



SORTA/Metro
Board Meeting
August 27, 2024
6:00 pm-7:00 pm Eastern Time

SORTA BOARD OF TRUSTEES MEETING
TUESDAY, AUGUST 27TH, 2024 – 6:00 P.M
SORTA BOARD ROOM 6th FLOOR
525 VINE STREET,
CINCINNATI, OHIO, 45202

General Items:

- Call to order
- Pledge of Allegiance
- Oath of Office: Kala Gibson & Greg Simpon (Kim Schaefer, Legal Counsel)
- Board Recognition: Appointment of Rod Hinton as Royal Coachperson
- Hearings from citizens
- Chair Update

Action Items:

- 1 Approval of Board Minutes July 23rd, 2024

Finance Committee (Blake Ethridge)

Planning & Operations Committee (Dan Driehaus)

Action Item:

- 2 Proposed Resolution: Approval of Service Agreement with Fifth Third for Route 11 (Khaled Shammout)
 - 2.1 Action Item:
- 3 Proposed Resolution: Approval of Contract Award for 120-2024 Project Development (Khaled Shammout)
 - 3.1 Action Item:

Procurement Consent Agenda:

- 4 Proposed Resolution: Approval of Contract Modification for 29-2020 Grant Consulting Services (Mary Huller, John Edmondson)
 - 4.1 Action Item:
- 5 Proposed Resolution: Approval of Contract Modification for 101-2022 Vehicle Adverting Services (Dave Etienne, John Edmondson)
 - 5.1 Action Item:
- 6 Proposed Resolution: Approval of Contract Modification for 02-2023 Government Square Sales Office Design (Scott Enns, John Edmondson)

6.1 Action Item:

- 7 Proposed Resolution: Approval of Contract Modification for 79-2023 Queensgate Structural Column Repairs (Jeff Mundstock, John Edmondson)

7.1 Action Item:

- 8 Proposed Resolution: Approval of Contract Modification for 184-2023 Promotional Items (John Edmondson)

8.1 Action Item:

- 9 Proposed Resolution: Approval of Contract Award for 118-2024 Miami University CADS Program (Ben Cole, John Edmondson)

9.1 Action Item:

Infrastructure, Bike and ROW (Sara Sheets)

Action Item:

- 10 Proposed Resolution: Approval of 2024 Transit Infrastructure Funds Projects (Khaled Shammout)

10.1 Action Item:

Briefing Items:

- 11 Financial Results for July 31st, 2024 (Tim Walker)
- 12 Metro on the Move (Darryl Haley)
- 13 New Business
- 14 Executive Session

“Section 121.22(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action...”

- 15 Proposed Resolution: Approval of Eminent Domain Authority (Khaled Shammout)

15.1 Action Item:

Other Items:

Adjournment

The next regular meeting of the SORTA Board of Trustees is scheduled for

Tuesday, September 24th, 2024, at 9:00 a.m.

SORTA BOARD OF TRUSTEES
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY
SORTA/METRO AT HUNTINGTON CENTER
SORTA BOARD ROOM-6th FLOOR
525 VINE STREET, CINCINNATI OHIO 45202

MINUTES OF: Regular Meeting of the SORTA Board of Trustees

DATE: Tuesday, July 23rd 2024, 9:00 a.m.

BOARD MEMBERS PRESENT: Jay Bedi, Chelsea Clark, Dan Driehaus, Trent Emenecker, Blake Ethridge, Neil Kelly, Pete Metz, Briana Moss, Gwen Robinson, Sara Sheets and KZ Smith

BOARD MEMBERS ABSENT: Tony Brice and Sonja Taylor

STAFF MEMBERS: Andy Aiello, Norman Bouwie, John Edmondson, Pat Giblin, Denman Godon, Adriene Hairston, Darryl Haley, James Henderson, Brandy Jones, Natalie Krusling, Bradley Mason, Bre Rahe, Inga McGlothlin, Matt Moorman, Jeff Mundstock, Sean O’Leary, John Ravasio, August Sweitzer, Tim Walker and Mike Weil

LEGAL COUNSEL: Kim Schaefer (Vorys, Sater, Seymour and Pease LLP)

GUEST/PUBLIC PRESENT: Shawnelle Casey (Bon Secours Mercy Health), Frank Harper (ATU) and Doug Moormahn (GSG)

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

HEARING FROM CITIZENS

Shawnelle Casey from Bon Secours Mercy Health joined us today to speak to the board about the Retain program. This program is funded through a US Department of Labor grant and administered through the Mercy Health Network. Adriene Hairston, VP of HR will connect with her.

Frank Harper, ATU President spoke to the board about the CBA contract negotiations and thanked the SORTA and ATU team.

CHAIRMAN UPDATE

N/A

APPROVAL OF JUNE 25th, 2024 BOARD MEETING MINUTES

Mr. Ethridge made a motion that the minutes from the June 25th, 2024, board meeting be approved as previously mailed and Mr. Driehaus seconded the motion.

By voice vote, the SORTA Board approved the minutes.

FINANCE COMMITTEE

Mr. Driehaus reported on the Finance Committee meeting held on July 16th 2024, and there were no items(s) to present for Board Approval.

PLANNING AND OPERATIONS COMMITTEE

Mr. Ethridge reported on the Planning and Operations Committee meeting held on July 16th 2024, and there were items(s) to present for Board Approval.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT MODIFICATION FOR 16-2021-A MTIF CONSULTING SERVICES FROM AECOM AND 16-2021-B MTIF CONSULTING SERVICES FROM WOOLPERT

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a contract revision increasing the total cost not to exceed from \$235,000 to \$385,000, an increase of \$150,000.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT 112-2023 ACCESS GASOLINE STATION

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a contract revision increasing the total cost not to exceed from \$3,128,674 to \$3,359,712, an increase of \$231,039.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT 078-2024 DIESEL EXHAUST FLUID

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a total cost not to exceed \$179,800.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT FOR 088-2024 RTC STREET LEVEL REPAIRS

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a total cost not to exceed \$188,260.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT 097-2024 SALESFORCE CRM SOFTWARE

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a total cost not to exceed \$498,444.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT 098-2024 TRANSIT APP

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a total cost not to exceed \$306,993.

By roll call, the SORTA Board approved the resolution.

PROPOSED RESOLUTION: APPROVAL OF CONTRACT 099-2024 EZ FARE PROGRAM

Mr. Ethridge moved for adoption and Ms. Robinson seconded the motion. The contract approves a total cost not to exceed \$140,522.

By roll call, the SORTA Board approved the resolution.

FINANCIAL REPORTS AS OF JUNE 30TH, 2024

Mr. Aiello presented the June financial results. Total revenues were \$13.8 million, which was unfavorable to budget by \$273k. Total expenses were \$12.3 million, which is favorable to budget by \$973k. Surplus/Deficit was \$1.5 million, which was favorable to budget by \$700k. Ridership was 994k, which is unfavorable to budget by 76k. Mr. Aiello presented the Investment of Funds Reserve Summary with a total All Securities at \$181,012,295, Net Unrestricted Securities Available at \$15,244,784 and Net Unrestricted Securities and 2024 Operating Budget Surplus at \$18,406,070. Mr. Aiello then reviewed the contributing factors to these variances.

The SORTA Board accepted the report as presented.

METRO ON THE MOVE

Mr. Haley presented the Metro on the Move report. We recently recognized 439 operators and 81 mechanics for their outstanding safety performance, partnered with Dubai's Roads and Transport Authority and offered free rides on Metro's fixed routes and Access paratransit for active or reserve-duty for Veteran's Appreciation Day. Metro is connecting CPS students to school and recently the CPS School Board voted to remove yellow bus service for 7th and 8th graders and add them to our system. Please let Natalie know if you would like to attend Metro Family Day on August 17 or 18.

