Buhl Building • 535 Griswold Street, Suite 600 • Detroit, MI 48226

# SMART Board Meeting

October 26, 2023

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MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Call to Order

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Pledge of Allegiance

I pledge allegiance to the flag of the United States of America and to The Republic for which it stands: one nation under God, indivisible with liberty and justice for all.

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# Board of Directors Meeting

**Date: October 26, 2023**

CHAIRPERSON, MS. HILARIE CHAMBERS

VICE-CHAIRPERSON, MR. ABDUL HAIDOUS

DR. CURTIS IVERY

MR. ROYCE MANIKO

MR. BRET RASEGAN

MR. JOHN PAUL REA

MS. VICKI WOLBER

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# SMART Board Meeting Agenda

October 26, 2023
2:00 PM

| ITEM: | ACTION: | PRESENTED BY: |
|---|---|---|
| 1. Call to Order | | Hilarie Chambers |
| 2. Pledge of Allegiance | | |
| 3. Roll Call | | Tiffany Martin |
| 4. Adoption of Agenda | Approval | Hilarie Chambers |
| 5. Board Appointments<br>A. Election of Officers to the SMART Board of Directors: 2023/2024 Term | Approval | Hilarie Chambers |
| 6. Certification of Public Notice | Information | Tiffany Martin |
| 7. Minutes | | |
| A. Board Meeting Minutes for September 28, 2023 | Approval | Board Chairperson |
| B. Executive Session Meeting Minutes for September 28, 2023<br>*(This will be provided under separate cover.)* | Approval | Board Chairperson |
| 8. Public Participation | Discussion | Board Chairperson |
| 9. Chairperson's Report | Information | Board Chairperson |
| 10. General Manager's Report<br>A. 25 Years of Service Awards | Information | Dwight Ferrell |
| 11. Litigation Settlements | Information | Laura Bieniek |
| 12. Board Briefings | | |
| A. Smarter Mobility Consultant Presentation | Presentation | Harmony Lloyd<br>*VP of Planning* |
| B. HR Hiring Update | Information | Tianna Leapheart<br>*Interim VP of HR* |
| C. Flex Update | Information | Daniel Whitehouse<br>*VP of Paratransit* |

| | | |
|---|---|---|
| 13. New Business | | |
| A. Resolution: Approval of Labor Agreement with International Brotherhood of Teamsters, Local 247, Paratransit Drivers and Customer Service Operators | Approval | Tianna Lephart<br>*Interim VP of HR* |
| B. Resolution: Approval of SMART's Updated Agency Safety Plan | Approval | Amie May<br>*VP of Safety* |
| C. Resolution: Authorization to Award a Contract for Micro Transit Services | Approval | Danny Whitehouse<br>*VP of Paratransit* |
| D. Resolution: Authorization to Award a Contract for Forty (40) Connector Replacement Vehicles | Approval | Le Juan Burt<br>*VP of Maintenance* |
| E. Resolution: Authorization to Approve a Revenue Contract Extension with Crown Castle for Cell Tower Lease | Approval | Melvin Evans<br>*Interim VP of IT* |
| 14. Closed Session<br>*(To discuss strategy and conduct negotiations for collective bargaining agreements.)* | Discussion | Board Chairperson |
| 15. Board Member Business | Discussion | Board Chairperson |

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# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Approval |
| TO: | SMART Board of Directors | SUBMITTED BY: | General Counsel |
| FROM: | General Counsel | APPROVED BY: | General Manager |

SUBJECT: Election of Officers to the SMART Board of Directors: 2023/2024 Term

SUMMARY:

In accordance with the SMART Board's By-Laws, Article III Sections 2 and 3, the Officers of the Board, Chairperson and Vice-Chairperson, are to be elected at its October meeting.

DISCUSSION:

At its August 24, 2023, meeting, in accordance with the Board By-Laws, Article III Section 3, the Chairperson of the SMART Board of Directors, with the concurrence of the full Board, appointed Ms. Vickie Wolber as Chairperson, Mr. Bret Rasegan, and Dr. Curtis Ivery to its Nominating Sub-Committee. The Committee was charged with selecting nominees for Officers of the 2023/2024 Board. The Committee met and considered the matter prior to the Board's September meeting. Further, at its September 2023 meeting, the Board of Directors accepted the Committee's nominations of Wayne County Board member, Mr. Abdul Haidous, as Chairperson and Macomb County Board member, Mr. John Paul Rea, as Vice-Chairperson of the SMART Board of Directors.

After entertaining further nominations from the floor prior to the election of officers, the SMART Board will vote on the Board's Sub-Committee nominations of Board member Haidous for Chairperson and Board member Rea for Vice-Chairperson, (along with any other nominations received from the floor) of the SMART Board of Directors.

ATTACHMENT:

- Resolution

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SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Election of Officers to the SMART Board of Directors: 2023/2024 Term

Whereas, Article III Sections 2 and 3 of the SMART Board of Director's By-Laws require the SMART Board to replace Officers of the Board annually, and,

Whereas, The Board previously approved the Chairperson's appointment of a Nominating Committee that has now met, conferred and recommended nominees to the full Board; and,

Whereas, The Board Chairperson has called for nominations from the floor; and,

Whereas, The Board of Directors has accepted and considered all such nominations for Chairperson and Vice-Chairperson; now therefore be it

RESOLVED, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation hereby elects Mr. Abdul Haidous of Wayne County as Chairperson of the SMART Board of Directors and Mr. John Paul Rea of Macomb County as Vice-Chairperson of the SMART Board, for a term of one year per the By-Laws, Article III.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of the resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation on October 26, 2023.

_____ _____

Date Tiffany Martin-Patterson, Board Administrator

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# PUBLIC NOTICE

SMART will hold the October 26, 2023, Board of Directors meeting at 2:00 PM in the Buhl Building, located on 535 Griswold St. Suite 600, Detroit, MI 48226.

**Public Participation will only be available for members of the public attending in person or those who email comments per the process outlined below.**

All physically present at the meeting must adhere to the following:

- Please respect anyone needing or choosing to wear a mask.
- People with symptoms of COVID-19 or exposure to someone with COVID-19 should wear a mask.
- People who are positive for COVID-19 may not attend the Meeting in person and should access the recording at the YouTube link below.

The agenda can be found on SMART's website: http://www.smartbus.org/About/Our-Organization/Board-of-Directors/Board-Meeting-Schedule
Members of the public may attend in person. The Meeting will be livestreamed on YouTube and available at the following URL: https://www.youtube.com/@MySMARTBus.

Members of the public may also submit a written comment to be read during the Public Comment period by emailing SMARTBoard@smartbus.org by 1:15 p.m. on the day of the meeting.

Public Comment will proceed as follows:

- All comments: 3-minute limit per member of the public. Kindly state your name and city of residence.
- Public comments will be received in the following order:

    - Members of the public who attend in person.
    - Written comments via email. The Board Administrator will read any submitted comments.

# SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

## BOARD OF DIRECTORS' MEETING

**PROPOSED MINUTES – September 28, 2023**

A meeting of the Board of Directors of the Suburban Mobility Authority for Regional Transportation (SMART) was held on Thursday September 28, 2023, at 6:00 PM. The meeting was held at the Buhl Building, located at 535 Griswold St., Detroit, Michigan 48226.

**ATTENDANCE**

| | | |
|---|---|---|
| **SMART Board of Directors:** | Chairperson | Ms. Hilarie Chambers |
| | Vice-Chairperson | Mr. Abdul Haidous |
| | | Mr. Royce Maniko |
| | | Mr. Bret Rasegan |
| | | Mr. John Paul Rea |
| | | Ms. Vicki Wobler |
| **Absent Board Members:** | | Dr. Curtis Ivery |
| **SMART General Manager:** | | Mr. Dwight Ferrell |
| **SMART Deputy GM & COO:** | | Ms. Tiffany J. Gunter |
| **SMART Board Administrator:** | | Ms. Tiffany Martin-Patterson |
| **SMART Staff Present:** | | Ms. Truvae Adams |
| | | Ms. De'Shalon Brownlee |
| | | Ms. Laura Bieniek |
| | | Mr. Le Juan Burt |
| | | Mr. Ron Beier |
| | | Mr. Ryan Byrne |
| | | Mr. Melvin Evans |
| | | Ms. Beth Gibbons |
| | | Ms. Harmony Lloyd |
| | | Mr. Bernard Parker |
| | | Mr. Sean Riopelle |
| | | Mr. D'Andrae Whitley |
| | | Mr. Danny Whitehouse |

**Public Registered:**

Ms. Alyssa
Mr. Joel Batterman
Mr. Bobby Bamase
Ms. Laura Bleaieje
Mr. D. Duyck
Ms. Patty Fedewa
Mx. Steven Hammontree
Mr. Steven Harring
Mr. Steven Hawig
Mr. Jim Henderson
Mr. Wyatt Johnson
Mr. Drew Kennerly
Mx. Lukas Lasecki
Mr. Robert Pawlowski
Mr. Alexander Selsley
Mr. Thomas Yazbeck

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

   **Present:** Chairperson Ms. Hilarie Chambers, Vice-Chairperson Mr. Abdul Haidous, Mr. Royce Maniko, Mr. Bret Rasegan, Mr. John Paul Rea, and Ms. Vicki Wobler

   **Absent:** Dr. Curtis Ivery

   **A quorum was present.**

4. **Adoption of Agenda**

   **MOTION:** Moved by Mr. Royce Maniko, seconded by Mr. Abdul Haidous, to approve the Agenda for the August 24, 2023, Board meeting.

   **DISCUSSION**
   None

   **VOTE: THE MOTION CARRIED.**

5. **Certification of Public Notice**

   The Board Administrator read the Public Notice and Rules of Order into the record.

6. **Minutes**

### A. Board Meeting Minutes for August 24, 2023

**MOTION:** Moved by Mr. Royce Maniko, seconded by Mr. Abdul Haidous, to approve the Board meeting minutes for August 24, 2023.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

### B. Board Executive Session Meeting Minutes for August 24, 2023

**MOTION:** Moved by Mr. Abdul Haidous, seconded by Mr. Bret Rasegan, to approve the Board Executive Session meeting minutes for August 24, 2023.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

## 7. Public Participation

Chairperson Ms. Hilarie Chambers declared the meeting open to Public Participation.

