attached to the original Minutes as Exhibit "C".) He said at 5th Square, they sincerely believe that SEPTA's Trolley Modernization Project deserves priority in the Agency's forthcoming capital budget. He mentioned that the trolleys make up SEPTA's busiest surface routes, hailing more ridership than any big single bus line and most regional rail lines. Our trolley cars were a decade past their 30-year useable life and were becoming increasingly unreliable.

Mr. Trubman said this was a matter of equity and racial justice because the trolley lines serve lower-income, higher-minority communities, and connect these neighborhoods to opportunities in Center City and University City. He said the current trolley cars were also not fully ADA-accessible to people of all ages and abilities. Mr. Trubman said our region's trolley neighborhoods deserve a modern system and in replacing the aging trolley fleet, he said SEPTA has the chance to transform the trolley system to resemble modern light rail, which means increasing speed and reliability through off-board fare payment, transit signal priority, and stop consolidation.

Mr. Trubman stated that this project has larger, regional economic benefits. He stated that a functional trolley system was crucial for the region's economic recovery, by serving and connecting people to jobs and amenities. He stated that it was crucial that when it comes to infrastructure spending, we fix it first. As Secretary of Transportation, Pete Buttigieg, recently commented, "a lot of what we got to do is dealing with a maintenance backlog."

In closing, Mr. Trubman stated that they want SEPTA to prioritize the Trolley Modernization Project by stepping up its timelines and increasing its capital budget investment allocation.

Chairman Deon called for next speaker, Gavin Stecher, but it appeared that he was having technical difficulty and could not be heard. He then called for the next speaker, Joel Arnold.

Joel Arnold

Joel Arnold introduced himself and said he was a planner with SEAMAAC, a non-profit, that serves immigrants and refugees in the neighborhood near Mifflin Square Park in South Philly. He added that they were also a member of Transit Forward Philadelphia coalition.

Mr. Arnold stated that SEAMAAC and TFP were grateful for the adoption of the SEPTA Forward Strategic Plan, which recognizes that transit was at the core of a sustainable economically inclusive and such an ambitious framework that propels SEPTA, our communities, and our whole region forward. He stated that they see that the Strategic Plan was responsive to their call to build healthier, safer, and inclusive communities centered around transit. Mr. Arnold commented that they were grateful to the SEPTA Board and the Strategic Planning Innovation Group for listening to their calls.

Mr. Arnold said values that the strategic plan champions at SEPTA became a proactive and responsive organization, making the most effective use of public resources. He said that SEAMAAC and TFP were calling on SEPTA to accelerate progress on full rail transit network accessibility and to move up the timeline on all ADA projects in the rail transit network in the next capital budget and ensuring that we have a successful bus network redesign. He noted that the buses do not need to mirror the rail transit network because it lacks accessibility for all users, which he said was an inefficient use of public dollars.

Mr. Arnold stated that today many projects in our capital budget ties station accessibility to full station renovations, but SEPTA was a fiscally constrained agency and they need elevators now and that the full renovations could be done later. Mr. Arnold mentioned that his community in South Philadelphia was one that would benefit from a mission project delivery method that drives the goals of the strategic plan. He noted that Snyder Station was currently scheduled for a full station rehabilitation to become ADA compliant in 2024, which he said was a full year after the Bus Network Redesign was completed. He suggested to adjust the scope and prioritize South Philly's seniors, equity, and capital budget efficiency now. Mr. Arnold said that they look forward to a capital budget that drives the goals of the strategic plan because their communities cannot wait.

Chairman Deon then called for the next speaker, Liam Dougherty, who was not present. (Mr. Dougherty had emailed the Board Secretary stating that he would not be attending the Board Meeting but had requested to forward his written comments for inclusion in the meeting record. The Board Secretary had emailed Mr. Dougherty requesting the comments, but he did not response.) The Chair then called for Nick Zuwiala-Rogers.

Nick Zuwiala-Rogers

Nick Zuwiala-Rogers introduced himself as the Transportation Program Director at Clean Air Council. He said the Council was a member-supported environmental nonprofit and a proud partner of DVRPC, SEPTA, and the Transportation Management Association across the region in coordinating the mobility alternatives program, which helps to mitigate congestion, and improve air quality through transit, walking, biking, and remote working options.