LABOR COMMITTEE

Ms. Robinson reported on the Labor Committee meeting.

At 9:51 a.m. Ms. Robinson moved to go into executive session and Ms. Clark seconded the motion.

Section 121.22(G)(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees....

At 10:34 a.m. Ms. Robinson moved to end executive session and Ms. Moss seconded the motion.

There were items(s) to present for Board Approval.

DISCUSSION ACTION ITEM(S):

PROPOSED RESOLUTION: APPROVAL OF SUCCESSOR COLLECTIVE BARGAINING AGREEMENT FOR THE METRO OPERATING DIVISION

Mr. Robinson made a motion and Ms. Moss seconded the motion to approve the Proposed Resolution of the successor collective bargaining agreement for the Metro Operating Division for the period of November 1, 2023 through October 31, 2026 and authorizes and directs the CEO/General Manager or other designated representative to sign and execute said agreement with Amalgamated Transit Union Local 627.

By roll call, the SORTA Board approved the resolution.

GOVERNANCE AND NOMINATING COMMITTEE: ELECTION OF OFFICERS- 2023 CHAIR AND VICE CHAIR OF THE SORTA BOARD OF TRUSTEES

Mr. Driehaus reported on the Governance and Nominating Committee meeting held on July 23rd and he stated the Governance and Nominating Committee (Mr. Driehaus, Mr. Kelly, Mr. Metz, and Ms. Sheets) recommended Blake Ethridge as the Chair and Gwen Robinson as the Vice-Chair of the SORTA Board.

Mr. Driehaus moved for adoption and Ms. Clark seconded the motion.

By roll call vote, the Board approved Mr. Ethridge as Board Chair and Ms. Robinson as Vice Chair.

NEW BUSINESS

The board asked to advised of how the new school year is going with the board for the next couple of months.

SORTA staff will update the board about CPS at the next Planning and Ops Committee meeting.

ADJOURNMENT

The meeting adjourned at 10:42 a.m.

NEXT MEETING

The next regular meeting of the SORTA Board of Trustees has been scheduled for
August 27th, 2024, at 6:00 P.M.
the SORTA/Metro Board Room, at 525 Vine Street, Cincinnati, Ohio.

APPROVED:



Blake Ethridge
Chair, SORTA Board

ATTESTED:



Darryl Haley
CEO/General Manager/Secretary-Treasurer



BOARD OF TRUSTEES
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. 2024-34

APPROVAL OF SERVICE AGREEMENT WITH FIFTH THIRD BANK FOR ROUTE 11

WHEREAS:

- 1. In 2004 SORTA and Fifth Third negotiated a contract for public bus service to Fifth Third's Madisonville Operations Center.
2. SORTA operates select Route 11 bus service to and from Fifth Third's Madisonville facility.
3. SORTA and Fifth Third have renewed this contract several times since 2004.
4. Under the terms of this agreement SORTA operates seven outbound trips to Fifth Third's Madisonville campus on weekday mornings and six inbound Route 11 trips from Fifth Third's Madisonville facility on weekday afternoons.
5. SORTA staff recommends approval to execute a contract on behalf of SORTA and Fifth Third Bank with a not to exceed value of \$225,286.

THEREFORE, BE IT RESOLVED:

- 6. The Board authorizes the CEO/General Manager/ Secretary-Treasurer or the CFO to execute a contract on behalf of SORTA with Fifth Third Bank with a not to exceed value of \$225,286.

MOVED BY: Dan Driehaus SECOND BY: KZ Smith
VOTE Aye: Mr. Brice, Ms. Clark, Mr. Driehaus, Mr. Ethridge, Mr. Gibson, Mr. Kelly, Mr. Metz, Ms. Robinson, Ms. Sheets and Mr. Smith
Nay: None
Abstain: None
ABSENT AT THE TIME: Jay Bedi, Briana Moss and Jay Bedi
PRESENT NON-VOTING MEMBERS: Trent Emenecker and Greg Simpson
ABSENT NON-VOTING MEMBERS AT THE TIME: None
APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 27th, 2024

FROM: Steve Anderson, Sr. Director, Development and Innovation
Khaled Shammout, Chief Strategic Planning, Development, & Innovation Officer

PROJECT NO.:

REQUEST: Approval of Service Agreement with Fifth Third Bank for Route 11

BACKGROUND

In 2004 SORTA and Fifth Third negotiated a contract for public bus service to Fifth Third's Madisonville Operations Center. Based on this contract SORTA operates selected Route 11 bus service to and from Fifth Third's Madisonville facility. SORTA and Fifth Third have renewed this contract several times since 2004.

BUSINESS PURPOSE

The agreement with Fifth Third for Route 11 bus service provides SORTA with funds to operate service to and from Fifth Third's Madisonville Operations Center. Under the terms of this agreement SORTA operates seven outbound trips to Fifth Third's Madisonville campus on weekday mornings and six inbound Route 11 trips from Fifth Third's Madisonville facility on weekday afternoons.

PROJECT FINANCING

SORTA and Fifth Third have negotiated a renewal of the revenue contract. The term of the proposed agreement is August 27, 2024 through August 27, 2026 with two one year options. The funding amount due to SORTA/Metro for the proposed Agreement, is:

- Year 1: \$54,395.61
- Year 2: \$55,659.93
- (Optional) Year 3: \$56,953.64
- (Optional) Year 4: \$58,277.42

The total revenue for the four-year term is \$225,286.

PROJECT PROCUREMENT

N/A

PROJECT DIVERSITY

N/A

RECOMMENDED BOARD ACTION

Staff recommends the SORTA Board approve the contract between SORTA and Fifth Third Bank and authorize the CEO/General Manager/Secretary- Treasurer, CAO, CFO, or the COO to execute it on behalf of SORTA for a contract value of \$225,286.



BOARD OF TRUSTEES
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. 2024-35

APPROVAL OF LEASE OF REAL ESTATE AGREEMENT – 1799 TENNESSEE AVENUE

WHEREAS:

1. SORTA operates and maintains both the Access Program and Metro Now Program from its facility at 1801 Transpark Drive.
2. Access Facilities Operations has reduced parking due to the construction associated with the Access Fuel Island and Bus Canopy project.
3. The amount of parking remaining is not enough to support employee parking.
4. Ongoing construction has caused employees to park unauthorized at the adjacent Harley Davidson Dealership at 1799 Tennessee Avenue. SORTA proposes to enter a Lease of Real Estate for the back lot at 1799 Tennessee Avenue for the purpose of providing additional vehicle parking to support SORTA operations located at 1801 Transpark Drive.
5. SORTA staff recommends approval to execute a contract on behalf of Metro with Ridge & Highland Properties, LLC., with a monthly cost of \$13,000 and a yearly cost not to exceed value of \$156,000.

THEREFORE, BE IT RESOLVED:

6. The Board authorizes the CEO/General Manager/ Secretary-Treasurer or the CFO to execute a contract on behalf of Metro with Ridge & Highland Properties, LLC., with a monthly cost of \$13,000 and a yearly cost not to exceed value of \$156,000.