The following participants voiced their concerns and made comments:

- Mr. Steven Harring
- Ms. Ella Nikeaton
- Mx. Lukas Laseki
- Mr. Mike Rayner
- Mr. Robert Pawlowski

## 8. Chairperson's Report

**DISCUSSION:**
None

## 9. General Manager's Report

**DISCUSSION:**
None

## 10. Board Briefings

A. HR Hiring Update

## 11. New Business

### A. Resolution: Title VI Report/Approval of Monitoring Results

**MOTION:** Moved by Mr. Royce Maniko, seconded by Mr. Abdul Haidous, that the Authority's 2021-2023 Update of Title VI Assessment for Capital and Operating Assistance and its monitoring results referred to herein are approved and that the Suburban Mobility Authority for Regional Transportation is authorized to submit the 2021-2023 Update of Title VI Assessment for Capital and Operating Assistance to the FTA.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

**B. Resolution: Authorization to Award a Contract for SaaS Renewal for FY2024 M365 SaaS Office License**

**MOTION:** Moved by Mr. Abdul Haidous, seconded by Mr. Royce Maniko, that the General Manager of the Suburban Mobility Authority for Regional Transportation is hereby authorized to award a three-year contract for an amount not to exceed $823,619.00 to Softchoice Corporation for SaaS Renewal for FY2024 M365 SaaS Office License. There are 2 - 1 (one) year renewal options estimated not to exceed $274,540.00 per year. If all option years are renewed the total cost would be $1,372,699 total for the five years.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

**C. Resolution: Authorizing the General Manager to Approve a Purchase Order Change Action (POCA) #1 for Clever Devices Cellular Modem Upgrade**

**MOTION:** Moved by Ms. Vicki Wobler, seconded by Mr. Abdul Haidous, that the General Manager for the Suburban Mobility Authority for Regional Transportation is hereby authorized to approve POCA #1 at an additional amount not to exceed $1,798,688.00 to Clever Devices Ltd.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

**D. Resolution: Authorizing the General Manager to Approve a Purchase Order Change Action (POCA) #1 for additional funding for the purchase of thirty-one (31) Cut Away Buses**

**MOTION:** Moved by Mr. John Paul Rea, seconded by Mr. Bret Rasegan, that the General Manager of Suburban Mobility Authority for Regional Transportation is hereby authorized to approve POCA #1 at an additional funding not to exceed $1,747,061.00 to Transportation Equipment Sales Corp Inc. (Tesco).

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

**E. Resolution: Authorization to Award a Contract for Anti-Freeze/Coolant, Gear Oil, Grease, and Windshield Fluid**

**MOTION:** Moved by Mr. Bret Rasegan, seconded by Mr. Abdul Haidous, that the General Manager of Suburban Mobility Authority for Regional Transportation is hereby authorized to award a one-year contract for an amount not to exceed $210,000.00 to Rowleys Wholesale for Anti-Freeze/Coolant, Gear Oil, Grease, and Windshield Fluid.

**DISCUSSION:**
None

**VOTE: THE MOTION CARRIED.**

**F. Resolution: Authorization to Award a Contract for Oil and Transmission Fluids**

**MOTION:** Moved by Mr. John Paul Rea, seconded by Mr. Abdul Haidous, that the General Manager of the Suburban Mobility Authority for Regional Transportation is hereby authorized to award a one-year contract for an amount not to exceed $630,000.00 to Lynden Oil for Oil and Transmission Fluids.

**DISCUSSION:**
None

**VOTE: ITEM WAS REMOVED.**

**12. Closed Session**

**Roll Call**

**Present:** Chairperson Ms. Hilarie Chambers, Vice-Chairperson Mr. Abdul Haidous, Mr. Royce Maniko, Mr. Bret Rasegan, Mr. John Paul Rea & Ms. Vicki Wobler

**Absent:** Dr. Curtis Ivery

**MOTION:** Moved by Mr. John Paul Rea, seconded by Mr. Royce Maniko, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation **proceed into** Executive Session.

**VOTE:** All in attendance voted in the affirmative. **THE MOTION CARRIED.**

**DISCUSSION:**
Confidential

**VOTE:** All in attendance voted in the affirmative. **THE MOTION CARRIED.**

**MOTION:** Moved by Mr. Abdul Haidous, seconded by Mr. John Paul Rea, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation, hereby authorizes the move to **proceed out** of Executive Session.

**VOTE:** All in attendance voted in the affirmative. **THE MOTION CARRIED.**

**13. Board Member Business**

**MOTION:** Moved by Mr. John Paul Rea, seconded by Mr. Royce Maniko, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation proceed with the recommendation of General Counsel.

**DISCUSSION:**
None

**VOTE:** All in attendance voted in the affirmative. **THE MOTION CARRIED.**

**Adjournment**
There being no further business to come before the Board, upon motion made by Mr. John Paul Rea, seconded by Mr. Royce Maniko, and unanimously carried, the meeting adjourned at 3:55 PM.

Respectfully submitted,

Tiffany Martin-Patterson

Tiffany Martin-Patterson
Board Administrator

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Public Participation

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Chairperson's Report

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: General Manager's Report

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| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Information |
| TO: | SMART Board | SUBMITTED BY: | General Counsel |
| FROM: | General Counsel | APPROVED BY: | General Manager |
| SUBJECT: | Litigation Settlements | | |

**SUMMARY:**

In accordance with Board Policy Number 21, the General Manager is required to inform the Board of settlements paid in excess of $25,000.

**VEHICLE LIABILITY:**

Dennis King v SMART $45,000

This matter involved a third-party case against SMART and arose out of an incident that occurred on April 16, 2020. On that date, Plaintiff Dennis King was traveling southbound on Gratiot in Clinton Township when a SMART bus crossed Gratiot horizontally in front of his vehicle in order to proceed into a parking lot. Plaintiff, who was driving 45 MPH at the time, was unable to stop his vehicle and crashed into the side of the bus.

Plaintiff went immediately to the ER and continued to treat with various medical providers for a period of months. He had objectively confirmed injuries including multiple disc bulges, disc herniations, and ankle pain, among other things. Plaintiff was also diagnosed with post concussive syndrome and amnesia, and he claimed memory loss and headaches as a result of the accident. A brain MRI confirmed volume loss in the lateral occipital lobes.

At case evaluation in August 2022, case evaluators awarded Plaintiff $55,000. Plaintiff presented a demand of $72,500 at a July 2023 settlement conference, and the matter was eventually settled for $45,000.

**WORKERS' COMPENSATION:**

There are no applicable Workers' Compensation settlements to report at this time.

**RECOMMENDATION:**

Receive this item as information only.

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Board Briefings

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: New Business

SMART

# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Board Approval |
| TO: | SMART Board of Directors | SUBMITTED BY: | Human Resources Department |
| FROM: | Vice President of Paratransit and On Demand Services | APPROVED BY: | General Manager |

SUBJECT: Approval of Labor Agreement with International Brotherhood of Teamsters, Local 247, Paratransit Drivers and Customer Service Operators

SUMMARY:

The Suburban Mobility Authority for Regional Transportation (SMART) Policy Number 15, Relationship of General Manager and Board in Labor Relations Matters, Section IV states: "After negotiations have been completed on the collective bargaining agreement, the General Manager shall, at a public meeting, present the Board with a resolution requesting approval for the General Manager to enter into the Collective Bargaining Agreement(s) on behalf of the Authority." Accordingly, Board approval is sought.

DISCUSSION:

In August of 2022, the bargaining teams for both management and labor began to negotiate a collective bargaining agreement to replace the agreement, which expired on December 31, 2022. A tentative agreement was reached between the parties on September 29, 2023.

The membership of Teamsters, Local 247 ratified their collective bargaining agreement on October 22, 2023. The new agreement includes the following economic changes:

**Duration:**

- October 22, 2023 – December 31, 2025

**Wages:**

- An increase of 14% on October 23, 2023
- An Increase of 9% on January 1, 2024
- An Increase of 7.5% on January 1, 2025

**Two-Tier Wage System based on the license status of Paratransit Operators.**

- Operators who possess a Class C Commercial Driver's License with a passenger endorsement will receive $1.00/hour more than Operators who possess a Chauffer's License.

**Ratification Bonus:**

- A one-time Ratification Bonus of one-thousand five hundred dollars ($1,500) will be paid to all employees represented by Teamsters Local 247 after the ratification of the labor agreement who are currently employed by SMART at the date of ratification and the date of payout.
- The date of payout for the Ratification Bonus shall be within thirty (30) calendar days after approval of the new Labor Agreement by SMART's Board of Directors.

**"Me-Too" agreement for wage increases and ratification bonuses:**

- "Me-Too" agreement for wage increases provided to ATU 1564 Bus Operators and for ratification bonuses provided to all Union groups. The parties agreed to a memorandum of understanding for equal treatment for across-the-board base wage rate increases provided to Bus Operators represented by ATU Local 1564 and ratification bonus for all Union groups.

**Pay Premiums for Operators:**

- Extra Board Operators will be paid an additional $0.40 per hour in addition to their regular straight-time wage rate. The additional pay will be used in the computation of overtime.
- All Paratransit Operators will be paid a premium of an additional $0.25 per hour in addition to their regular straight-time wage rate if their scheduled run assignment starts at or later than 10 a.m. The premium will be paid on all hours of the scheduled run assignment. The additional pay will be used in the computation of overtime.

**Training Pay Premium:**

- Customer Service Operators Only – Premium increases previously provided to Connector Operators in calendar year 2019. A premium of three (3) hours of pay per day in addition to the regular wage rate will be paid to an employee when required to train another employee for four or more hours in a day. A premium of one (1) hour of pay will be paid for less than four (4) hours in a day.

**Memorandum of Understanding – Customer Service Excellence Incentive (CSEI)**

- Customer Service Operators meeting performance requirements will receive an additional $.35/hr. for each hour worked up to four (4) times each calendar year.

**Memorandum of Understanding/Attendance Incentive Program**

- All Teamsters-represented employees meeting attendance requirements will receive an additional $0.45/hr. up to four (4) times each calendar year.

**Benefits for Active Employees:**

- Discontinue Defined Benefit Pension Plan and Offer a Defined Contribution Plan for new SMART employees joining the bargaining unit after a date of ratification and when SMART meets compliance requirements.
  - Annual employer contribution in the amount of six percent (6%) of the employee's total pensionable compensation.
  - Employee contribution requirement in the amount of three percent (3%) of the employee's total pensionable compensation.
    - The Authority's contribution to the 401(a) plan shall vest as follows:
      - After 12 months of service – 20% vested
      - After 24 months of service – 40% vested
      - After 36 Months of service – 60% vested
      - After 48 months of service – 80% vested
      - After 60 months of service – 100% vested

- The employee's three percent (3.0%) contribution shall be vested at 100% from initial enrollment and contribution to the plan.

- Offer new Health Alliance Plan – PPO Plan Option to Teamsters Represented Employees effective January 1, 2024.
- Increase employer contributions to employee Health Care Savings Plan for eligible Teamsters employees from $125 a month to $197 a month.

**Tuition Reimbursement:**

- Increase Tuition Reimbursement from a maximum of $1,000 a year to $3,000 for undergraduate programs and $4,000 a year for graduate programs. Expand Tuition Reimbursement to include professional courses and certifications. Expand types of costs eligible reimbursement to include books, registration fees, online fees, etc.

**Paid Holidays**

- Juneteenth Holiday has been added as a new paid holiday.
- Employees must work both the day before and the day after the holiday to qualify for holiday pay.
- Time and one-half will be paid for all hours worked on the holiday including the Martin Luther King Jr. and Juneteenth Holidays.

**Vacation Leave Time:**

- Limit entitlement for vacation time to the accrual schedule published within the collective bargaining agreement. Discontinue lump-sum credit to vacation banks upon service anniversaries.
- Annual payout to employees of vacation time in excess of the maximum defined in the collective bargaining agreement at one hundred percent (100%) of base wage rate.

