

BOARD OF TRUSTEES  
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY

MINUTES OF: Regular Meeting of the SORTA Board of Trustees

DATE: Tuesday, December 13, 2016, 9:00 AM  
SORTA/Metro, Mt. Adams Board Room  
602 Main Street  
Cincinnati, Ohio 45202

BOARD MEMBERS PRESENT: Jason Dunn, Brad Thomas, Brendon Cull, Gwen Robinson, Mary Miller, Ken Reed, Kreg Keesee, Ron Mosby

BOARD MEMBERS ABSENT: Maurice Brown, Gary Greenberg, Karl Schultz, Daniel St. Charles

STAFF MEMBERS: Dwight Ferrell, Darryl Haley, David Riposo, Carla McHale, Demarcus Peters, Paul Grether, Butch Gaut, Matt Conover, John Ravasio, Brandy Jones, Ronnie Salerno, Maria Jones, Monai Smith, Shannel Satterfield

OTHERS: Kim Schaefer & Tony Osterlund (Vorys, Sater, Seymour and Pease LLP), Dave Wormald (AECOM), Duane Combs & Troy Miller (ATU Local 627), Cristina Burcica (Citizen)

**CALL TO ORDER**

Mr. Dunn, SORTA Board Chair, called the meeting to order.

**PLEDGE OF ALLIGANCE**

The Pledge of Allegiance was recited.

**HEARINGS FROM CITIZENS**

Mr. Dunn asked if there were any citizens present who would like to address the Board; there were none.

**APPROVAL OF NOVEMBER 15, 2016 BOARD MEETING MINUTES**

Mr. Thomas made a motion that the minutes of the November 15, 2016 meeting be approved as previously mailed and Mr. Keesee seconded the motion. By voice vote, the Board approved the minutes.

**PLANNING & OPERATIONS COMMITTEE**

Mr. Thomas reported on the Planning & Operations Committee meeting that was held on December 6, 2016, and presented the following to the Board:

**Proposed Resolution No. 2016-43: Approval of Revenue Contract with CVG Partners II, LLC**

Mr. Thomas moved for adoption and Mr. Keesee seconded the motion. The proposed resolution is to approve a one year agreement with CVG Partners II, LLC, starting January 1, 2017 through December 31, 2017 for the Rt. 85, which is operated to connect downtown Cincinnati with riverfront parking. Gross operating cost will be approximately \$452,000.

By roll call vote, the Board unanimously approved Resolution No. 2016-43.

**Proposed Resolution No. 2016-44: Approval of Lease Agreement with Kings Island**

Mr. Thomas moved for adoption, and Mr. Mosby seconded the motion. SORTA's current agreement with Kings Island to lease parking spaces for SORTA's park-and-ride passengers expires on December 31, 2016. SORTA staff has negotiated a new one (1) year parking space lease for the period of January 1, 2017 through December 31, 2017, at the current cost of \$35,100. Included in this agreement are maintenance expenses to be paid by SORTA in an amount not to exceed \$17,500, for a total annual maximum cost of \$52,600.

By roll call vote, the Board unanimously approved Resolution No. 2016-44.

**Proposed Resolution No. 2016-45:     **Approval of Service Contract with Butler County****

Mr. Thomas moved for adoption, and Mr. Cull seconded the motion. SORTA operates bus service into Butler County in cooperation with Butler County Regional Transit Authority (BCRTA). The current agreement with BCRTA expires on December 31, 2016. SORTA and BCRTA have negotiated a new agreement for the period of January 1, 2017 through December 31, 2017 at a cost of \$554,706.

By roll call vote, the Board unanimously approved Resolution No. 2016-45.

**Proposed Resolution No. 2016-46:     **Approval of Service Contract with Clermont County****

Mr. Thomas moved for adoption, and Mr. Cull seconded the motion. SORTA operates bus service into Clermont County and the current agreement with Clermont County expires on December 31, 2016. SORTA and Clermont County have negotiated a new agreement for the period of January 1, 2017 through December 31, 2017 at a cost of \$499,595.

By roll call vote, the Board unanimously approved Resolution No. 2016-46.

**Proposed Resolution No. 2016-47:     **Approval of Service Contract with Warren County****

Mr. Thomas moved for adoption, and Ms. Robinson seconded the motion. SORTA operates bus service into Warren County and the current agreement with Warren County expires on December 31, 2016. SORTA and Warren County have negotiated a new agreement for the period of January 1, 2017 through December 31, 2017 at an estimated cost of \$514,808.

By roll call vote, the Board unanimously approved Resolution No. 2016-47.

**Proposed Resolution No. 2016-48:     **Approval of Contract for Automatic Passenger Counters (APC)****

Mr. Thomas moved for adoption, and Mr. Keese seconded the motion. This contract is for five years with Clever Devices, to equip SORTA's fleet with APCs over the next five years. The contract will begin in 2017 and has been budgeted at \$360,000 per year for all five years.

By roll call vote, the Board approved Resolution No. 2016-48.

**EXECUTIVE COMMITTEE**

**Proposed Motion:     **Approval of Streetcar Services Agreement****

Mr. Reed moved for adoption, and Mr. Cull seconded the motion. The proposed motion authorizes the CEO/General Manager or the Executive VP/Deputy General Manager to execute a "Streetcar Services Agreement" with Downtown Cincinnati Incorporated (DCI) that contains the terms and conditions of the transfer of the Voluntary Tax Incentive Contribution Agreement (VTICA) payments from DCI, Inc. to SORTA.

The Board approved the motion.

**Proposed Resolution No. 2016-49:     **Approval of Amended and Restated Operations and Maintenance Intergovernmental Agreement with the City of Cincinnati Governing Operations and Maintenance of the Cincinnati Streetcar****

Mr. Cull moved for adoption, and Mr. Reed seconded the motion. The proposed amendment to OMIGA would expand the definition of "O&M" to include any costs or expenses related to VTICA payments and the agreement between SORTA and DCI affiliate and other minor changes.