MOVED BY: Dan Driehaus SECOND BY: KZ Smith

VOTE Aye: Mr. Brice, Ms. Clark, Mr. Driehaus, Mr. Ethridge, Mr. Kelly, Mr. Metz, Ms. Robinson, Ms. Sheets and Mr. Smith

Nay: None

Abstain: Mr. Gibson

ABSENT AT THE TIME: Jay Bedi, Briana Moss and Jay Bedi

Trent Emeneker and Greg Simpson

PRESENT NON-
VOTING
MEMBERS:

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 12th, 2024

FROM: Scott Enns, Sr. Manager of Capital and TOD Projects
Khaled Shammout, Chief Strategic Planning, Development, & Innovation Officer

PROJECT NO.:

REQUEST: Approval for Lease of Real Estate Agreement – 1799 Tennessee Avenue

BACKGROUND

SORTA operates and maintain both the Access Program and Metro Now Program from its facility at 1801 Transpark Drive. Access Facilities Operations has reduced parking due to the construction associated with the Access Fuel Island and Bus Canopy project. The amount of parking remaining is not enough to support employee parking.

BUSINESS PURPOSE

Ongoing construction has caused employees to park unauthorized at the adjacent Harley Davidson Dealership at 1799 Tennessee Avenue. As a solution, SORTA proposes to enter a Lease of Real Estate for the back lot at 1799 Tennessee Avenue for the purpose of providing additional vehicle parking to support SORTA operations located at 1801 Transpark Drive. In addition, SORTA will have the right to conduct surveys, studies, and tests on or about the property as well as the approximately 3.04-acre tract which includes the total property area. This allows SORTA the right of access to conduct studies on the adjacent tract currently leased as Harley-Davidson franchise if they desire.

RE: Lease of Real Estate

1. Landlord: Ridge & Highland Properties, LLC, and Ohio limited liability property.
2. Property: Back lot at 1799 Tennessee Avenue, Norwood, Ohio.
3. Rent: \$13,000/month for twelve (12) months starting 09-01-2024 and ending 08-31-2025. SORTA has the option to extend the lease up to twelve (12) months.
4. Use: SORTA will be free to use the property for parking. In addition, SORTA will have the right to conduct surveys, studies, and tests on or about the property as well as the approximately 3.04-acre tract which includes the property. This right will include access to conduct studies on the adjacent tract currently leased as Harley-Davidson franchise.

PROJECT FINANCING

The budget for the project is \$156,000 and will be financed using local operating funds; no additional funding will be utilized.

PROJECT PROCUREMENT

Sole Source.

PROJECT DIVERSITY

NA

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager to move forward and to execute a lease agreement for 1799 Tennessee Avenue, on behalf of SORTA with Ridge & Highland Properties, LLC for \$13,000/month for twelve (12) months starting 09-01-2024 and ending 08-31-2025. SORTA has the option to extend the lease up to twelve (12) months.



Project	Method	Vendor	Award	Term	Funding
29-2020* Grant Consulting	Sole Source / Contract Modification	O'Callaghan Consulting	\$99,480 (o) <u>\$36,400 (m)</u> \$135,880	1 year ext. Dec 2024 – Dec 2025	Unbudgeted Local Operating
101-2022* Vehicle Advertising Services	Sole Source / Contract Modification	Adsposure	\$990,187 (o) <u>\$167,220 (m)</u> \$1,157,407	3 years Jan 2023 – Dec 2025	Unbudgeted Local Operating
02-2023* Downtown Customer Fulfillment Center Design	Sole Source / Contract Modification	MSA Design	\$159,355 (o) <u>\$179,000 (m)</u> \$338,355	2 years Apr 2023 – Mar 2025	Unbudgeted Local Capital
79-2023* Queensgate Structural Column Repairs	Sole Source / Contract Modification	John Cecil Construction LLC	\$184,622 (o) <u>\$170,880 (m)</u> \$355,502	< 1 year Oct 2024 – Jul 2025	Unbudgeted Local Capital
184-2023* Promotional Items	Sole Source / Contract Modification	Economy Advertising	\$90,000 (o) <u>\$160,000 (m)</u> \$250,000	1 year Feb 2024 – Feb 2025	Unbudgeted Local Operating
118-2024* Miami University CADS Program	Sole Source Award / Intergovernmental Agreement	Miami University	\$201,375	3 years Aug 2024 – Jul 2026	Ohio TechCred Program (87%) Budgeted Local Operating (13%)

*denotes non-competitive or non-negotiable award

Project	Method	Vendor	Award	Term	Funding
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Supplier Diversity Summary

Total Awards for Month	\$914,875
Total Diversity Spend for Month	\$330,880 (36.2%)
Addressable Awards	\$--
Effective Participation Rate	--%
2024 Total Spend	\$62,983,669
2024 Diversity Spend	\$6,853,100 (10.9%)
2024 Total Addressable Spend	\$51,200,434
2024 Effective Participation Rate	13.4%

PRESENT NON-
VOTING
MEMBERS:

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
 Mary Huller, Director of Grants and Administration
PROJECT NO.: 29-2020 Grant Consulting Services
REQUEST: Contract Modification

BACKGROUND

Metro utilizes the services of a grant consultant to provide guidance, assistance, implementation, and reporting services as needed for various grant administration activities and responsibilities. This includes fulfilling state and federal reporting requirements, grant applications, obligation of funding, and information requests from FTA, ODOT and other grant making entities.

BUSINESS PURPOSE

Metro is experiencing a higher-than-normal volume of grant awards and will be subject to an FTA triennial review in early 2025. Additional time and funding is needed to leverage the grant consulting services over the coming year.

PROJECT FINANCING

The budget for the project is \$36,400 and will be included in the FY2025 budget review and approval process.

The current contract has a not to exceed value of \$99,480 and is an indefinite-delivery, indefinite-quantity (“IDIQ”) type. The table below reflect the current expenditures as of July 31, 2024:

	2020	2021	2022	2023	2024	Grand Total
Expended	\$ 3,597	\$ 15,904	\$ 29,678	\$ 28,400	\$ 8,184	\$ 85,763

The requested modification amount of \$36,400 is **unfavorable to budget** and will result in a modified not to exceed value of \$135,880.

PROJECT PROCUREMENT

The modification is a sole source award and is exempt from the competitive process. As such, no vendor outreach was conducted.

The modification will extend the contract termination date from December 31, 2024 to December 31, 2025 with no available option years.

PROJECT DIVERSITY

The modification is a sole source award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

**RECOMMENDED BOARD ACTION**

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute a modification to Contract No. 29-2020, on behalf of Metro with O'Callaghan Consulting, increasing the total not to exceed value from \$99,480 to \$135,880, an increase of \$36,400.

PRESENT NON-
VOTING
MEMBERS:

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
 Dave Etienne, Director of Marketing
PROJECT NO.: 101-2022 Vehicle Advertising Services
REQUEST: Contract Modification

BACKGROUND

Metro utilizes a third-party broker to secure advertising that is placed on revenue services vehicles. The current contract is a revenue contract for advertisements to be placed on buses and bus shelters throughout the service area. In addition, the contract includes a line item for vehicle wraps that is to be used when Metro places brand logos or other internally generated content on vehicles.

BUSINESS PURPOSE

In early 2024, Metro introduced a new logo, color palette, and tag line to be used on all Metro assets. Several buses in revenue service require removal of the old logos and placement of the new logos. In addition, Metro leverages advertising opportunities with local vendors such as the Cincinnati Reds, FC Cincinnati, and others that includes wrapping vehicles with content specific to those vendors and/or upcoming events. Due to a higher-than-normal volume of Metro-generated content, additional funding is needed to continue the bus wrap process through the end of 2025.

PROJECT FINANCING

The request is for a modification to the bus wrap line item of the contract. The not to exceed value of the current contract is \$990,187, including \$193,648 for bus wrap services.