**Sick Leave Time**

- Annual payout to employees of sick time in excess of the maximum defined in the collective bargaining agreement at one hundred percent (100%) of base wage rate.

**Changes to Extra Board Procedure**

- Two-tier Extra Board Procedure to improve scheduling and quality of life for Paratransit Operators (A.M. and Mid-Day Extra Board).
- SMART has the right to establish a Seven-Day Extra Board.

**Changes to Attendance Policy**

- New policy effective January 1, 2024
- The policy allows employees to be absent with short notice for qualifying reasons protected under the Michigan Paid Medical Leave Act (MPMLA) (Sick Leave, Personal Leave) for up to forty (40) hours each calendar year without penalty. Thereafter, an employee must be pre-approved for an absence from work by no later than 4:00 p.m. the day before the scheduled shift. Pre-approval is required for all types of paid absences (Vacation, Personal Leave, Sick Leave, etc.)

- Employees who exhaust their aforementioned forty (40) hour entitlement and fail to secure pre-approval prior to an absence from a scheduled shift will be subject to a four-step discipline procedure. Employees who reach the fourth and final step of the discipline procedure will be subject to discharge from employment at SMART.
- Time duration for notices placed in personnel file for a violation of policy increased from 180 days to 210 days.

**Changes to Driver's License Requirements for Paratransit Operators.**

- The licensing requirement for a Paratransit Operator to operate a SMART transportation vehicle changed from Class C Commercial Driver's License with a passenger endorsement to a Chauffer's License.

The resolution now brought before the Board is for the purpose of approving this agreement between the Suburban Mobility Authority for Regional Transportation and the International Brotherhood of Teamsters, Local 247, effective October 22, 2023 through December 31, 2025.

RECOMMENDATION:

Staff and outside counsel recommend Board approval of the agreement as being in the best interest of the Authority.

ATTACHMENT:

1. Resolution

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Approval of Labor Agreement Between the Suburban Mobility Authority for Regional Transportation and the International Brotherhood of Teamsters, Local 247 Connector Drivers and Customer Service Operators

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Whereas, The Suburban Mobility Authority for Regional Transportation notified the International Brotherhood of Teamsters, Local 247, of its intent to modify the present Agreement expired December 31, 2022; and

Whereas, The bargaining teams for both management and labor have met to negotiate an agreement; and

Whereas, A tentative agreement was reached between the parties on September 29, 2023; and

Whereas, The membership of International Brotherhood of Teamsters, Local 247, ratified the proposed collective bargaining agreement on October 22, 2023; and

Whereas, The General Manager of the Suburban Mobility Authority for Regional Transportation approves of the Agreement; now, therefore be it

Resolved, That the Board of Directors of the Suburban Mobility Authority for Regional Transportation approves the Agreement between the International Brotherhood of Teamsters, Local 247, and the Suburban Mobility Authority for Regional Transportation, effective October 22, 2023 through December 31, 2025, and hereby authorizes the General Manager to enter into and execute said agreement.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on October 26, 2023.

_____ _____

Date Board Secretary

No. .....

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# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: Board Approval | |
| TO: | SMART Board of Directors | SUBMITTED BY: | VP of Safety |
| FROM: | Safety | APPROVED BY: | General Manager |
| SUBJECT: | Approval of SMART's Updated Agency Safety Plan (ASP) | | |

RECOMMENDATION

That the Board adopt the attached resolution approving SMART's Updated Agency Safety Plan (ASP).

DISCUSSION

The Federal Transit Administration (FTA) requires that transit agencies update their Agency Safety Plan (ASP) by December 31st each year. The proposed SMART Agency Safety Plan (ASP) aims to:

- Minimize exposure to infectious diseases;
- Reduce accidents, injuries, and assaults on transit workers;
- Reduce visibility impairments for bus operators that contribute to vehicle & pedestrian accidents;
- Mitigate assaults on transit workers by optimizing bus operator barrier technology;
- Continue to engage a safety committee that utilize a joint labor-management process consisting of an equal number of frontline employee representatives and management representatives.

The attached proposed SMART Agency Safety Plan (ASP) has been updated to increase accountabilities, targets, and structures that are designed to ensure the safety of SMART's system, employees, and the public. The proposed SMART Agency Safety Plan (ASP) has been updated, reviewed, and unanimously approved by the SMART Safety Management System Committee which is comprised of an equal number of frontline employees' representatives selected by SMART labor organizations, and SMART management representatives.

ATTACHMENTS:

- Resolution
- Proposed SMART Agency Safety Plan

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SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Approval of SMART's Updated Agency Safety Plan (ASP)

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Whereas, the Suburban Mobility Authority for Regional Transportation (SMART) was required by Federal Law to adopt an Agency Safety Plan by December 31, 2022; and

Whereas, The SMART Board of Directors approved the Agency Safety Plan (ASP) at their Board of Directors Meeting on October 27, 2022; and

Whereas, SMART is required to update their Agency Safety Plan by December 31st each year; and

Whereas, SMART staff have updated the SMART Agency Safety Plan (ASP) to increase accountabilities, targets, and structures that are designed to ensure the safety of SMART's system, employees, and the public; now therefore be it

RESOLVED, that the Suburban Mobility Authority for Regional Transportation Board of Directors adopts SMART's Agency Safety Plan.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on September 21, 2023.

_____ _____

Date Tiffany Martin-Patterson, Board Administrator

# SMART
# Public Transportation Agency Safety Plan

December 31, 2023

# 1. Transit Agency Information

| | | | | |
|---|---|---|---|---|
| **Transit Agency Name** | Suburban Authority for Regional Transportation (SMART) | | | |
| **Transit Agency Address** | 535 Griswold St., Ste 600, Detroit, MI 48226 | | | |
| **Name and Title of Accountable Executive** | Tiffany Gunter | | | |
| **Name of Chief Safety Officer or SMS Executive** | Amie May | | | |
| **Mode(s) of Service Covered by This Plan** | MB/DO DR/DO | | **List All FTA Funding Types (e.g., 5307, 5337, 5339)** | 5307, 5309, 5310, 5339 |
| **Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)** | MB/DO DR/DO DR/PT (Subrecipients, managed via SMART oversight procedures and State of Michigan) | | | |
| **Does the agency provide transit services on behalf of another transit agency or entity?** | Yes ☐ | No X | **Description of Arrangement(s)** | N/A |
| **Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided** | N/A | | | |

## 2. Plan Development, Approval, and Updates

| | | |
|---|---|---|
| **Name of Entity That Drafted This Plan** | Suburban Mobility Authority for Regional Transportation (SMART) | |
| **Signature by the Accountable Executive** | **Signature of Accountable Executive** | **Date of Signature** |
| | | |
| **Approval by the Board of Directors or an Equivalent Authority** | **Name of Individual/Entity That Approved This Plan** | **Date of Approval** |
| | SMART Board of Directors | |
| | **Relevant Documentation (Title and Location)** | |
| | A copy of the Board Resolution approving the Agency Safety Plan is maintained on file by Chief Safety Officer. | |

**Version Number and Updates**

*Record the complete history of successive versions of this plan.*

| Version Number | Section/Pages Affected | Reason for Change | Date Issued |
|---|---|---|---|
| 1 | -- | New Document | 12/10/2020 |
| 2 | 3,4,8,12,23 & affected sections | Update FTA & Bipartisan Infrastructure Law Requirements | 12/31/2022 |
| 3 | 2,4 | New Chief Safety Officer, Update Safety Performance Targets | 12/31/2023 |

| **Annual Review and Update of the Agency Safety Plan** |
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| SMART's Chief Safety Officer will coordinate the annual review and update of the ASP, beginning with a notification to all departments and Union leadership by March 1 of each year that they must review and provide any update recommendations to the ASP. The ASP review and update will be completed before December 31 of each year. |

## 3. Safety Performance Targets

**Safety Performance Targets**

*Specify performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.*

SMART's established safety performance targets for the period January 1, 2024, through December 31, 2024, are based on our review of the last three (3) years of SMART's safety performance data, vehicle revenue miles (VRM), and major mechanical system failures fatalities and injuries reported to the National Transit Database (NTD).

| Mode of Transit Service | Fatalities Total | Fatalities /1M miles | Injuries Total | Injuries /1M miles | Safety Events Total | Safety Events /1M Miles | Mean Dist. Between Major Failures |
|---|---|---|---|---|---|---|---|
| Fixed Route | 0 | 0 | 33.33 | < 3.71 | 29 | < 3.23 | > 2,252 |
| Connector | 0 | 0 | 5.67 | < 2.3 | 5.33 | < 2.18 | > 93.67 |

**Safety Performance Target Coordination**

*Describe the coordination with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets.*

SMART's Accountable Executive will share our ASP, including safety performance targets, with SEMCOG (MPO) each year.

In addition, SMART will coordinate with the State and MPO in the selection of State and MPO safety performance targets as requested and outlined in SMART's Metropolitan Planning Agreement.

| Targets Transmitted to the Metropolitan Planning Organization | Metropolitan Planning Organization Name | Date Targets Transmitted |
|---|---|---|
| | SEMCOG | 9/28/2023 |

# 4. Safety Management Policy

**Safety Management Policy Statement**

*Use the written statement of safety management policy, including safety objectives.*

Safety is a core value at SMART, embodied in everything we do. As documented in our ASP, we commit to developing, implementing, maintaining, and continuously improving processes to ensure the safety of our system, employees, and the public we serve. SMART's Safety Management System (SMS) encourages the open sharing of information on all safety issues throughout our organization. We will review and update these objectives, as needed, each year.

**Responsibilities and Accountabilities for Safety**

To remain consistent with the top-down, organization-wide nature of SMS, our Executives and Board of Directors ensure that organizational resources are allocated to further this commitment and achieve the highest level of transit safety performance. This accountability is supported by all agency employees, who ensure that management has access to the information necessary to strategically deploy resources based on identified safety concerns, establish and support accountability for safety decision-making, and address unacceptable safety risk.

Our overall safety objective is to proactively manage safety hazards and their associated safety risk, with the intent to eliminate unacceptable safety risk in our transit operations. To that end, we will continuously examine our operations for hazards. As required by the Federal Transit Administration, we have set annual safety performance targets to help us measure the safety of our transit service. In addition, to address our overall safety objective, we have established mandatory and voluntary employee safety reporting programs and will communicate these programs to all frontline, supervisory, and management personnel.

**Safety Objectives**

SMART has established a set of safety objectives to help us assess our safety performance and the effectiveness of our SMS. Our objectives include the following:

- Continuously examining our operations for hazards, through active employee reporting and review and analysis of data;
- Clearly explaining to all staff their accountabilities and responsibilities for the development and operation of SMART's SMS;
- Ensuring that employees charged with implementing the agency's SMS processes, methods and activities are adequately trained and only assigned tasks commensurate with their skills and experience;
- Providing SMART employees and contractors with formal, ongoing SMS communications; and
- Continuously improving SMART's safety performance through the management of processes that ensure effective safety risk mitigations are implemented in a timely manner.

**Twice a Year Progress Report**

Twice a year, and as needed, the Chief Safety Officer will report to our entire agency regarding how well we are meeting our safety objectives.

