

Resolution 2014 - 31

MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT

**RESOLUTION APPROVING
THE MINUTES OF BOARD MEETING OF
MAY 12, 2014
OF THE
MONTGOMERY COUNTY
TRANSPORTATION IMPROVEMENT DISTRICT
BOARD OF TRUSTEES**


WHEREAS, the Board of Trustees of the Montgomery County Transportation Improvement District (TID) did meet in regular board meeting on May 12, 2014; and

WHEREAS, the TID Board has reviewed the minutes of said meeting and found them, as prepared, to be a full and accurate account of mentioned meeting.

BE IT THEREFORE RESOLVED, by the Board of Trustees of the Montgomery County Transportation Improvement District that the minutes of the regular board meeting of May 12 2014 are hereby approved as prepared and appended to this resolution.

BE IT FURTHER RESOLVED copies of this resolution be provided to the TID Secretary-Treasurer and the Executive Director.

Adopted the 09th day of June 2014.



Chairperson, Montgomery County Transportation Improvement District

Attest:


Secretary/Treasurer

Upon the motion of Mr. Bills.
Seconded by Ms. Singer.
Excused Absence: Mr. Cluxton & Mr. Scott.
Motion was unanimously approved.



Montgomery County Transportation Improvement District Minutes of the May 12, 2014 Board Meeting

The one hundred and fifty ninth meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 208 of the Dayton Convention Center, Dayton, Ohio on May 12, 2014.

Chairman Meyer called the meeting to order at 2:09 PM.

VOTING BOARD

Art Meyer
David Bills
Eric Cluxton

STAFF

Steve Stanley, Executive Director
Crystal Davidson, Project Director
Bev Shillito, General Counsel
Sean Fraunfelder, Finance Director
Melissa Rasnic, Executive Assistant

EXCUSED ABSENCE

Scott Kelly
Stephanie Singer

OTHERS IN ATTENDANCE

Paul Gruner, Montgomery County Engineer
Erik Collins, Montgomery County
Mike Eddy, LJB
Vanessa Glotfelter, BWSC
Nathan Fisher, Woolpert
Mike Raubenott, Woolpert
Paul Goodhue, ME/IBI
Jeff Wallace, Parsons Brinckerhoff

Mr. Meyer asked that everyone in attendance introduce themselves. Self-introductions followed.

Business Meeting

■ Minutes of April 14, 2014 {Resolution 2014-21}

Mr. Meyer referred Board members to minutes of the April 14 2014 TID Board Meeting, copies of which were included in the Board packets. There were no comments or concerns regarding the minutes.

Adoption of Resolution 2014-21, approving the April 14 2014 TID Board Meeting minutes, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ April 2014 Financial Report {Resolution 2014-22}

Mr. Meyer referred Board members to the April 2014 Financial Report, copies of which were included in the Board packets.

Mr. Fraunfelter reported that the \$172,000 payment listed on page 3 was for LJB engineering expenses for the Mound Connector Project. He also explained that the receivable listed on page 12, in the amount of \$434,000, was received from the SIB for Project Walnut. He concluded by explaining that he had used reimbursements from the SIB to make a payment of \$1.2 million toward the principal of the JPMorgan Chase bridge loan. He explained that he and Mr. Stanley would be evaluating how much more of the bridge loan could be retired. Mr. Stanley commented that the term of the bridge loan might need to be extended beyond the end of June.

Mr. Fraunfelter reported that he received confirmation from the TID auditor that the 2013 audit was currently in the review phase.

With no additional comments or questions, adoption of Resolution 2014-22, approving the April 2014 Financial Report, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ April 2014 Bills & Expenses {Resolution 2014-23}

Mr. Stanley referred the Board to Resolution 2014-23 and the summary of bills and expenses for April 2014 which was included in the Board packets. Mr. Stanley highlighted several routine project expenses and recommended approval.

With no additional comments or questions, adoption of Resolution 2014-23, approving the payment of bills and expenses for April 2014, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ Amendment to Revised Austin Landing Phase 2 Development Agreement {Resolution 2014-24}

Mr. Meyer referred the Board to Resolution 2014-24, approving an amendment to the Revised Austin Landing Phase 2 Development Agreement, which was included in the Board packets.

Mr. Stanley recommended that Resolutions 2014-24 through 2014-27 be considered as a group, since they were all interconnected to the Austin Landing Phase 2 Project. Mr. Meyer concurred.