The budget for the modification request is \$167,220 and will be included in the FY2025 budget review and approval process.

The current budget for the bus wrap line item of the contract was \$193,648 for 2 years (2023 & 2024). To date, Metro has expended \$190,801 in bus wrap services.

The modification request amount of \$167,220 is **unfavorable to budget** and will result in a modified not to exceed contract value of \$1,157,407.

PROJECT PROCUREMENT

The modification is a sole source award and is exempt from the competitive process. As such, no vendor outreach was conducted.

The contract is set to expire on December 31, 2025.

PROJECT DIVERSITY



The modification is a sole source award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute a modification to Contract No. 101-2024, on behalf of Metro with Advertising Vehicles, Inc. dba Adsposure, increasing the not to exceed value from \$990,187 to \$1,157,407, an increase of \$167,220.

PRESENT NON-
VOTING
MEMBERS:

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
 Scott Enns, Sr. Manager of Capital and TOD Projects
PROJECT NO.: 02-2023 Government Square Transit Center Design
REQUEST: Contract Modification

BACKGROUND

In 2022, SORTA/Metro did a feasibility study to assess the improvement needs for Government Square Transit Center (GSTC) and provide design concepts to upgrade and modernize the facility. Since its construction, GSTC hasn't had any upgrades or renovation work done. Over the past 15 years, numerous issues with the facility have started to develop. Issues such as uneven pavements, fading of glass and canopy colors, deterioration of wooden seats, among others are not only aesthetically unappealing, but are also making the facility somewhat unsafe. MSA's goal as the contracted A&E firm is to finalize the design with various improvements.

BUSINESS PURPOSE

The purpose of this modification is for additional services related to finalizing the design and construction documents for the GSTC. MSA is requested to include additional safety features, enhanced lighting and increased visibility to the design. MSA will also provide A&E services required to renovate and update the liquor store space to a usable Sales Center and office space. The effort will be in conjunction and consistent in design and aesthetics to the GSTC.

PROJECT FINANCING

The budget for the modification request is \$179,000 and will be financed using local capital funding. The table below represents the items of cost for the modification:

Item	Description	Cost
CSTC Modifications	Finalizing enhancements to the design of the information boot and enclosures at platform shelters 'A', 'B', and 'C', including glass roof canopy extensions, introduction of glass windscreens, new seating, additional lighting, IT improvements, new graphics and new signage.	\$142,500
Sales Office Design	Verify existing conditions and assess building systems (i.e., Mechanical, electrical, plumbing, technology, security, etc.); Coordinate with MEP engineers to develop initial mechanical, electrical, technology, and plumbing system designs; Review designs to ensure compliance with local building codes and zoning requirements.	\$36,500
Total Modification		\$179,000



The original not to exceed value of the award was \$159,355. The modified not to exceed value of the award will be \$338,355. The modification amount of \$179,000 is unbudgeted, making it **unfavorable to budget** by \$179,000.

PROJECT PROCUREMENT

The modification is a sole source award and is exempt from the competitive process. As such, no vendor outreach was conducted.

The contract is set to expire on March 31, 2025

PROJECT DIVERSITY

The modification is a sole source award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute a modification to Contract No. 02-2023, on behalf of Metro with MSA Design, increasing the not to exceed value from \$159,355 to \$338,355, an increase of \$179,000.

PRESENT NON-
VOTING
MEMBERS: Trent Emeneker and Greg Simpson

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
 Jeff Mundstock, Director of Fleet & Facilities
PROJECT NO.: 79-2023 Queensgate Structural Column Repairs
REQUEST: Contract Modification

BACKGROUND

The Queensgate bus and maintenance garage is Metro's primary location for daily operations and maintenance of revenue service vehicles. The facility was constructed more than 50 years ago and is in an overall state of disrepair. In 2023, Metro sourced a vendor to perform work to diagnose, repair, and refurbish more than 200 structural columns damaged by rust and deterioration.

BUSINESS PURPOSE

Metro's vendor determined that the condition of many columns was worse than originally believed and has recommended additional inspection by structural engineers to determine the level of degradation and recommend appropriate repairs. Additional time is needed to complete the more comprehensive repairs.

PROJECT FINANCING

The budget for the modification request is \$170,880 and will be financed from local capital funding. The not to exceed value of the original award is \$184,622. The modified not to exceed value will be \$355,502.

The modification request of \$170,880 is unbudgeted, which is **unfavorable to budget** by \$170,880.

The contract expiration date will be extended from October 31, 2024 to July 31, 2025.

PROJECT PROCUREMENT

The modification is a sole source award and is exempt from the competitive process. As such, no vendor outreach was conducted.

The contract is set to expire on July 31, 2025.

PROJECT DIVERSITY

The modification is a sole source award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute a modification to Contract No. 79-2023, on behalf of Metro with John Cecil Construction, LLC, increasing the not to exceed value from \$184,622 to \$355,502, an increase of \$170,880.

PRESENT NON-
VOTING
MEMBERS:

ABSENT NON-
VOTING MEMBERS
AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
PROJECT NO.: 184-2023 Promotional Items
REQUEST: Contract Modification

BACKGROUND

Metro purchases a wide variety of promotional items for customers and staff. Promotional items are an essential part of Metro’s outreach and marketing strategy, with items ranging from pens and notepads to backpacks and polo shirts. Due to the high volume of promotional items purchased each year for a variety of departments within Metro, procurement staff competitively sourced a single vendor to supply all promotional items for a 1-year period. Use of a single vendor allowed cross-departmental project managers to work directly with the vendor on orders above the competitive threshold, which led to faster delivery times for all promotional item orders.

BUSINESS PURPOSE

In early 2024, Metro unveiled a new logo, color palette, and tagline to be used on all promotional materials. Part of the brand refresh strategy was the distribution of promotional items to the public and Metro employees. As such, the original budget for the contract will be exceeded before its expiration. Additional funding is needed to allow for the expedited purchase of promotional items for the remainder of the contract term.

PROJECT FINANCING

The budget for the modification request is \$160,000 and is unbudgeted for FY2024. The contract is an indefinite-delivery, indefinite-quantity (“ID-IQ”) contract with no set spend amount for any given period. The table below reflects the amount expended to date (as of July 31, 2024):

	No. Orders	Cost
Mar	3	\$19,928
Apr	14	\$ 3,769
May	68	\$32,714
Jun	31	\$ 1,767
Jul	11	\$ 2,449
Grand Total	127	\$60,628

Upcoming events (e.g., Family Day, Blink, State of Metro, etc.) in 2024 will require significant promotional item purchases.

The modification request of \$160,000 will result in a modified not to exceed value of \$250,000, which is **unfavorable to budget** by \$160,000.

PROJECT PROCUREMENT



The modification is a sole source award and is exempt from the competitive process. As such, no vendor outreach was conducted.

The contract is set to expire on December 31, 2025.

PROJECT DIVERSITY

The modification is a sole source award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute a modification to Contract No. 184-2023, on behalf of Metro with Economy Advertising, Inc., increasing the not to exceed value from \$90,000 to \$250,000, an increase of \$160,000.

ABSENT NON-
VOTING MEMBERS
AT THE TIME:

None

APPROVED:

August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20, 2024
FROM: John Edmondson, Sr. Director of Procurement
 Ben Cole, Director of Learning
PROJECT NO.: 118-2024 Miami University CADS Program
REQUEST: Contract Award

BACKGROUND

Metro's Information Technology roadmap includes the acquisition and deployment of business data analytics and data visualization tools. Staff expertise in the use of the products being acquired is limited.