**Signatures**

As required by 49 CFR Part 673 and Section 2 of this document, SMART's ASP, which describes our agency's commitment to continuously monitoring, measuring, and improving safety performance, has been approved by the Board of Directors and endorsed by the Accountable Executive

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| Tiffany Gunter, Accountable Executive | Date |
| Abdul Haidous, Chair Board of Directors | Date |

**Safety Management Policy Communication**

*Describe how the safety management policy is communicated throughout the agency.*

SMART has established organizational accountabilities and responsibilities for its SMS, and our Accountable Executive has issued a written Safety Management Policy (SMP) statement that includes SMART's safety objectives.

The Chief Safety Officer, who leads SMART's SMS activities, ensures the SMP statement is distributed via electronic and/or hard copy to all employees and contractors operating service.

The Chief Safety Officer also ensures the SMP statement is readily available to all executives, managers, supervisors, administrative and frontline employees, union leadership. The Chief Safety Officer prepares and disseminates reports documenting how SMART is meeting the safety objectives set forth in the SMP statement.

SMART also posts copies of the SMP statement and reports on bulletin boards at each SMART facility as well on electronic communication tools (e.g. ADP).

Should the SMP statement be updated during the year, the Chief Safety Officer will redistribute it throughout the agency following the same protocols to ensure it is provided to all employees and contractors.

The Safety Promotion section of this ASP outlines additional mechanisms and processes available to support the communication of information on SMART's SMP statement.

**Authorities, Accountabilities, and Responsibilities**

*Describe the role of the following individuals for the development and management of the transit agency's Safety Management System (SMS).*

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| **Accountable Executive** | SMART's Accountable Executive holds SMART's management and committees accountable for compliance with the processes and procedures detailed in the Agency Safety Plan (ASP) to ensure adequate safety performance and fulfill requirements of the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR Part 673).<br><br>The Accountable Executive, has the following authorities, accountabilities, and responsibilities under this plan:<br>• Controls and directs human and capital resources needed to develop and maintain the ASP, SMS, and Transit Asset Management Plan;<br>• Designates a Chief Safety Officer with a direct line of reporting to the Accountable Executive;<br>• Issues annual SMP statement and safety objectives;<br>• Ensures that SMART's SMS is effectively implemented throughout the system;<br>• Ensures action is taken to address substandard performance in SMART's SMS; |

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| | • Monitors SMART's safety performance;<br>• Accepts safety risk associated with hazards or mitigates unacceptable safety risk; and<br>• Assumes ultimate responsibility for carrying out SMART's ASP and SMS. |
| **Chief Safety Officer** | The Accountable Executive designates the Chief Safety Officer as the position with the authority and responsibility for day-to-day implementation and operation of SMART's SMS. SMART's Chief Safety Officer has direct access to, and coordination with, the Accountable Executive regarding Safety matters.<br><br>The Chief Safety Officer has the following authorities, accountabilities, and responsibilities under this plan:<br>• Leads the development and update of SMART's ASP;<br>• Develops SMART's SMS policies and procedures;<br>• Monitors day-to-day implementation and operation of SMART's SMS;<br>• Establishes and maintains SMART's safety data information management and reporting systems;<br>• Chairs the SMS Committee and reviews Project Management Safety Implication Analyses (Management of Change)<br>  o Coordinates the activities of the committees with other members;<br>  o Develops agendas and sets topics for discussion;<br>  o Keeps and distributes minutes of committee meetings;<br>  o Maintains documentation and decisions made by committees.<br>• Develops and distributes reports on SMART's progress in meeting the safety objectives specified in the SMP statement;<br>• Develops and distributes reports that monitor and analyze trends in hazards and safety events;<br>• Develops and issues Safety Reporting Bulletins and manages SMART's mandatory and voluntary safety reporting programs;<br>• Provides information and analysis on reports made through the mandatory reporting program and voluntary employee safety reporting program (ESRP);<br>• Develops and issues SMART's annual safety performance targets (in coordination with the Accountable Executive);<br>• Identifies deficiencies and substandard performance in SMART's SMS, notifies the Accountable Executive, and works with the Accountable Executive to develop action plans to address the identified deficiencies;<br>• Advises the Accountable Executive on SMS progress and status; and<br>• Supports SMART departments in managing safety risk by providing Safety Risk Management (SRM) expertise and conducting and overseeing Safety Assurance activities. |
| **Agency Leadership and Executive Management** | SMART Agency Leadership and Executive Management include staff who report directly to the General Manager:<br>• Deputy General Manager<br>• VP of Bus Operations,<br>• VP of Maintenance,<br>• VP of Human Resources,<br>• VP of Finance,<br>• General Counsel |

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| | SMART's Agency Leadership and Executive Management have authorities and responsibilities for day-to-day implementation and operation of SMART's SMS. In addition, they support system wide SMS implementation as requested by the Chief Safety Officer and SMS Committee.<br>Specific authorities, responsibilities and accountabilities for Agency Leadership and Executive Management under this plan include, but are not limited to, the following:<br>• Allocating resources to accomplish safety objectives identified in the SMP statement and to address substandard performance in the SMS;<br>• Overseeing the safety of day-to-day operations and SMS implementation;<br>• Coordinating with the Safety Department on the implementation of SMS and providing subject matter expertise as requested; and<br>• Modifying departmental policies consistent with implementation of the SMS and other safety regulations. |
| **Key Staff** | **Key Staff**<br>SMART's Key Staff includes those positions that directly oversee SMART's Transportation, Maintenance, Human Resources, Finance, IT, Marketing, and Legal Departments. Specific authorities, responsibilities and accountabilities for Key Staff under this plan include, but are not limited to, the following:<br>• Complying with SMS programs and processes;<br>• Supporting development, implementation, and operation of SMART's SMS;<br>• Maintaining documents that support SMS implementation;<br>• Reviewing and investigating employee reports, in coordination with the Chief Safety Officer and/or SMS Committee, and documenting results;<br>• Providing subject matter expertise to support implementation of SMART's SMS; and<br>• Verifying compliance with safety requirements and reporting deviations to the Safety Department.<br><br>**Key Committees**<br>SMART uses committees and processes to support SMS implementation:<br>• SMS Committee<br>• Safety Committees<br>• Quarterly Terminal Inspection<br>• Project Management: Safety Implication Analysis (Management of Change)<br>• Driver Forums and Service Development Process<br>• Accident Review Board<br><br>Each of these committees and processes is briefly described below.<br><br>***SMS Committee***<br>SMART has established an SMS Committee to support and oversee implementation of our SMS and to promote interagency coordination and action. The committee will be chaired by the Chief Safety Officer. Committee members consist of an equal number of frontline employee representatives and management representatives. Each Union will appoint members to the committee, and the Chief Safety officer will appoint an equal number of Management members to the committee. These meetings may be in various format (i.e. in- person, virtual, etc.) |

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| | The SMS Committee meets biannually and has the following responsibilities:<br>• Reviews the timely collection of information related to hazards, potential consequences, and safety events;<br>• Reviews reported hazards and supports the analysis of hazards;<br>• Investigates, analyzes, and identifies causal factors for safety events;<br>• Monitors and analyzes trends in hazards and safety events;<br>• Monitors and evaluates the effectiveness of mitigations implemented to address assessed safety risk and reports findings to the Accountable Executive;<br>• Monitors and evaluates the effectiveness of corrective actions implemented to address non-conformances and to prevent the recurrence of safety events, and reports findings to the Accountable Executive;<br>• Monitors industry data and reports from FTA and oversight authorities, industry associations, and manufacturers and other vendors;<br>• Determines the adequacy of the training provided to the individuals responsible for maintenance, operations, and other personnel who are assigned duties related to the SMS; and<br>• Supports day-to-day implementation and operation of SMART's SMS.<br><br>***Safety Committees***<br>Terminal Superintendent/Manager chairs this monthly committee meeting. Some labor agreements with SMART's local unions set forth specific provisions for a Safety Committee. This committee is directed to act in an advisory capacity to management. The Joint Safety Committee discusses safety concerns and makes recommendations to the appropriate departments for additional actions, including enhanced compliance activities, safety risk management, tracking and monitoring, training, and communication. These meeting may be in various format (i.e. in-person, virtual, etc.)<br><br>**Quarterly Terminal Inspection**<br>The Risk Manager and a Third-Party Administrator inspect each terminal for safety hazards on a quarterly basis to identify safety issues and potential safety hazards. Results from these reviews may support safety risk management activities, including the identification of hazards and the mitigation of safety risk. Such reviews and worksite inspections are performed during normal business hours and are scheduled in advance with appropriate SMART staff. The results of the reviews and inspections are not used for disciplinary purpose but serve to support implementation and oversight of SMART's SMS.<br><br>***Project Management Process: Safety Implication Analysis (Management of Change)***<br>SMART's Project Management Process includes a Safety Implication Analysis as a key component of Management of Change. The Safety Implication Analysis identifies and assesses changes associated with a project that may introduce new hazards or impact the transit agency's safety performance (e.g. new equipment, policies, or procedures are introduced). |

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| | ***Driver Forums and Service Development***<br>Driver Forums offer a key opportunity for Drivers to provide input on the safety of existing and proposed routes. This information is used by the Service Development Department to assess routes and safety improvements.<br><br>***Accident Review Board***<br>SMART's Accident Review Board reviews the results of SMART accident determinations that are appealed by an employee and makes the final determination regarding preventability of such accident. SMART's Accident Review Board consists of members that represent Management, Union Officials, and an officer or investigator from a local police department. |

**Employee Safety Reporting Program**

*Describe the process and protections for employees to report safety conditions to senior management. Describe employee behaviors that may result in disciplinary action (and therefore, are excluded from protection).*

SMART's frontline personnel are our best source of information on safety conditions throughout our system. Nobody knows more about the actual safety performance of the transit system than the employees who deliver the service.

To collect information critical to the safety of our operations, SMART uses two types of employee reporting:

- **Mandatory**
- **Voluntary**

**Mandatory Safety Reporting**

SMART requires its employees to report the occurrence of safety events immediately (injuries, accidents, mechanical/vehicle issues or unusual occurrences) through one or more of the following methods:

-Immediate Reporting to Supervisory Staff

-Injury Report Form

-Transit Accident and Crime Report Form

-Driver Pre-Trip Inspection Form

-Daily Physical Check Sheet (Driver Write Up Card)

-Driver Maintenance Write-up Log

-Preventative Maintenance Inspection Form

SMART requires drivers or other employees who are away from the facility to immediately report accidents, incidents, or unusual occurrences immediately to Dispatch, or to the first available supervisor if radio contact is not an option. All employees must fill out SMART's written reporting forms as soon as possible and provide information to support SMART's event investigation process, as necessary.

If an employee fails to report or reports false information regarding safety rules, SMART may take disciplinary action. Reports must be made to the employee's supervisor no later than by the end of shift, unless otherwise specified in an extension as granted by the labor agreement. In cases of an employee self-reporting non-compliance with safety rules, SMART may consider a non-punitive response. Any discipline will be determined on a case-by-case basis by the Terminal Manager/Transportation Manager and Department Director with the assistance of the Human Resources Department.