Mr. Stanley explained that Miami Township and RG Properties had agreed to extensive modifications of the Austin Landing Phase 2 Development Agreement and that he and Ms. Shillito had concluded that it would be prudent for the Board to formally consider the modified terms. He briefly summarized the changes to the agreement.

■ Lease and Management Agreement for Austin Landing IV I, LTD. Parking Facility {Resolution 2014-25}

Mr. Stanley referred the Board to Resolution 2014-25, approving a lease with Austin Landing IV I, Ltd. and a Management Agreement with RG Properties, which was included in the Board packets.

Mr. Stanley explained that the agreements were consistent with the requirements of the Revised Austin Landing Phase 2 Development Agreement and the Phase 2 Project Management & Financing Agreement between Miami Township and the TID. He noted that the proposed resolution would approve (1) a long term lease of real property from an RG Properties holding company, Austin Landing IV, Ltd., to be used as a public parking facility and (2) a management agreement with RG Properties for the management of the public parking facility leased by the TID from Austin Landing IV.

■ Lease and Management Agreement for Innovation Pointe I, LTD. Parking Facility {Resolution 2014-26}

Mr. Stanley referred the Board to Resolution 2014-26, approving a lease with Innovation Pointe I, Ltd. and a Management Agreement with RG Properties, which was included in the Board packets.

Mr. Stanley explained that the agreements were consistent with the requirements of the Revised Austin Landing Phase 2 Development Agreement and the Phase 2 Project Management & Financing Agreement between Miami Township and the TID. He noted that the proposed resolution would approve (1) a long term lease of real property from a RG Properties holding company, Innovation Pointe I, Ltd., to be used as a public parking facility and (2) a management agreement with RG Properties for the management of the public parking facility leased by the TID from Innovation Pointe I.

■ Amendment to Lease and Management Agreement with Miami Township, Innovation Pointe I, LTD. and RG Properties {Resolution 2014-27}

Mr. Stanley referred the Board to Resolution 2014-27, approving an amendment to a Lease and Management Agreement among Miami Township; an RG Properties holding company, Innovative Pointe I, LTD; and RG Properties, which was included in the Board packets.

Mr. Stanley explained that the amended Lease & Management Agreement with an RG Properties holding company, Innovation Pointe I, Ltd., RG Properties, and Miami Township would include (1) the lease of real property from Innovation Pointe I, Ltd. to be used as a public park and related roadways and (2) the management by RG Properties of the public park and related roadways leased by the Township from Innovation Pointe I.

Mr. Stanley explained that the TID was not included in the original lease but that it was proposed to be added to the amended lease and management agreement in order to protect the TID's interests

if roadway right of way ended up being included within the boundaries of the leased property in question.

Ms. Shillito explained that the leasing fees for the parking lots and the park would be paid as early upfront lump sum capital lease payments in order to ensure that RG Properties would hold the responsibility for managing the properties. She further explained that no monetary contributions or maintenance expenses would be required of the TID in the future. Mr. Bills inquired about the appearance of gaps within the parking spaces of the exhibit. Mr. Stanley clarified that those would be private spaces and not included in the lease of the public parking.

With no further comments or questions, adoption of

1. Resolution 2014-24, approving an amendment to the Revised Austin Landing Phase 2 Development Agreement, as presented,
2. Resolution 2014-25, approving a Lease Agreement with Austin Landing IV I, Ltd. and a Management Agreement with RG Properties, as presented,
3. Resolution 2014-26, approving a Lease Agreement with Innovative Pointe I, Ltd, and a Management Agreement with RG Properties, as presented, and
4. Resolution 2014-27 approving an Amendment to a Lease and Management Agreement with Miami Township, Innovative Pointe I, Ltd., and RG Properties, as presented,

was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ **Modification ME/IBI Group Engineering Agreement {Resolution 2014-28}**

Mr. Meyer referred the Board to Resolution 2014-28, approving a modification to the ME/IBI Group engineering agreement for Project Walnut, which was included in the Board packets.

Mr. Stanley gave a brief update of the Project Walnut roadway project. He reported that all subgrade beds required for the entire roadway project serving the Project Walnut site had now been constructed. He further reported that the southern end of old Dogleg Road was now ready for the final course of asphalt. He noted that the expansion of the intersection of the new road and Old Springfield Road was nearing completion as well. He commented that RB Jergens subcontractor, Barrett Paving, was placing intermediate asphalt on the roadway beds that were not finished in 2013 and that a final course of asphalt would follow for the entire project.