BUSINESS PURPOSE

Metro has entered into a partnership with Miami University to provide Metro staff with coursework designed to build proficiency in the use of data visualization tools. Miami University offers a Data Visualization program consisting of 7 courses that provide students with the foundational knowledge needed to build effective analytical models for Metro.

PROJECT FINANCING

The budget for the project is \$201,375 and will be financed using a combination of local operating funds and grant funding from the Ohio TechCred grant program. Program costs for FY2025 and FY2026 will be included in the annual budget review and approval process.

The table below shows the cost of the program and Metro's share of that cost:

	Cost/Student	Max. # Students	Subtotal	Ohio Cred Reimbursement	Metro Share
2024					
Data Visualization x 1 Class (PIlot)	\$895	25	\$22,375	\$19,466	\$2,909
2025					
Storytelling with Data x 1 Class (PIlot)	\$895	25	\$22,375	\$19,466	\$2,909
Power BI Fundamentals x 1 Class (PI)	\$895	25	\$22,375	\$19,466	\$2,909
2026					
Data Visualization (New Cohort)	\$895	25	\$22,375	\$19,466	\$2,909
Storytelling with Data (New Cohort)	\$895	25	\$22,375	\$19,466	\$2,909
Power BI Fundamentals (New Cohort)	\$895	25	\$22,375	\$19,466	\$2,909
Totals		75	\$201,375	\$175,196	\$26,179

The final project cost of \$201,375 is reimbursed at 85% by the Ohio TechCred grant program. The final cost to Metro of \$26,179 is flat to budget.

**PROJECT PROCUREMENT**

The award is a sole source intergovernmental award and is exempt from the competitive process. As such, no vendor outreach was conducted.

PROJECT DIVERSITY

The award is a sole source intergovernmental award and is exempt from the vendor diversity review process. As such, no subcontracting opportunities are available and no vendor diversity analysis performed.

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager/Secretary-Treasurer or the Senior Director of Procurement to execute Contract No. 118-2024, on behalf of Metro with Miami University, with a not to exceed value of \$201,375.

ABSENT NON-
VOTING
MEMBERS AT
THE TIME:

None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20th, 2024

FROM: Jason Roe, Director of Infrastructure & Development Programming
Khaled Shammout, Chief Strategic Planning, Development, & Innovation Officer

PROJECT NO.:

REQUEST: Approval of Recommended 2024 Transit Infrastructure 2024 Transit Infrastructure Fund Projects

BACKGROUND

In May 2020, Hamilton County voters passed Issue 7 which approved a sales and use tax in the amount of eight-tenths of one percent for a period of twenty-five years. Twenty-five percent (25%) of the proceeds of the levy are to be used for public infrastructure projects, primarily but not limited to, bridges and roads.

BUSINESS PURPOSE

The Transit Infrastructure Fund program is intended to assist localities within Hamilton County in improving the state of their transportation infrastructure.

The program is administered by SORTA, although grants made through the program will be awarded/approved by the Public Works Integrating Committee of Hamilton County in accordance with state law.

SORTA issued a general call for projects from the jurisdictions within and including Hamilton County. Projects submitted under this request have been reviewed and scored based upon the project scoring methodology approved by the SORTA Board for this program year.

FINANCIAL CONSIDERATIONS

Round 4 total award amount is \$33,912,888, which includes \$14,500,000 for the Western Hills Viaduct project.

PROJECT CONSIDERATIONS

SORTA received 39 proposals from twenty-five (25) different municipalities in Hamilton County.

RECOMMENDED BOARD ACTION

Approval of a resolution approving the contracts for the approved 2024 Transit Infrastructure Fund projects and authorizing the CEO/General Manager/Secretary-Treasurer to sign these contracts.



Southwest Ohio Regional Transit Authority

Financial Summary - July 2024

Report Out Date – August 20, 2024

Agenda – Financial Summary

- Statement of Operations for July '24
 - Key Drivers
 - Detail Profit & Loss Statement
 - Revenue Chart
 - Expense Chart

- Investment Funds Reserve Summary

- Fuel Hedging Report

- Investment Balance Update (separate attachment)



STATEMENT OF OPERATIONS

Summary

- Total Revenue \$13.9M - favorable to Budget \$277k
- Total Expense \$14.2M - unfavorable to Budget (\$745k) or (5.5%)
- Surplus / (Deficit) (\$0.4M) - unfavorable to Budget (\$468k)
- Note: Ridership total is 1,037k – favorable to Budget 1k or 0.2%

Revenue

- Total Operating Revenue \$1.4M - favorable to Budget \$51k or 3.7%
- Non-Transportation \$0.8M - favorable to Budget \$133k or 19.1%
- County Sales Tax \$10.7M – favorable to Budget \$93k; see additional slide on county sales tax
- Federal Grants \$0.8M - on Budget

Expense

- Wages & Benefits \$11.2M - unfavorable to budget (\$891k) or (8.6%); includes (\$1.4M) cba signing bonus
- Fuel and Lubricants \$693k - unfavorable (\$39k) or (6.0%) to Budget; see additional slide on fuel hedging
- Parts & Supplies \$797k - on Budget
- All Other \$1.5M – favorable to Budget \$185k