**Voluntary Employee Safety Reporting Program**

In an effort to maximize available safety information and to ensure that safety concerns are reported freely and without prejudice, SMART has established a process through which employees and contractors can report safety conditions, unsafe acts/practices, and/or close-call incidents without fear of discipline, reprisal or penalty. Examples of the types of information reported include:

- Safety hazards in the operating environment (for example, county or city road conditions),
- Policies and procedures that are not working as intended
- Events that senior managers might not otherwise know about (for example, near misses in a bus garage)
- Information about why a safety event occurred (for example, radio communication challenges).

Acceptable means of reporting safety conditions include:

- Emailing a report to SMART's Chief Safety Officer
- Using the Suggestion Box located in each Driver's Lounge
- Submitting Operator Comment Cards, a Miscellaneous 67 Report, Driver Pre-Trip Inspection Form, or Daily Physical Check Sheet (Driver Write Up Card) to Supervisory Staff
- Notifying Bus Dispatch
- Providing verbal or email notification to a supervisor or union steward.

SMART's Accountable Executive is responsible for ensuring protections for employees who report safety conditions to senior management. SMART provides employees who voluntarily report safety conditions in good faith with protections from any form of discipline, retribution or penalty, consistent with State and Federal guidelines regulations, and collective bargaining agreements.

When requested, the name of the employee providing information related to safety conditions will be kept anonymous to the extent permissible by law.

While SMART places a very high value on employees reporting important safety information, in cases where the reporting employee engaged in an illegal act, committed gross negligence, or deliberately or willfully disregarded regulations or procedures, or other wrongdoing is discovered SMART reserves the right to pursue disciplinary action.

# 5. Safety Risk Management

| Safety Risk Management Process |
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| **Safety Risk Management Process**<br>SMART's Safety Risk Management (SRM) process includes the activities and tools needed to identify and analyze hazards and assess safety risk. SMART uses its SRM process to proactively manage safety hazards and their associated safety risk, with the intent to mitigate the safety risk in our transit system to a point that is as low as reasonably practicable.<br><br>SMART's Chief Safety Officer leads SMART's SRM process, with support from SMART's Safety Department and ensures that trained safety personnel work with SMART's subject matter experts to identify hazards and consequences, assess the safety risk of the consequences of hazards, and mitigate safety risk, as necessary.<br><br>SMART's SRM process applies to:<br><br>• Existing SMART operations and maintenance procedures;<br>• Changes to SMART's public transportation system;<br>• Design of new SMART public transportation service, vehicles, equipment, and capital projects; and<br>• Strategies to minimize the exposure of the public, personnel, and property to hazards and unsafe conditions, and consistent with guidelines of the Centers for Disease Control and Prevention or a State health authority, minimize exposure to infectious diseases.<br>• Risk reduction programs to reduce the number and rates of accidents, injuries, and assaults on transit workers based on data submitted to NTD.<br>• Strategies to reduce visibility impairments for bus operators that contribute to accidents including vehicle retrofits and future procurements.<br>• Strategies to mitigate assaults on transit workers including barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators.<br><br>Key terms used in our SRM process include:<br><br>• **Event**: Any accident, incident, or occurrence including but not limited to involving a vehicle, injury, machine, etc.<br>• **Hazard**: Any real or potential condition that can cause injury, illness, or death; damage to or loss of facilities, equipment, rolling stock, or infrastructure belonging to SMART; or damage to the environment.<br>• **Risk**: Composite of predicted severity and likelihood of the potential effect of a hazard.<br>• **Risk mitigation:** Method(s) to eliminate or reduce the effects of hazards.<br>• **Consequence:** An effect of a hazard involving injury, illness, death, or damage to SMART's property or the environment. |

**Safety Hazard and Consequence Identification**

SMART identifies hazards and potential consequences from a variety of sources, including the following:

- Voluntary Employee Safety Reporting Program and mandatory safety reporting program;
- Results from the review of smart camera technology video from vehicles;
- Meetings and workshops with employees to discuss safety concerns;
- Results of employee surveys and outreach;
- Results of activities completed via Project Management to identify changes that may introduce new hazards or impact the SMART's safety performance;
- Monthly safety committee meetings with staff and Union employees at each terminal;
- Monthly fleet maintenance meetings;
- Results of reports documenting SMART's Safety Assurance activities, highlighting safety concerns and changes, including the following:
    - o Pre-trip and post-trip vehicle condition reports that identify bus safety concerns to maintenance and supervisory staff;
    - o Results of routine observations of the workplace by management personnel;
    - o Information collected from reports and investigations of safety events;
    - o Information collected from other Safety Assurance activities, including maintenance reports, vehicle inspection reports, system inspection reports, quality inspections and reports, and special studies or reviews.
- Results of condition assessments undertaken for the Transit Asset Management plan;
- Results of inspections, audits, and observations performed by Safety Department personnel;
- Review of the drawings and specifications for new or modified equipment or facilities;
- Findings or recommendations made as a result of audits, reviews, studies, or assessments from internal or external departments or agencies;
- Information from customer reports and reports of unsafe behavior from the public and law enforcement;
- Information from industry associations, manufacturers and other vendors, and oversight authorities, such as the National Transportation Safety Board and the Federal Motor Carrier Safety Administration, as well as state and local transportation agencies; and
- Information from FTA, including safety directives, bulletins, alerts, and technical assistance, as well as regulations and recommended practices.

SMART's Safety Department, SMS Committee, and subject matter experts identify hazards and consequences from these sources. For sources not managed by the Safety Department, SMART departments provide reports and hazard information to the Safety Department using forms and notification protocols established by the SMS Committee. SMART departments also provide subject matter experts to support identification of hazards and consequences from available reports and information sources.

For all sources, the Safety Department's SRM Lead reviews information collected to identify specific hazards and consequences and determine the potential impact on transit operations and the health and safety of employees.

**Safety Risk Assessment**

SMART will assesses the safety risk associated with identified safety hazards and their consequences. This process will include an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations, and prioritizing hazards based on safety risk.

The SRM Lead, with support from Safety Department staff, manages SMART's safety risk assessment activities. In some instances, safety risk assessment may be performed by other SMART departments or contractors.

To conduct the assessment, the SRM Lead may assemble a small team of subject matter experts based on their knowledge of the factors and potential consequences of a hazard and its potential consequence(s) under assessment. Additionally, SMART may use outside resources with specialized expertise in the safety risk assessment process or a transit technical discipline.

SMART's safety risk assessment process has five steps:

• Step 1: Collecting Information;

• Step 2: Assessing Severity;

• Step 3: Assessing Likelihood;

• Step 4: Determining the Safety Risk Index; and

• Step 5: Documenting Results.

Each step is summarized below.

***Step 1: Collecting Information***

SMART's SRM Lead collects information on identified hazards and its potential consequence(s).

Typical information collection activities include:

• Reviewing SMART's safety information system and records to identify information relevant to the hazard and its potential consequence(s);

• Interviewing employees and contractors that work in the area or discipline where the hazard and potential consequence(s) have been identified, in coordination with Labor Relations;

• Conducting a walkthrough of the affected area or system, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;

• Conducting interviews with subject matter experts to gather potentially relevant information on the hazard and potential consequence(s);

• Reviewing any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);

• Contacting other departments or agencies that may have association with or technical knowledge relevant to the hazard or its potential consequence(s);

• Reviewing any past reported hazards of a similar nature;

• Reviewing information provided by FTA or an oversight authority; and

• Evaluating tasks and/or processes associated with the hazard and its potential consequence(s).

***Step 2: Assessing Severity***

The SRM Lead, working with a small team, if one is assigned, will assess the severity of impact of the worst credible potential consequence(s) of the hazard if it/they occurred, taking into account existing mitigations. This includes impact to people, systems, equipment, and the environment. The assessment must be credible and will be used to produce a potential severity matrix. This matrix uses four severity levels:

1. Catastrophic
2. Critical
3. Marginal
4. Negligible

***Step 3: Assessing Likelihood***

The SRM Lead, working with a small team, if one is assigned, will assess the likelihood of the worst credible potential consequence(s) of the hazard taking into account existing mitigations and outcome likelihood to determine six likelihood levels:

A. Frequent
B. Probable
C. Occasional
D. Remote
E. Improbable
F. Eliminated

***Step 4: Determining the Safety Risk Index***

The SRM Lead, working with a small team, if one is assigned, will combine the assessed severity and likelihood into a safety risk index. SMART uses a Safety Risk Assessment Matrix that assigns a rating for each potential consequence to prioritize safety risk. This step assists SMART's SRM lead in rating the tolerability of the safety risk as:

• **Low (Acceptable without Review)** – SMART determines that existing mitigations adequately address safety risk and management review is not necessary.

• **Medium (Acceptable with Existing Mitigations and Management Review)** – SMART determines that mitigations currently in place adequately address safety risk with management review. Evaluations of existing mitigations include observation and analysis by subject matter experts and the review of any historical data related to the hazard and consequence under assessment. When necessary, evaluation of the effectiveness of mitigations may include reaching out to external transit experts and discussions with peer transit agencies facing similar concerns.

• **Serious (Acceptable with Monitoring and Management Review)** – SMART requires management review, and ongoing monitoring activities to determine if the safety risk mitigation is ineffective, inappropriate, or not implemented as intended.

• **High (Unacceptable; Management Approval required)** – SMART requires action to mitigate safety risk. SMART will suspend service or activities related to hazards with a high safety risk index until the safety risk has mitigated to an acceptable level. Management approval is required prior to resuming suspended activities.

***Step 5: Documenting Results***

The SRM Lead will document the hazard, hazard type, identification source and date, and the hazard's consequences, including the worst credible potential consequence(s), and the existing mitigations that address the worst credible potential consequence(s), assessments regarding severity and likelihood of the worst credible potential consequence(s), and any related or supporting documentation. Required management reviews and approvals will also be documented.

**Policies and Procedures**

The Safety Department maintains the policies, procedures, checklists, and forms that support safety risk assessment activities. The SRM Lead records the results of the safety risk assessment process. Completed safety risk assessments and supporting attachments are documented by the Safety Risk Manager and will be periodically reviewed by the SMS Committee.

**Safety Risk Mitigation**

Based on the results of the safety risk assessment, the safety risk associated with the worst credible potential consequences of identified hazards will be resolved through the development and implementation of mitigations. Mitigations may:

- Eliminate the safety risk of a hazard;
- Reduce the likelihood of the potential consequences of a hazard; and/or
- Reduce the severity of the potential consequences of a hazard.

The goal of SMART's safety risk mitigation process is to eliminate the hazard if possible. When a hazard cannot be eliminated, SMART will reduce the associated risk to the lowest acceptable level within the constraints of cost, schedule, and performance by the following methods:

- Eliminate hazards through design selection;
- Reduce risk through design alteration;
- Incorporate engineered features or devices;
- Provide warning devices; and
- Incorporate signage, procedures, training, and personal protective equipment.