By roll call vote, the Board unanimously approved Resolution No. 2016-49.

**CEO STAR Award: Duane Combs**

Mr. Combs, a Metro Operator, was commended for his quick actions for assisting a woman following a vehicular crash and presented a CEO STAR Award by Dwight A. Ferrell, CEO & General Manager.

**Ridership Report for October 2016**

Mr. Conover provided the October 2016 ridership report and stated that total ridership was 1,392,494, which was .05% above projections. On-time performance was 83.4% for local routes, against a goal of 88%. Local routes are carrying 22.0 passengers per hour, against a goal of 20.7 and express routes are carrying 15.4 passengers per trip, against a goal of 16.2. Mr. Conover also presented the October 2016 Access ridership report; total ridership for Access was 19,641, up 2.0% from projections. Year-to-date Access ridership was up 2.7% or 5,001 rides. On-time performance was 93.3% against a goal of 93%. He also provided the Cincinnati Bell Connector ridership report for October; total ridership was 95,286, up 18.0% and 78,174 from projections. On-time performance was 26.1% against a goal of 88%. The streetcar is carrying 138.1 passengers per hour against a goal of 52.8.

**Rail Report**

Mr. Grether presented the November 2016 Cincinnati Bell Connector (CBC) monthly report. He discussed safety metrics, noting that 73% of safety-related incidents involve another vehicle and 22% involve pedestrian interactions, such as jay-walking. Since revenue service for the Cincinnati Bell Connector began, there have been three reportable incidents. Safety-improvement activities are taking place and include additional signage (pedestrian warning, no stopping on tracks), reviewing potential traffic safety devices, and vehicle incident/blocking log provided to stakeholders. Mr. Grether also announced that citations are now being issued for far evasion on the CBC.

Mr. Grether addressed ODOT/SORTA coordination, changes to the ticket vending machines (TVM), and gave a ridership summary for November. Mr. Grether provided key statistics for the streetcar, included trips scheduled, trips operated, missed trips, late trips, extra train hours, blockages, signal failures, close calls, taps, and charters. He also noted that the new Interim General Manager is Mark Young.

Mr. Grether reported to the board that this will be the last Rail Update; the rail ridership will merge into the ridership reports given by Matt Conover.

**FINANCE COMMITTEE**

Mr. Mosby reported on the Finance committee meeting that was held on December 6, 2016 and presented the following to the Board for approval:

**Proposed Motion: Approval of Legal Expenditures**

Mr. Mosby moved for adoption and Mr. Keese seconded the motion. On average SORTA budgets \$90,000 per year for general legal services provided by, Vorys, Sater, Seymour and Pease LLP. Beginning September 1<sup>st</sup> they were asked to provide additional transition and board related services resulting in the annual cost exceeding \$100,000 which requires board approval. This motion authorizes expenditures for the period of July 1, 2016 – June 30, 2018 at a total cost not to exceed \$420,000.

The Board approved the motion.

**Monthly Financial Report**

Mr. Riposo presented the October 2016 financial report. Total revenues were \$7.8 million, which is favorable to budget by \$73,000 or 0.9%. Total expenses were \$8.0 million, which is unfavorable to budget by \$244,000 or 3.1%. Budgeted prior years reserves of \$43,000 were used in October. The end result was a net unfavorable variance of \$171,000 for the month. Local capital of \$171,000 and \$933,000, month-to-month and year-to-date, has been applied as previously approved to balance the Operating budget. Fare revenue was unfavorable to budget by \$15,000 or 0.8% for the month due to ridership being 1.7% under budget.

He also presented the Cincinnati Bell Connector financial report for October 2016. Total revenues were \$360,480, which is favorable to budget by \$29,404, or 9%. Total expenses were \$346,706, which is

unfavorable to budget by \$15,630, or 5%. The end result is a net favorable variable of \$13,774 for the month. Mr. Riposo then reviewed the contributing factors to these variances.

### **CEO BOARD UPDATE**

Mr. Ferrell presented the CEO Board Report. He noted the various community sessions that were taking place (Community Outreach sessions, CEO Onboard and the Madeira Community Event). There will be a published calendar with dates so that Board members and Council members can participate. He indicated that he addressed the northeastern Hamilton County leaders and the Human Services Chamber of Hamilton County concerning the State of Metro. He mentioned that SORTA had met with Ohio Checkbook and would be planning a presentation to the Board.

### **NEW BUSINESS**

Mr. Reed made the following motion: "The SORTA Board is officially expressing their displeasure with Trapeze's performance and requests that Trapeze appear at the January meeting of the Board of Trustees." Ms. Robinson seconded the motion.

The Board approved the motion.

### **EXECUTIVE SESSION**

Mr. Reed made a motion that the Board go into executive session as provided in Ohio Revised Code Section 121.22 (G)(3) for, "Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action" and Mr. Thomas seconded the motion. By roll call vote the Board unanimously approved the motion and went into Executive Session at 10:28 AM.

Mr. Reed made a motion that the Board return to regular session and Mr. Cull seconded the motion. By voice vote the Board approved the motion and returned to regular session at 10:42 AM.

The meeting adjourned at 10:42 AM.

### **NEXT MEETING**

The next regular meeting of the SORTA Board of Trustees is scheduled for Tuesday, January 17, 2017 at 9:00 AM, the SORTA/Metro Board Room, 602 Main Street, Suite 1200, Cincinnati, Ohio.

APPROVED:



Jason Dunn  
Chair, SORTA Board

ATTESTED:



Dwight A. Ferrell  
CEO & General Manager