Southwest Ohio Regional Transit Authority 2024 Profit & Loss Statement

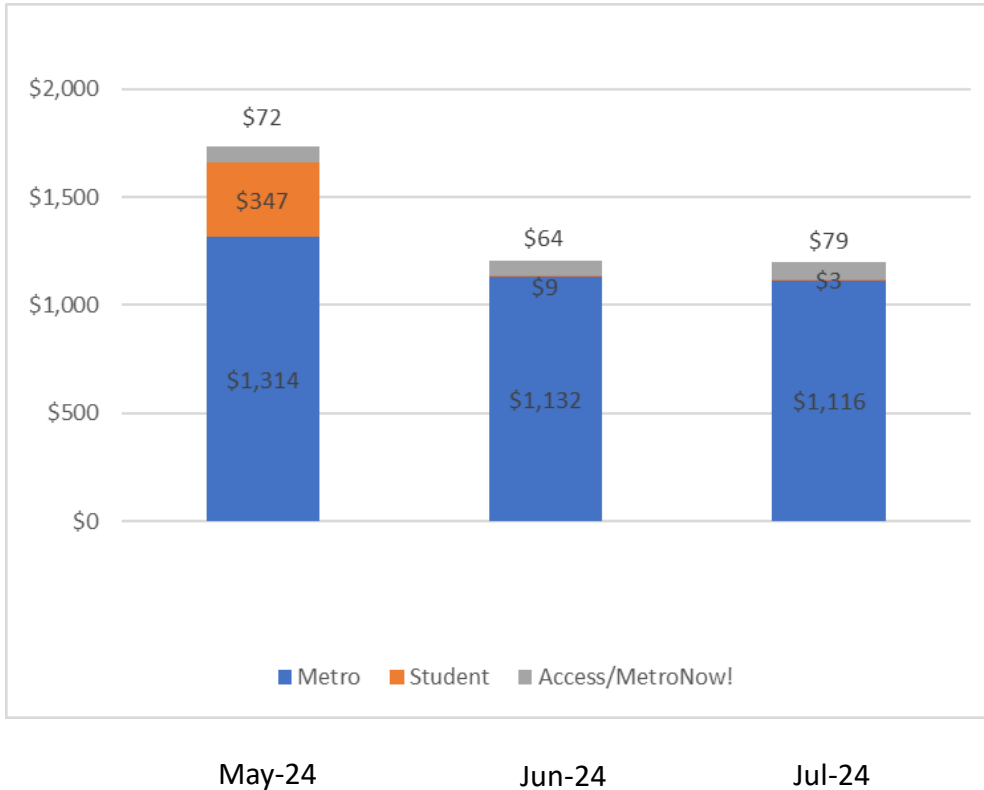


7 Mo Ending July 31, 2024 (\$ In Thousands)	Month				Year to Date				
	Actual	Budget	Fav(Unfav)		Actual	Budget	Fav(Unfav)		Prior Year
Ridership									
Regular	1,011,666	1,011,659	7	0.0%	6,618,474	6,971,370	(352,896)	(5.1%)	6,537,990
CPS	2,914	2,731	183	6.7%	757,636	799,318	(41,682)	(5.2%)	773,448
Subtotal Fixed Route	1,014,580	1,014,391	189	0.0%	7,376,110	7,770,688	(394,578)	(5.1%)	7,311,438
Access	14,952	15,925	(973)	(6.1%)	104,615	111,873	(7,258)	(6.5%)	104,512
MetroNow!	7,578	5,152	2,426	47.1%	42,015	32,320	9,695	30.0%	-
Total Ridership	1,037,110	1,035,468	1,642	0.2%	7,522,740	7,914,881	(392,141)	(5.0%)	7,415,950
Operating Revenue									
Metro Fares	\$ 1,116	\$ 1,107	\$ 9	0.8%	\$ 7,888	\$ 7,662	\$ 226	2.9%	\$ 7,263
Access Fares	64	60	4	6.7%	407	422	(15)	(3.6%)	399
MetroNow! Fares	15	10	5	50.0%	86	65	21	32.3%	4
CPS Fares	3	-	3	n/a	1,722	1,065	657	61.7%	758
Other	237	207	30	14.5%	1,311	1,431	(120)	(8.4%)	1,570
Total Operating Revenue	1,435	1,384	51	3.7%	11,414	10,645	769	7.2%	9,994
Non-Operating Revenue									
County Sales Tax	10,745	10,652	93	0.9%	68,504	70,778	(2,274)	(3.2%)	66,914
ARP	-	-	-	n/a	-	-	-	n/a	19,755
ARP Comp	-	-	-	n/a	-	-	-	n/a	17,500
Federal Subsidies	843	843	-	-	5,899	5,899	-	-	8,400
Non Transportation	831	698	133	19.1%	6,385	5,411	974	18.0%	4,282
Total Non-Operating Revenue	12,419	12,193	226	1.9%	80,788	82,088	(1,300)	(1.6%)	116,851
Total Revenue	13,854	13,577	277	2.0%	92,202	92,733	(531)	(0.6%)	126,845
Expenses									
Employee Wages & Benefits	11,218	10,327	(891)	(8.6%)	68,706	69,789	1,083	1.6%	61,717
Fuel & Lubricants	693	654	(39)	(6.0%)	4,653	4,793	140	2.9%	4,478
Parts & Supplies	797	797	-	-	5,520	5,950	430	7.2%	5,534
Empowerment Fund	-	-	-	n/a	-	-	-	n/a	293
Other	1,519	1,704	185	10.9%	11,292	12,931	1,639	12.7%	10,651
Total Expenses	14,227	13,482	(745)	(5.5%)	90,171	93,463	3,292	3.5%	82,673
Surplus(Deficit) Before Adj	\$ (373)	\$ 95	\$ (468)		\$ 2,031	\$ (730)	\$ 2,761		\$ 44,172

JULY 2024 – FARE REVENUE SOURCES

3 MONTH TREND – MAY 2024 THRU JULY 2024

In Thousands



Month	Days per Month	Avg Rev per Day
May-24	31	\$42
Jun-24	30	\$38
Jul-24	31	\$36

Note: Number of Weekdays within each corresponding month as follows: May 23, Jun 20, Jul 23

County Sales Tax – Year to Date April



	Jan	Feb	Mar	Apr	YTD
CY Actual	\$8,781	\$8,683	\$9,963	\$9,366	\$36,793
Budget	\$9,987	\$9,327	\$10,480	\$9,273	\$39,067
Var \$	(1,206)	(644)	(517)	93	(2,274)
Var %	-12.1%	-6.9%	-4.9%	1.0%	-5.8%
PY Actual	\$8,907	\$8,659	\$10,010	\$9,465	\$37,041
Var	(126)	24	(47)	(99)	(248)
Var %	-1.4%	0.3%	-0.5%	-1.0%	-0.7%

- Year to Date thru April Hamilton County Sales Tax is (\$2.3m) unfavorable to budget and (\$248k) unfavorable to prior year or (0.7%)
- County Sales tax is on a three month lag. Actual April results are received and recorded during July accounting cycle



- The unemployment rate in Hamilton County was below 4.0 percent for most of 2022 and all of 2023. However, it began rising in late 2023 and has been above 4.0 percent since March 2024, increasing to 4.6 percent in May 2024.

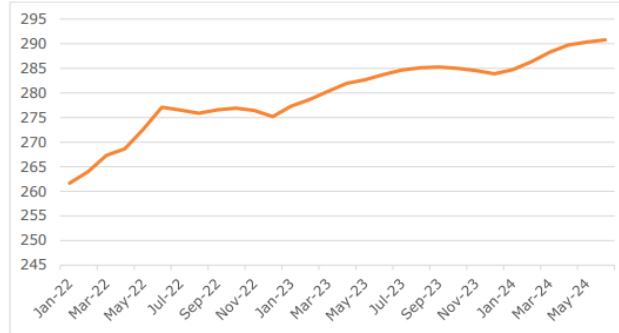
Hamilton County Unemployment Rate 2022-2024



Source: Bureau of Labor Statistics

- The consumer price index measures the overall level of consumer prices, and its growth rate is the most common measure of inflation. Through early 2022, prices grew very quickly, and inflation has generally slowed since then.

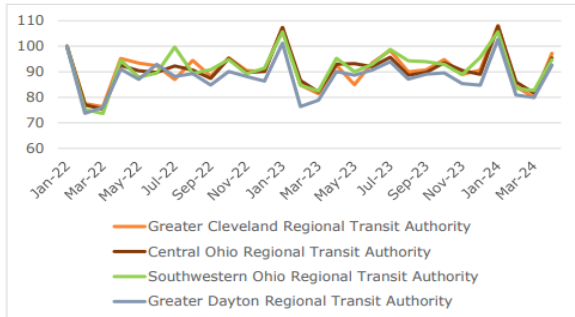
Midwest Consumer Price Index 2022-2024



Source: Bureau of Labor Statistics

- A similar pattern emerges across other regional transit authorities (RTAs), with overall stagnation in sales tax revenues for Greater Cleveland RTA, Central Ohio RTA, and Greater Dayton RTA.