The supervisor or project manager with oversight of the organizational entity will develop mitigations with the Chief Safety Officer, supported by the SMS Committee, and SMART's subject matter experts. The appropriate department head, superintendent, or manager of the impacted department will approve the safety risk mitigation. Depending on the nature of the safety risk or mitigation, additional approvals may be required from SMART's Leadership and Executive Management and/or the Accountable Executive. Where appropriate, safety risk mitigations will include milestones, schedule, budget and the part(ies) responsible for implementation. SMART will monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended. This activity may include the use of mitigation monitoring plans.

The supervisor or project manager that developed the mitigation will be responsible for documenting the issue. The SMS Committee will review the status of actions to implement mitigations and report any findings or concerns to the Accountable Executive. The Safety Department will include information on the development and implementation of safety risk mitigations in reports shared throughout the agency, as specified in SMART's SMP statement.

# 6. Safety Assurance

| Safety Performance Monitoring and Measurement |
| --- |
| SMART uses **Safety Performance Monitoring and Measurement** to evaluate our compliance with operations and maintenance procedures and to determine whether our existing rules and procedures are sufficient to control our safety risk. SMART also uses Safety Performance Monitoring and Measurement to assess the effectiveness of safety risk mitigations and to make sure the mitigations are appropriate and implemented as intended. Safety Performance Monitoring and Measurement activities also include investigating safety events to identify causal factors and analyzing the information from safety reporting, including data about safety failures, defects, and conditions.<br><br>**Compliance with and Sufficiency of Operations and Maintenance Procedures**<br>SMART bus operations are governed by memos, policies, notices, and standard operating procedures (SOPs) issued by the authority.<br>SMART bus maintenance is governed by maintenance manuals, instructions, memos and vendor information. Maintenance procedures are established by the Director of Maintenance.<br>To ensure compliance with and sufficiency of operations and maintenance procedures, SMART carries out the following activities:<br>• **Driver Training/Retraining**: Driver training/retraining provides an opportunity for one-on-one interaction between SMART Operators and SMART instruction staff. During these evaluations, SMART Transportation staff perform firsthand observations of the operator's driving habits and provide immediate verbal and written feedback. Training evaluations are designed to uncover and point out unsafe practices, as well as to give positive reinforcement for safe driving practices. Driver retraining evaluations can occur as a reactive measure (post-event training or training initiated in response to customer complaints or documented violations of safety rules) or proactively, such as when the operator is learning a new bus line or receiving other types of instruction.<br>• **Random Observations:** SMART Management and supervisory personnel may conduct observations of bus operators for compliance with traffic laws, SMART operating rules, and procedures. Any observed rule violations will be documented and submitted to Terminal Management staff.<br>• **Behavior-Based Safety Observations**: SMART Management and supervisory personnel may observe employees or contractors performing their assigned tasks and evaluate their actions based on SMART's safety policies and procedures and task-specific processes or procedures, if applicable. Terminal Management staff may discuss what they observed with the employee and union or contractor they observed and discuss any unsafe or potentially unsafe acts they may have observed. Discussions focus on constructively and positively reinforcing safe acts, gaining employee commitment to identify and avoid unsafe acts, and encouraging two-way communication about safety-related concerns. Supervisory staff performing the observations immediately addresses and acts on any observed life-threatening and unsafe behaviors.<br>• **Vehicle and Facility Inspections and Records Reviews**: Safety Staff conduct quarterly terminal loss control inspections and document and report any observed issues. Safety personnel also perform records reviews and trend analyses regarding the results of vehicle and facility inspections to focus follow-up activities. Results are documented on standard SMART departmental forms. Daily vehicle pre-trip inspections are completed and documented by the drivers, and the maintenance department performs and documents regularly scheduled physical maintenance inspections of the vehicles.<br>• **Video Monitoring**: SMART buses incorporate an onboard video monitoring system. When a safety event occurs on a bus, the system video footage is preserved. Supervisory staff will review recordings when operators report an event, if Supervisory staff is made aware of a potential safety event or non-compliance with safety rules, or as a result of other safety event reporting. The reviewing of audio and video will be done pursuant to the Audio and Video Recording Policy. |

*Describe activities to monitor operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.*

**Monitoring Safety Risk Mitigations**

SMART monitors safety risk mitigations to determine if they may be ineffective, inappropriate, or not implemented as intended. SMART supervisors, managers and subject matter experts, working with the SMART Safety Department, develop mitigation monitoring plans for mitigations implemented through SMART's SRM process. The SMS Committee approves mitigation monitoring plans and tracks them.

Mitigations found to be ineffective, inappropriate or not implemented, as intended, must go through the SRM process. The Safety Department oversees and tracks the assignment of responsibilities and timelines for implementing new mitigations and eliminating mitigations that are no longer necessary or effective.

To measure the effectiveness of existing safety risk mitigations, which may not have been assessed yet through SMART's SRM process, SMART's Safety Department and SMS Committee also:

• Review results from safety event investigations;

• Monitor employee safety reporting;

• Monitor the service delivery and operational environment;

• Monitor operational functions to verify that operations activities are carried out in accordance with standard operating procedures (SOPs);

• Monitor maintenance functions to verify that maintenance activities are carried out in accordance with SOPs;

• Review results of internal safety audits and inspections;

• Review results of safety inspections by external entities; and

• Analyze operational and safety data to identify emerging safety concerns.

During SMS Committee meetings, a standing agenda item focuses on the results of these reviews and monitoring activity. Based on its assessment of the situation, the SMS Committee and the Chief Safety Officer will determine whether additional investigation and/or monitoring is required, or if the specific issue or condition needs to be addressed through SMART's SRM process.

The Safety Department ensures that SMART carries out and documents all monitoring activities. The Safety Department reports the results to the Accountable Executive and/or executive management as directed by the Accountable Executive or SMS Committee. Specific procedures on how to carry out safety risk mitigation monitoring activities and forms to document those activities are on file in the Safety Department.

*Describe activities to conduct investigations of safety events, including the identification of causal factors.*

**Safety Event Investigations to Identify Casual Factors**

SMART maintains procedures for conducting investigations of safety events (accidents, incidents, and occurrences, as defined in 49 CFR Part 673) to find causal and contributing factors and review the existing mitigations in place at the time of the safety event. Local law enforcement also may respond to any SMART safety event. SMART will coordinate its investigation process with local law enforcement.

Operations and maintenance management are responsible for immediately notifying the Safety Department of any safety event that meets SMART's thresholds. The Safety Department notifies the Accountable Executive (or designated personnel) of any events that resulted in a fatality, serious injury, or property damage to SMART's vehicles or private vehicles that may exceed $25,000. Department Managers ensure that all safety events in their department are documented.

The Safety Department also ensures compliance with reporting thresholds, requirements, and processes defined in *FTA's NTD Safety and Security Policy Manual* and with notification thresholds established by the National Transportation Safety Board and the Michigan Department of Transportation.

SMART's general safety investigation process consists of five basic phases.

• **Set up**: Assemble an investigation team with the required skills and expertise.

• **Fact gathering**: Record facts pertinent to understanding the circumstances leading to the safety event.

• **Event reconstruction**: Reconstruct the sequence of events.

• **Data analysis**: Analyze the information obtained through fact gathering and event reconstruction to assess the safety risk and provide explanations of the technical and operational factors and any underlying organizational factors and issues.

• **Establish conclusions**: Draw conclusions from the collected and analyzed information based on:

- o Main and direct causes and contributing factors leading to the event.
- o Findings that point out additional hazards that have the potential to introduce safety risk but did not play a direct role in the event.
- o Other findings that have potential to improve the safety of the transit system.

**General Investigation Process**

***Safety Event Investigation Procedures***

SMART's safety event investigation procedures follow these steps:

• Bus Operators or Operations Supervisors notify Dispatch of the safety event. The Operator of the affected transit vehicle follows seven basic emergency steps:

- o Stay calm
- o Assess the situation
- o Obtain help
- o Protect people, then property
- o Reassure and assist the passengers
- o Secure the scene
- o Ask witnesses or others involved in the accident to fill out a Courtesy Card
- o Complete Transit Accident and Crime Report

- Dispatch immediately notifies Road Supervisor, emergency personnel and, when appropriate, ASU (Adjusting Services Unlimited).
- Road Supervisor gathers information and interviews all involved in accident/incident
- Terminal Manager reviews Road Supervisor's information, reviews video and interviews employee
- Severe accidents/incidents investigations may also involve the Legal Department
- ASU investigates as needed.
- The Road Supervisor and ASU, as needed, arrives at the scene as soon as possible to conduct the investigation.
- The Road Supervisor secures the scene and collects facts about what occurred, including interviewing the operator involved, and any witnesses.
- The Road Supervisor begins the investigative process, which includes but is not limited to the following:
  - o Noting the environmental factors surrounding the safety event, such as lighting and visibility, road surface conditions, climate, and weather conditions
  - o Collecting vehicle and roadway evidence, including vehicle condition and position for all vehicles involved in the incident
  - o Recording tire marks, skid marks, tire tread prints, and yaw marks
  - o Observing braking-related factors
  - o Observing debris and vehicle fluids
  - o Observing contact and induced damage
  - o Making exterior damage assessments
  - o Photographing the scene

- o Sketching the field
- o Interviewing other drivers; witnesses; passengers; fire, emergency medical services, and police personnel at the scene. Interviewing maintenance personnel, if necessary, at a later date
- o Making a drug-and-alcohol testing decision pursuant to 49 CFR Part 40 and 655
- o Complete the Road Supervisor's Report

- The Terminal Manager will investigate the accident and determine if the Accident was "Preventable" or "Non-Preventable"

***Identifying Causal and Contributing Factors***

SMART is committed to examining all safety events to determine causal and latent organizational factors that may have contributed to the safety event. This includes examining:

- Processes;
- People/human factors;
- Management decision-making and resource support;
- Equipment, tools, and materials;
- Operating environment;
- Environmental issues;
- Existing relevant mitigations; and
- Other causes and contributing factors, as appropriate.

***Accident Review Board***

SMART's Accident Review Board reviews information on accidents determined to be "preventable" that are appealed by the Operator. SMART's Accident Review Board consists of members that represent management, the union, and a police officer to determine if the accident or incident was preventable or non-preventable. SMART's Accident Review Board refers its findings to supervisory staff.

*Describe activities to monitor information reported through internal safety reporting programs.*

**Internal Safety Reporting Programs**

The Chief Safety Officer and SMS Committee review safety data and information captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the SMS Executive and SMS Committee ensure that the issues and concerns are investigated or analyzed through SMART's SRM process.

The Chief Safety Officer and SMS Committee also review internal and external reviews, including audits and assessments, compliance with operations and maintenance procedures, and the effectiveness of safety risk mitigations. The Chief Safety Officer discusses relevant safety issues and concerns with the Accountable Executive and executive management.

**Management of Change**

*Describe the process for identifying and assessing changes that may introduce new hazards or impact safety performance.*

SMART understands that change may affect the appropriateness or effectiveness of existing risk mitigation strategies. In addition, change may inadvertently introduce new hazards and safety risk into SMART's service. Therefore, SMART has established a formal process for identifying and assessing changes that may introduce new hazards or impact our safety performance. If, as a result of this process, we determine a change may impact our safety performance, then we evaluate the proposed change through our SRM process.