Mr. Stanley added that there would be a future change order to the contract with RB Jergens in order to add a polyester fiber material to the mix of the final course of asphalt in order to improve the longevity of the pavement. He noted that striping would follow shortly after the final course of asphalt was applied.

Mr. Stanley then addressed the proposed modification of the ME/IBI engineering services agreement. He explained that the proposed modification would authorize additional costs not to exceed \$47,000. He noted that the additional funds would bring the total amount of the agreement to a total not to exceed amount of \$667,665.

Mr. Stanley reported that the Union City Manager had approved the proposed modification. He explained that the additional \$47,000 included in the agreement would support engineering services necessary for roadway design, utility and permit work for the Old Springfield Road Intersection that were not included in the original scope of the consulting agreement.

With no additional comments or questions, adoption of Resolution 2014-28, approving the modification to the ME/IBI Group engineering agreement, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ Authorize TRAC Application {Resolution 2014-29}

Mr. Meyer referred the Board to Resolution 2014-29, authorizing the Executive Director to prepare and submit an application to ODOT's TRAC Program for the 70/75 Airport Logistics Access Project, which was included in the Board packets.

Mr. Stanley explained that this application would be a second request to ODOT's TRAC Program to improve federal and local roadways to accommodate increased traffic, specifically heavy truck traffic, servicing regional industrial parks containing large logistics and distribution facilities near the I-70/75 Interchange and the Dayton International Airport. He recommended that the TID apply to ODOT for TRAC funding for local surface roadway improvements that would both service the Project Walnut and establish better long term surface roadway access around the entire Dayton International Airport. He commented that roadway improvements should include upgrades to the Airport Access Rd and ramps to US 40, US 40 from Dogleg to southern Peter's Pike, Old Springfield Rd from Frederick Pike to northern Peter's Pike, Peter's Pike from Old Springfield to Lightner Rd, some of North Dixie and Northwoods Boulevard to the I-70 Interchange. He commented that a full scope had not yet been established but was in process.

With no additional comments or questions, adoption of Resolution 2014-29, authorizing the Executive Director to prepare and submit the funding request to ODOT's TRAC Program for a 70/75 Airport Logistics Access Project, as presented, was moved by Mr. Cluxton, seconded by Mr. Bills, and unanimously approved.

■ Authorize Preliminary Engineering Agreement with ME/IBI Group for Future Roadway & Related Infrastructure Improvements {Resolution 2014-30}

Mr. Meyer referred the Board to Resolution 2014-30, authorizing the Executive Director to enter into the Preliminary Engineering Agreement with ME/IBI Group for future roadway and related infrastructure improvements, which was included in the Board packets.

Mr. Stanley explained the necessity of beginning to plan for future roadway and utility improvements in the vicinity of Project Walnut and the Dayton International Airport. He requested that the Board authorize him to continue to engage ME/IBI Group to head a consulting team that would assist the TID and its local government partners in the area to begin planning and preliminary engineering for roadway improvements and utility services. He indicated that funds for the proposed professional services agreement were available from the SIB loan and/or the Montgomery County ED/GE grant and noted that the resolution would only authorize an amount not to exceed \$200,000 at this point.

With no additional comments or questions, adoption of Resolution 2014-30, authorizing the Executive Director to enter into the Preliminary Engineering Agreement with ME/IBI Group for future roadway and related infrastructure improvements, as presented, was moved by Mr. Bills, seconded by Mr. Cluxton, and unanimously approved.

■ Public Comments

There were no public comments.

■ Next Meeting

Mr. Meyer confirmed that the next Montgomery County TID Board Meeting would be held in Room 208 of the Dayton Convention Center at 2:00 PM on June 09, 2014.

■ Executive Session

Mr. Meyer suggested that the Board recess to executive session to discuss economic development issues and the Executive Director's evaluation.

Mr. Cluxton moved that the Board recess to executive session. Mr. Bills seconded the motion. Mr. Meyer voted for the motion.

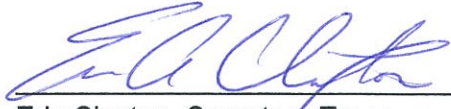
The Board recessed to executive session at 2:35 PM. Mr. Stanley, Ms. Shillito, Mr. Collins, Ms. Davidson, and Mr. Fraunfelter joined the Board in executive session.

Mr. Stanley, Ms. Davidson and Mr. Fraunfelter left the executive session at 2:45 PM.

■ **Adjourn**

The Board returned to open session at 3:18 PM.

With no further business, Mr. Meyer adjourned the meeting at 3:18 PM.



Eric Cluxton, Secretary-Treasurer

Date