RTA Sales Tax Revenues (100=January 2022) 2022-2024



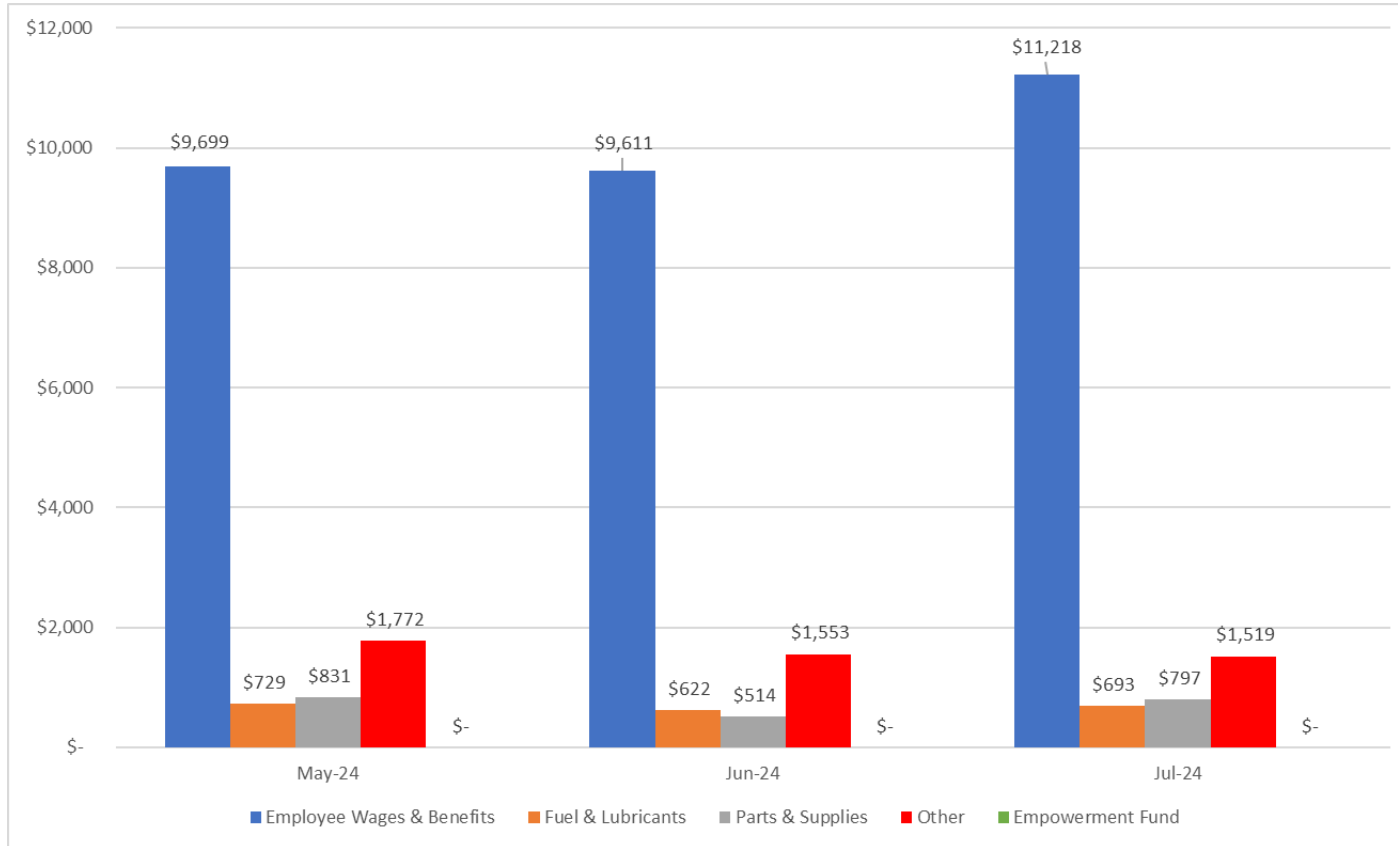
Source: Ohio Department of Taxation

- Revised Metro 2024 Sales Tax projection stands at \$118.9m which is unfavorable for the full year by (\$5.3m) or an additional (\$3.1m) for May thru December.
- Current projection stands at 1.5% increase over prior year compared to budgeted rate 5%.
- Projected compound annual growth rate for Metro’s sales tax revenues is approximately 2.4 percent between 2023 and 2032.

JULY 2024 – OPERATING EXPENSE SOURCES

3 MONTH TREND – MAY 2024 THRU JULY 2024

In Thousands





Investment Funds Reserve Summary

Overnight Investments	\$41,951,376
Securities & CD's	\$137,337,736

Total All Securities (7/31/2024)	\$179,289,112
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Current Capital Reserve Obligations

<i>BRT Project Development (Hamilton & Reading Corridors)</i>	\$36,000,000	
<i>Future BRT Capital Match (Fed 70% & Local 30%)</i>	\$54,000,000	
Total BRT	\$90,000,000	
Local Match - FTA and ODOT Grants	\$6,916,103	
100% Local Projects (<i>Prior Years Open + Current Year</i>)	\$38,228,130	
2 Months of Operating Expenses	\$24,000,000	
All Other Obligations	\$6,500,000	
Total Current Capital Reserve Obligations	\$165,644,233	

Net Unrestricted Securities Available	\$13,644,879
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2024 Remaining Operating Budget Surplus Aug - Dec (Deficit)	\$3,065,602
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Net Unrestricted Securities + '24 Operating Budget Surplus	\$16,710,481
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From Darryl Haley, Metro CEO
& General Manager/Secretary-Treasurer



August 2024

It's been a busy Summer at Metro!

On Aug. 15, we celebrated our 51st anniversary of serving the region. We couldn't be more proud of the impact we've been able to make since the passage of Issue 7 and we appreciate the leadership each of our board members contributes to making our organization a success.

Metro Family Day: Thank you to everyone who joined us for Metro's Family Day at Kings Island on August 17 and 18. It was a great opportunity to connect and celebrate with the several thousand Metro family members and their families. Congrats to our DEI team who led the efforts to put on such an important and impactful event.

Back-to-school on Metro: Staff and members of the board welcomed new and returning 7th-12th grade CPS students back to school on Metro. Thank you to everyone who attended CPS orientations, staffed transit centers during the first week of school and who worked to communicate to families on how to use our system for a successful school year. We've heard positive feedback from the CPS leadership and families.

Awards & Recognition: We are incredibly proud of the local and national recognition of our team members and organization. We were recently named a finalist for the 2024 All About Women "Best Places to Work" Award in the women of color category. Winners will be announced during the All About Women celebration on Sept. 10. We are proud of the intentional culture building to ensure that Metro fosters a diverse and inclusive work environment where all members feel welcomed and valued.

Congratulations to our **Procurement Team** who were recognized with an Achievement of Excellence Award by the National Procurement Institute for demonstrating high proficiency, innovation, professionalism and productivity. Metro is the only transit system in Ohio to ever win this recognition.

Congratulations to Chief Communications & Marketing Officer **Brandy Jones** on being recognized by Cincinnati Magazine as a Power 100: Rising Star.

New service on the road: As part of our Fall service changes, we have added the new Rt. 61 Galbraith Road Crosstown that runs seven days a week every 30 minutes on weekdays and 45 minutes on weekends. The route connects key destinations including Kenwood Mall, the Greyhound Bus Station and UC Drake Medical Center, and puts more jobs within walking distance of Metro.

We're (still) hiring: As we continue to grow our service, Metro will be holding an Access Career Fair Extravaganza on Sept. 28 from 10 a.m.-3 p.m. at the Access Facility. Please help us spread the word to anyone who may be interested in a career as a Metro Access/MetroNow! Operator. Look for more details at go-metro.com/careers.

Save-the-Date: Please be sure to mark your calendar to join us for the "State of Metro" bi-annual meeting on Oct. 9. Check your email for more details.

Thank you,

A handwritten signature in cursive script that reads "Darryl Haley".