SMART conducts this process through Project Management practices and the Service Development Process. It includes changes identified resulting from:

• Design and implementation of new systems and other capital projects,
• Changes to existing systems or service,
• New services provided to the public,
• Changes to relevant regulations, laws, policies or the FTA's National Public Transportation Safety Plan or Safety Directives or Memos that may impact SMART's safety programs.

Safety Department train managers on when and how to identify and report anticipated changes to the committee. When a change is determined to potentially impact SMART's safety performance, the process/project manager contacts the Chief Safety Officer to evaluate the change through the SRM process.

The SRM process includes identifying a change's associated hazards and potential consequences, assessing safety risk, and, when necessary, creating new safety risk mitigations or modifying existing mitigations. When SMART makes a change that requires new or revised mitigations, it monitors these mitigations as described in the mitigation monitoring section above.

**Continuous Improvement**

*Describe the process for assessing safety performance. Describe the process for developing and carrying out plans to address identified safety deficiencies.*

SMART uses a continuous improvement process to monitor and improve our SMS and safety performance. SMART conducts an annual safety performance assessment. If we identify any deficiencies as part of the safety performance assessment, we develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.

SMART's process for assessing its safety performance includes:
• Monitoring the achievement of safety objectives and safety performance indicators and targets.
• Reviewing the effectiveness of:
    o Hazard identification, safety risk assessment, safety risk mitigation development, and management of change activities;
    o Operations and maintenance procedure monitoring activities;
    o Safety risk mitigation monitoring activities;
    o Safety investigation activities;
    o Voluntary ESRP;
    o Safety competencies and training efforts; and
    o Safety communication.

The Safety Department is responsible for assessing SMART's safety performance because of its safety expertise and functional independence from operations and maintenance. Safety Department strategies for assessing safety performance and the effectiveness of SMART's SMS operations include but are not limited to the following:

• Reviewing safety data, including data related to safety objectives and safety performance indicators and targets;

• Conducting employee surveys to measure the effectiveness of the ESRP, safety training, and safety communication;

• Using audit checklists to identify how well the processes, activities, and tools within the SMS are performing;

• One-on-one and group interviews of key service-delivery and support stakeholders;

• Attending safety committee meetings and safety meetings;

• Conducting field observations;

• Auditing regulatory compliance; and

• Reviewing SMS documentation.

At times, SMART may choose to use an outside independent consultant to assist the Safety Department in its safety performance assessment activities.

The Safety Department provides reports on the results of safety performance assessments to the Accountable Executive and executive management. The Safety Department maintains documentation of the safety performance assessments, including checklists and tools.

SMART supports continuous improvement by addressing deficiencies it discovers during assessments of safety performance and SMS operations assessments. SMART uses corrective action plans to address safety deficiencies and substandard performance of SMS operation to drive the continuous improvement effort. SMART also may choose to use outside expertise to assist in addressing safety deficiencies. These corrective action plans are carried out under the direction of the Accountable Executive and SMART's Chief Safety Officer reports on the status of these corrective action plans to the Accountable Executive each quarter.

# 7. Safety Promotion

| Competencies and Training |
| --- |
| Safety promotion ensures that SMART employees and contractors are aware of policies and procedures related to the safety of agency operations, and specifically as related to their areas of work. SMART's comprehensive training program applies to all SMART employees directly responsible for safety, including:<br><br>• Bus vehicle operators,<br>• Dispatchers,<br>• Maintenance technicians,<br>• Managers and supervisors,<br>• Agency Leadership and Executive Management,<br>• Chief Safety Officer and Safety Department, and<br>• Accountable Executive.<br><br>Training for operations personnel and personnel directly responsible for safety includes:<br>• Completion of a safety training program;<br>• Continuing safety education and training;<br>• De-escalation training.<br><br>Training has been developed for each designated position throughout the agency, appropriate to the position's individual job responsibilities.<br>Operations skill training includes the following:<br>• New hire bus operator classroom and hands-on skill training;<br>• Bus operator refresher training;<br>• Bus operator retraining (recertification or return to work);<br>• Skill training for Coach Service and Shelter Attendant;<br>• Skill training for painting and body-shop personnel;<br>• On-the-job training for control center employees/schedulers/dispatchers at the time of external hire or internal promotion;<br>• On-the-job training for operations supervisors at the time of external hire or internal promotion; and<br>• Safety event investigation training and on-the-job training for Operations Supervisors.<br><br>Vehicle maintenance skill training includes the following:<br>• Ongoing vehicle maintenance technician skill training;<br>• Ongoing skill training for vehicle maintenance supervisors;<br>• Safety event investigation training for vehicle maintenance supervisors;<br>• Ongoing hazardous material training for vehicle maintenance technicians and supervisors; and<br>• Training provided by vendors.<br><br>Facility maintenance safety-related skill training includes the following:<br>• Ongoing facility maintenance technician skill training;<br>• Ongoing skill training for facility maintenance supervisors;<br>• Ongoing hazardous material training for facility maintenance technicians and supervisors; and<br>• Ongoing fire prevention training for facility maintenance technicians and supervisors. |

| **Safety Communication**<br><br>*Describe processes and activities to communicate safety and safety performance information throughout the organization.* |
|---|
| In accordance with SMART's SMP statement, SMART actively encourages the open sharing of information on all safety issues throughout our organization. To ensure effective communication throughout the agency, SMART has established formal processes and approaches, including:<br><br>• **Dissemination of safety and safety performance information throughout SMART's organization**. The communication of safety performance information follows the top-down, agency-wide model of the agency's SMS. The Chief Safety Officer is responsible for reporting on the agency's safety performance to the Accountable Executive. These reports may include, but are not limited to, performance relative to the agency's safety performance targets, updates related to mitigation monitoring plans and corrective action plans, and unusual events. In accordance with guidance distributed by the Chief Safety Officer, leadership throughout the agency (including executives, VPs, superintendents, directors, managers, and supervisors) are responsible for communicating safety performance information with their teams. The Safety Department is responsible for developing regular status reports on safety risk mitigations and open corrective actions for dissemination to the SMS Committee and Joint Labor and Management Safety Committees for discussion. The Safety Department also issues reports on SMART's safety performance and progress in meeting the safety objectives outlined in the SMP statement throughout the agency.<br><br>• **Communication of information on hazards and safety risk relevant to employees' roles and responsibilities throughout the agency.** As part of new-hire training, SMART distributes safety policies and procedures to pertinent employees. SMART provides training on these policies and procedures. For newly emerging safety issues or safety events at the agency, SMART's Chief Safety Officer may issue bulletins or messages to employees to be reinforced by supervisors in one-on-one or group discussions with employees.<br><br>• **Explaining actions taken in response to employee reporting**. SMART provides targeted communications to inform employees of safety actions taken in response to reports submitted through the ESRP, such as newsletters, handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and supervisors.<br>The Safety Department works with each operating function to ensure that all SMS and safety communication-related activities are communicated. The Safety Department also maintains documentation of communication processes and procedures and records of safety communications. |

# Additional Information

| Supporting Documentation |
| --- |
| SMART will maintain documentation related to the implementation of its SMS; the programs, policies, and procedures used to carry out this ASP; and the results from its SMS processes and activities for three (3) years after creation. This documentation will be available to the Federal Transit Administration or other Federal or oversight entity upon request. |

### Definitions of Special Terms Used in the ASP

SMART incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

• **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

• **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

• **Agency Safety Plan** means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.

• **Chief Safety Officer** means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in Part 673, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

• **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Agency Safety Plan.

• **Event** means any Accident, Incident, or Occurrence.

• **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

• **Incident** means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

• **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard for the purpose of preventing recurrence and mitigating risk.

• **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

• **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

• **Operator of a public transportation system** means a provider of public transportation as defined under 49 U.S.C. 5302(14).

• **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

• **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

• **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.

• **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.

• **Safety Assurance** means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

• **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.

• **Safety Management System (SMS)** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

• **Safety Management System (SMS) Executive** means a Chief Safety Officer or an equivalent.

• **Safety performance target** means a performance target related to safety management activities.

• **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

• **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

• **Safety Risk Management (SRM)** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

• **Serious injury** means any injury which: (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

• **State** means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

• **Transit agency** means an operator of a public transportation system.

• **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

| Acronym | Word or Phase |
|---|---|
| **ASP** | **Agency Safety Plan** |
| **ESRP** | **Employee Safety Reporting Program** |
| **FTA** | **Federal Transit Administration** |
| **GM** | **General Manager** |
| **MPO** | **Metropolitan Planning Organization** |
| **PTASP** | **Public Transportation Agency Safety Plan** |
| **SMP** | **Safety Management Policy** |
| **SMS** | **Safety Management System** |
| **SRM** | **Safety Risk Management** |
| **SMART** | **Suburban Mobility Authority for Regional Transportation** |
| **VRM** | **Vehicle Revenue Miles** |

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# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Board Approval |
| TO: | SMART Board of Directors | SUBMITTED BY: | General Manager |
| FROM: | Purchasing Department | APPROVED BY: | Certification Committee |
| SUBJECT: | Authorization to Award a Contract for Micro Transit Services | | |

RECOMMENDATION

That the Board adopts the attached resolution authorizing the award of a contract:

- for the purchase of Micro Transit Services
- to River North Transit LLC (Via) located at 10 Crosby St Floor 2, New York, NY 10013
- for a two-year contract with one-one year renewal option
- at a total cost not to exceed $35,943,040.00

DISCUSSION

For the past 3 years SMART has provided microtransit services within Wayne, Oakland, and Macomb Counties. Microtransit continues to offer improved access to transit for people traveling to and from Fixed Routes, as well as within predetermined geographical areas. SMART has seen this service grow over the past three years from the initial three zones to the current five zone system of today. SMART has found value and success in the microtransit service model and aims to continue to grow this service within the region. With this contract SMART plans to continue the current turnkey operational model, as well as explore adding a software-as-a-service model. The determinations of expansions of service will be the result of the findings and recommendations from the SMARTer Mobility Program which is being completed by Michael Baker International.

PROCUREMENT PROCESS

| | |
|---|---|
| Procurement Method: | ☐ Sealed Bid ☒ Proposal ☐ Quotes ☐ Sole Source |
| Advertising: | Michigan Chronicle and Michigan Inter-governmental Trade Network |
| # of downloads: | 35 Downloads |
| Number of offerors: | 1 Proposal |
| Rationale for award: | One (1) proposal was submitted by River North Transit LLC (Via). The proposal submitted by River North Transit LLC (Via) was determined to be the most advantageous to SMART with price and other factors considered. Price was determined to be fair and reasonable. |

FUNDING & COSTS:

Funding for this service is available through the Authority's general fund.