Mr. Zuwiala-Rogers commented that the COVID-19 pandemic has forever changed the transportation patterns of the region, stating that rush hour was nothing like it once was, and many companies, including SEPTA shifted to remote work over night last year. He said transportation in Philadelphia was the number one cause of poor air quality but telework during the beginning of the pandemic had caused the City's air to be the cleanest in our lifetime. He asked why we would go back to the old ways of congestion and poor air quality. Let's keep one of the only unexpected benefits from COVID and move to a future propelled by transit, flexible working and living patterns, and congestion for streets.

Mr. Zuwiala-Rogers stated that the Clear Air Council and its partners at Transit Forward Philadelphia were calling upon SEPTA, one of the largest employers and mobility providers in the region, to demonstrate leadership in transportation demand management by adopting a permanent flexible work policy. The Council was reaching out to employers across the City to plan a return to work that takes into account the environmental impacts of different commuting options, encouraging employers to plan work forces to rely on transit, walking and importantly, telecommuting and flexible work schedules. Mr. Zuwiala-Rogers stated that the Council provides cost-free assistance to employers in assessing whether telecommuting was right for their workforce, designing company specific telecommuting policies, designing training and education on-site for managers and staff and evaluating telecommuting programs. By implementing policies that help employees avoid the worst traffic times, employers could help reduce congestion and improve air quality and reduce their employees' stress on the way to work. Their best user benefits not only boost productivity, but also keep workers happy, engaged, and he said he was sure many of the SEPTA employees were presently experiencing these benefits. While it

may seem counterintuitive for a transit agency to discuss necessary travel, taking leadership in flex work policies allows SEPTA to embrace its identity as a mission-driven mobility provider and focus operating budget resources for those who use transit the most - our essential workers who keep our grocery store shelves stocked, keep hospitals clean, and care for the sick. Mr. Zuwiala-Rogers added that scheduling services to best serve off-peak essential workers, supports work and leisure trips for people who have the opportunity for flex work. He stated that the Council and Transit Forward Philadelphia look forward to SEPTA moving toward more flexible working arrangements, and really being a leader in the region on TDM and the new transportation patterns.

The Chairman called for the next speaker, Yasha Zarrinkelk, who was not on the WebEx. He then called for the last registered speaker, Will Tung.

Will Tung

Mr. Tung said he was calling from Southwest Philly and speaking as an organizer with 5th Square. (His submitted statement is attached to the original Minutes as Exhibit "D".) He stated that SEPTA's trolley network was a vital transit lifeline and was critically important to the region's economic well-being but unfortunately, Mr. Tung said the current trolley system was slow and marred by delays, was essentially outdated, and lacks ADA accessibility. He said he knew this because he was a resident of Kingsessing and relies on the Route 13 to get to work and to Center City.

Mr. Tung stated that in its recently released Philadelphia Transit Plan, the City of Philadelphia labeled Trolley Modernization as its top priority for large transit infrastructure spending. The Transit Plan estimated this project to cost \$1.85 billion, but SEPTA only budgeted less than \$50 million for the next 12 years for this project.

Mr. Tung stated that 5th Square published a petition (5thsq.org/trolley), which was signed by over 500 riders and area residents asking their members of Congress to earmark federal funding for SEPTA's Trolley Modernization Project. He said they hope SEPTA could use their petition and the City's Transit Plan to show the local Congress members the overwhelming community support for this project and to amplify their ask for appropriate funding for it. Mr. Tung said they also want SEPTA to do its part and prioritize trolley modernization by increasing its capital budget allocation.

Mr. Tung closed by stating that Philadelphia and Delaware County also deserve a signature capital transit project and they deserve reliable, accessible, and frequent trolley service within our lifetime.

Chairman Deon asked whether Gavin Stecher was on the WebEx, but he was not.

Adjournment

There being no further business to come before the Board at this Regular Meeting, Chairman Deon then entertained a Motion that the meeting be adjourned. Vice Chairman Lawrence moved, seconded by Mr. Ellis, and unanimously adopted that the meeting be adjourned at **3:22** PM.

A transcript of this meeting was made by an official court reporter and is made a part of the original minutes.

Carol R. Looby
Secretary