Darryl Haley
CEO/General Manager/Secretary-Treasurer



BOARD OF TRUSTEES
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY
RESOLUTION NO. 2024-44

APPROVAL OF EMINENT DOMAIN AUTHORITY FOR WALNUT HILLS TRANSIT CENTER

WHEREAS:

1. Metro operates and maintains bus service to and within the Walnut Hills neighborhood.
2. Metro seeks to build a new regional transit center at 2614 Gilbert Avenue, the northeast corner of Gilbert Avenue and William Howard Taft.
3. SORTA needs to acquire the following four Hamilton County parcels totaling 0.977 acres, (067-0003-0063-00, 067-0003-0071-00, 067-0003-0072-00 and 067-0003-0075-00) for the public use of the construction and efficient operation of a regional transit facility.
4. On June 21, 2024, a Notice of Intent to Acquire and Good Faith Offer, prepared by SORTA's representative Vorys, Sater, Seymour and Pease LLP., was delivered to the property owner. Triple R Associates, LTD. Fort Lauderdale, Florida for the amount of \$740,000 which reflects the fair market value of the property.
5. SORTA staff recommends approval to execute a contract on behalf of SORTA and Triple R Associates LTD. with a not to exceed value of \$740,000.
6. Funding for these purchases have been included in the 2024 budget.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Southwest Ohio Regional Transit Authority:

SECTION 1. That the Board declares it is necessary and proper to appropriate Hamilton County Parcels 067-0003-0063-00, 067-0003-0071-00, 067-0003-0072-00 and 067-0003-0075-00 for the purpose of making public improvements and building a transit facility.

SECTION 2. That the CEO/GM be, and hereby is acting on the advice of counsel, authorized to institute legal proceedings to appropriate the interests in the Property in the manner provided in Ohio Revised Code Chapters 306 and 163.

SECTION 3. That the CEO/GM is here by authorized to cause written notice of the adoption of this Resolution to be transmitted to the owners or persons in possession of and persons having an interest in the Property and said notice shall be served by the appropriate representative of the Authority who shall make return of said service of notice in the manner provided by law.

SECTION 4. That the payment for the appropriation shall be from local funds.

SECTION 5. The CEO/GM be, and hereby is, authorized to take such further action and execute and deliver such further documents as, acting on the advice of counsel, shall be deemed necessary to carry out the intent of this Resolution.

SECTION 6. That the Authority finds and determines that all formal actions of the Authority concerning and relating to the adoption of this Resolution were taken in an open meeting of the Authority.

SECTION 7. That this Resolution shall become effective upon its adoption.

EXHIBIT "A"
LEGAL DESCRIPTION

File No.: 01219-20730

Parcel 1:

The following described real estate situate in the City of Cincinnati, County of Hamilton, State of Ohio, and known as Lot Number Four (4), George W. Williams, per Executors, Subdivision, more particularly described as follows: All that certain lot of land fronting fifty-five (55) feet on the north side of Locust Street, beginning on the east at a point one hundred and twenty-five (125) feet west of Beech Street and extending back with sides at right angles to the front, one hundred (100) feet to the north line of Lot Ninety-Nine (99) as laid down and numbered on the Plat of Lane Seminary Subdivision, duly recorded in said County Records, the premises hereby conveyed being part of said Lot Number Ninety-Nine (99), and is bounded on the west by the lot heretofore conveyed to John Kyle, known as Number 920 Locust Street (presently known as William Howard Taft Road) Walnut Hills, Cincinnati, Ohio. p. 71

A Auditor's Parcel Number: 067-0003-0071-00

Parcel 2:

The following described real estate situate in the County of Hamilton, State of Ohio, City of Cincinnati, and bounded and described as follows: The west Twenty-five (25) feet by Twenty-five (25) feet of Lot Number One Hundred (100) lying One Hundred and Thirty-one hundredths (100.30) feet north of Locust Street and One hundred and twenty-five (125) feet west of Kemper Lane, of the Lane Seminary Ground Subdivision, a plat of which is recorded in Plat Book 2, Page 271 of the Hamilton County, Ohio Recorder's Office. p. 71

Parcel 3:

Situate in the City of Cincinnati, Hamilton County, Ohio, and being a parcel of land twenty-five (25) feet by thirty (30) feet being a part of Lot Number One Hundred (100) of Lane Seminary Subdivision, plat of which is recorded in Plat Book 2, Page 271 of the Hamilton County, Ohio Recorder's Office, adjoining that certain lot of land fronting fifty-five (55) feet on the North side of Locust Street and extending northerly one hundred (100) feet on the north, and further being immediately west of the twenty-five (25) feet by twenty-five (25) feet parcel described in Parcel Two (2) above.

A Auditor's Parcel Number: 067-0003-0075-00

Parcel No.: 067-0003-0071-00 and 067-0003-0075-00

MOVED BY: Blake Ethridge SECOND BY: Dan Driehaus

VOTE Aye: Mr. Brice, Ms. Clark, Mr. Driehaus, Mr. Ethridge, Mr. Kelly, Mr. Metz, Ms. Robinson, Ms. Sheets and Mr. Smith

Nay: None

Abstain: Mr. Gibson

ABSENT AT THE TIME: Jay Bedi, Briana Moss and Jay Bedi

PRESENT NON-VOTING MEMBERS: Trent Emeneker and Greg Simpson

ABSENT NON-VOTING MEMBERS AT THE TIME: None

APPROVED: August 27th, 2024



BOARD OF TRUSTEES ACTION ITEM

DATE: August 20th, 2024

FROM: Scott Enns, Sr. Manager of Capital and TOD Projects
Khaled Shammout, Chief Strategic Planning, Development, & Innovation Officer

PROJECT NO.:

REQUEST: Approval of Eminent Domain Authority for Walnut Hills Transit Center

BACKGROUND

Metro operates and maintain bus service to and within the Walnut Hills neighborhood of Cincinnati. Metro seeks to build a new regional transit center at 2614 Gilbert Avenue, the northeast corner of Gilbert Avenue and William Howard Taft Road. SORTA needs to acquire the following four Hamilton County Parcels totaling 0.977 acres, (Nos. 067-0003-0068-00, 067-0003-0071-00, 067-0003-0072-00 and 067-0003-0075-00) for the public use of the construction and efficient operation of a regional transit facility or access thereto.

BUSINESS PURPOSE

The property acquisition of parcels necessary to construct a new regional transit center.

On June 21, 2024, a Notice of Intent to Acquire and Good Faith Offer, prepared by SORTA's representative Vorys, Sater, Seymour and Pease LLP, was delivered to the property owner, Triple R Associates, Ltd of Fort Lauderdale, Florida.

To date the property owner has not responded to the Good Faith Offer.

The following key points were noted within the June 21, 2024, Good Faith Offer:

1. Ohio law authorizes Metro to obtain the property for the construction and efficient operation of any transit facility or access thereto.
2. The Good Faith Offer included SORTA's determination of the fair market value of the property base upon a Metro property appraisal (04-09-2024).
3. SORTA has provided more than the minimum of 30 days from the time the property owner receive the Good Faith Offer included with the Notice of Intent to Acquire to accept or reject the offer.
4. Metro's representatives have been available to discuss the offer with property owner at any time, and making it clear the property owner is not required to accept SORTA's offer.
5. If the property owner rejects the offer or if the two parties are unable to come to an agreement, Metro may have to exercise their eminent domain authority to appropriate the property, which requires a court procedure.

PROJECT FINANCING

The budget for the project using local operating funds.

PROJECT PROCUREMENT

NA

PROJECT DIVERSITY

NA

RECOMMENDED BOARD ACTION

Staff recommends the Board of Trustees approve a resolution authorizing the CEO/General Manager to move forward and exercise eminent domain authority to appropriate the property (Hamilton County Parcels, Nos. 067-0003-0068-00, 067-0003-0071-00, 067-0003-0072-00 and 067-0003-0075-00) necessary for the public use to construct and operate a transit facility or access there to which requires a court procedure.