The contract costs are summarized as follows:

| Description | Cost |
|---|---|
| Micro Transit Services for Two-Year Contract | $23,888,950.00 |
| Micro Transit Services for Option Year One | $12,054,090.00 |
| **Total Max** | **$35,943,040.00** |

ATTACHMENTS:

- Resolution
- SMART Flex Contract Pricing

/CJB

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SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Authorization for the General Manager to Award a Contract for Micro Transit Services

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Whereas, The Transportation Department requires Micro Transit Services which offer improved access to transit for people traveling to and from fixed routes as well as within predetermined geographical areas; and

Whereas, A Request for Proposal (RFP) was advertised and published on the Michigan Intergovernmental Trade Network (MITN). One (1) proposal was received; and

Whereas, The proposal submitted by River North Transit LLC (Via) was determined to be most advantageous to SMART with price and other specified evaluation factors being considered. Price was determined to be fair and reasonable; and

Whereas, Adequate funding is available in the Authority's general fund; and

Whereas, The Director of Finance is satisfied that River North Transit LLC (Via) has the potential to perform under the terms and conditions of the contract; and

Whereas, The EEO Department is satisfied that River North Transit LLC (Via) are in compliance with the equal opportunity and affirmative action laws and policies of the Federal and State governments and the affirmative action policies of SMART; now, therefore be it

Resolved, That the General Manager of the Suburban Mobility Authority for Regional Transportation is hereby authorized to award a two-year contract for an amount not to exceed $23,888,950.00 to River North Transit LLC (Via), with one-one year renewal option at an amount not to exceed $12,054,090.00; for a total amount not to exceed $35,943,040.00 for Micro Transit Services.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on October 26, 2023.

_____ _____

Date Tiffany Martin-Patterson, Board Administrator

| | Year 1 | Year 2 | Option Year 1 |
|---|---|---|---|
| **1. Dearborn, Wayne County Zone** | $1,527,298 | $1,503,103 | $1,548,060 |
| **2. Troy / Clawson, Oakland County Zone** | $642,119 | $631,947 | $650,848 |
| **3. Farmington / Farmington Hills, Oakland County Zone** | $1,238,125 | $1,218,511 | $1,254,956 |
| **4. Pontiac / Auburn Hills, Oakland County Zone** | $3,140,986 | $3,091,228 | $3,183,685 |
| **5. Hall Road, Macomb County Zone** | $1,507,004 | $1,483,131 | $1,527,491 |
| **6. Future Expansion for 3 Zones** | $4,129,389 | $3,776,109 | $3,889,050 |
| **Total NTE** | *$12,184,921* | *$11,704,029* | *$12,054,090* |

*Note:*

**- Year 1; Dec. 16, 2023 - Dec. 31, 2024*

**- Year 2; Jan. 1, 2025 - Dec. 31, 2025*

**- Option Year 1; Jan. 1, 2026 - Dec. 31, 2026*

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# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Board Approval |
| TO: | SMART Board of Directors | SUBMITTED BY: | General Manager |
| FROM: | Purchasing Department | APPROVED BY: | Certification Committee |
| SUBJECT: | Authorization to Award a Contract for Forty (40) Connector Replacement Vehicles | | |

RECOMMENDATION

That the Board adopts the attached resolution authorizing the award of a contract:

- for the purchase of Forty (40) Connector Replacement Vehicles
- to Hoekstra Transportation located at 3741 Roger B Chaffee, Grand Rapids, MI 49548
- for one time purchase
- at a total cost not to exceed $6,393,720.00

DISCUSSION

SMART has a need for Forty (40) Connector Replacement Vehicles. The Forty (40) Connector Replacement Vehicles will be used to replace vehicles that are age eligible for retirement.

PROCUREMENT PROCESS

Procurement Method: ☐ Sealed Bid ☐ Proposal ☐ Quotes ☐ Sole Source ☒ Other

Rationale for award: The FTA, in Circular 4220.1F, § 7.e., encourages the use of intergovernmental agreements. The FTA's Best Practices Procurement Manual states in part, "Such an approach would create economies of scale, reduce procurement lead times, and reduce administrative effort and expense." The State of Michigan has awarded a contract for Small Class of Non-Lift and Lift Transit Buses to Hoekstra Transportation. The cost has been determined to be fair and reasonable through an evaluation process conducted by The State of Michigan. The State of Michigan's Department of Technology, Management, & Budget's Procurement office completed an evaluation via a Request for Proposal (RFP #210000000606). The award was made to the responsive and responsible bidder, Hoekstra Transportation who passed the technical evaluation, pre-award audit and offered the best value to the State of Michigan. The State of Michigan MDOT contract #210000000606 was issued to Hoekstra Transportation.

FUNDING & COSTS:

The project is funded via: Project 40800/42730; Federal Grant MI-2018-018 (5307); MI-2022-048 (5307); State Grant 2017-0130 P11; 2022-0138 P9.

MI-2018-018 40800 ($625,373) includes SMART local share of $20,430; MI-2022-048 42730 ($5,768,347) includes SMART local share of $251,970.

The contract costs are summarized as follows:

| Stage | Date Board Approval /Requested | Description | Total Cost |
|---|---|---|---|
| One time purchase | 10/26/2023 | Purchase Forty (40) Connector Replacement Vehicles | $ 6,393,720.00 |

ATTACHMENTS:

- Resolution

/CB

LIFE | SMART | YOU

SMART

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Authorization to Award a Contract for Forty (40) Connector Replacement Vehicles

Whereas, SMART has a need for Forty (40) Connector Replacement Vehicles. The Forty (40) Connector Replacement Vehicles will be used to replace vehicles that are age eligible for retirement; and

Whereas, The FTA encourages intergovernmental agreements; and

Whereas, The State of Michigan has awarded a contract for Small Class of Non-Lift and Lift Transit Buses based on a competitive solicitation in accordance with all State and Federal regulations; and

Whereas, The Director of Finance is satisfied that Hoekstra Transportation has the potential to perform under the contract terms and conditions; and

Whereas, The EEO Department is satisfied that Hoekstra Transportation is in compliance with the equal opportunity/affirmative action policies of the Federal and State governments and the affirmative action policies of SMART; and

Whereas, The project is funded via: Project 40800/42730; Federal Grant MI-2018-018 (5307); MI-2022-048 (5307); State Grant 2017-0130 P11; 2022-0138 P9.
MI-2018-018 40800 ($625,373) includes SMART local share of $20,430; MI-2022-048 42730 ($5,768,347) includes SMART local share of $251,970;

Resolved, That the General Manager of Suburban Mobility Authority for Regional Transportation is hereby authorized to Award a Contract to Hoekstra Transportation for the Purchase of Forty (40) Connector Replacement Vehicles. The Connector Replacement Vehicles will be purchased under a cooperative purchasing agreement through The State of Michigan MDOT for an amount not to exceed $6,393,720.00.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on October 26, 2023.

_____ _____

Date Tiffany Martin-Patterson, Board Administrator

LIFE | SMART | YOU

SMART

# agenda item

| | | | |
|---|---|---|---|
| DATE: | October 26, 2023 | DISPOSITION SOUGHT: | Board Approval |
| TO: | SMART Board of Directors | SUBMITTED BY: | General Manager |
| FROM: | Purchasing Department | APPROVED BY: | Certification Committee |
| SUBJECT: | Authorization to approve a Revenue Contract Extension with Crown Castle for Cell Tower Lease | | |

RECOMMENDATION

That the Board adopts the attached resolution authorizing approval of a revenue contract extension:

- for Cell Tower Lease
- to Crown Castle located at 8020 Katy Freeway, Houston, TX 77024
- from October 29, 2023 through July 31, 2024
- Contract extension will generate $19,847.00 in revenue

DISCUSSION

SMART has a revenue contract with Crown Castle since October 29, 1998 for a cell tower lease at the Wayne terminal. The cell tower lease expires on October 28, 2023. The contract extension will allow SMART's Team to gather information on the cell tower lease and develop a scope of service for a solicitation and lease agreement going forward. All terms and conditions for the service shall remain the same as the current cell tower lease agreement with Crown Castle.

FUNDING & COSTS:

Generate $19,847.00 in revenue

The contract cost is summarized as follows:

| Description | Revenue |
|---|---|
| Revenue Contract Extension from October 29, 2023 through July 31, 2024 with Crown Castle for a Cell Tower Lease at the Wayne Terminal | $19,847.00 |

ATTACHMENTS:

- Resolution
- Contract extension

/CB

LIFE | SMART | YOU

SMART

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Authorizing the General Manager to Approve a Contract Extension with Crown Castle for a Cell Tower Lease

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Whereas, SMART has had a revenue contract with Crown Castle since October 29, 1998, for a Cell Tower Lease at the Wayne terminal. The cell tower lease expires on October 28, 2023; and

Whereas, The contract extension with Crown Castle will be from October 29, 2023, through July 31, 2024, and will generate $19,847.00 in revenue; and

Whereas, The Director of Finance is satisfied that Crown Castle has the potential to perform under the terms and conditions of the contract; and

Whereas, The EEO Department is satisfied that Crown Castle is in compliance with the equal opportunity and affirmative action laws and policies of the Federal and State governments and SMART; now, therefore be it

Resolved, That the General Manager of Suburban Mobility Authority for Regional Transportation is hereby authorized to approve a Contract Extension with Crown Castle for a Cell Tower Lease beginning October 29, 2023, through July 31, 2024. The contract extension will generate $19,847.00 in revenue.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation held on October 26, 2023.

_____ _____

Date Tiffany Martin-Patterson, Board Administrator

Crown Castle
8020 Katy Freeway
Houston, TX 77024

October 3, 2023

SMART
Attn: Ralph Rayner
535 Griswold Street, Suite 600
Detroit, MI 48226

RE: Lease Agreement for property located at Wayne Terminal, 30016 N. Industrial Dr., Inkster, MI 48141; Crown Castle Business Unit No. 876783

Dear Mr. Rayner,

This letter agreement ("Letter Agreement") sets forth the terms of the agreement between STC Five LLC, a Delaware limited liability company, by and through Global Signal Acquisitions II LLC, a Delaware limited liability company, its Attorney in Fact ("Company"), and the Suburban Mobility Authority for Regional Transportation ("SMART") to extend that certain Lease Agreement dated October 29, 1998 originally between SMART and Sprint Spectrum L.P., as predecessor in interest to the Company, (as has been amended and assigned, the "Lease"), for property located at the address above (the "Site").

The Lease will expire on October 28, 2023. SMART requires additional time to complete the solicitation process. For that reason, the parties agree that the Company may remain on the Site and continue to operate under the terms of the Lease and do hereby extend the term of the Lease until July 31, 2024. The Lease may be further extended only upon the written agreement of the parties.

If this Letter Agreement accurately sets forth our understanding regarding the foregoing, please so indicate by signing and returning to the undersigned the enclosed copy of this letter.

**COMPANY:**

STC FIVE LLC

By: Global Signal Acquisitions II LLC
Its: Attorney in Fact

By: DocuSigned by: Lisa A. Sedgwick 89EDF35826134F3...

Print Name: Lisa A. Sedgwick

Title: Manager Real Estate

Date: 10/20/2023 | 5:55:27 PM EDT

**SMART:**

Suburban Mobility Authority for Regional Transportation

By: _____

Print Name: _____

Title: _____

Date: _____

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Closed Session

MEMORANDUM

TO: SMART Board of Directors

FROM: Chairperson

DATE: October 26, 2023

SUBJECT: Board Member Business