



Montgomery County Transportation Improvement District Minutes of the May 16, 2016 Board Meeting

The one hundred and eighty-first meeting of the Montgomery County Transportation Improvement District (TID) was convened in Room 1002 of the Montgomery County Administration Building in Dayton, Ohio on May 16, 2016.

Chairman Mr. Meyer called the meeting to order at 2:01 PM.

VOTING BOARD

Art Meyer
Eric Cluxton
Stephanie Singer

STAFF

Steve Stanley, Executive Director
Crystal Davidson, Project & Development Director
Bev Shillito, General Counsel
Sean Fraunfelder, Finance Director
Anna Deitz, Communication & Project Manager

EXCUSED ABSENCE

Tom Tatham
David Bills

OTHERS IN ATTENDANCE

Erik Collins, Montgomery County C&ED (2:57 PM)
Dave Seagraves, IBI Group
Sam Morton, The Kleingers Group
Jerry F. Mills, Resource International
Dan Hoying, LJB, Inc.
Nathan Fischer, Woolpert
Jay Hamilton, Mead & Hunt
Shelby Ingle, Crawford, Murphy & Tilly, Inc.
Heather Lacey, Crawford, Murphy & Tilly, Inc.
Joe Espelage, CT Consultants
Ralph O'Quinn, PSI

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

Business Meeting

■ Minutes of April 11 and May 3, 2016 {Resolution 2016-27}

Mr. Stanley explained that Ms. Deitz had completed the initial drafts of the minutes of both meetings, but that he had not completed his review and editing of those drafts. He asked that the Board table action until the next regular TID meeting. Mr. Meyer tabled consideration of the April 11 and May 3 TID Board meetings.

■ Financial Report: April 2016 {Resolution 2016-28}

Mr. Meyer referred the Board to Resolution 2016-28 and financial reports for April 2016 that were included in the Board packets.

Mr. Fraunfelter referred the Board to the Operating Fund Report on Page 1 and the Freight Rail Fund Report on Page 17, noting the deposit of \$75,000 and \$100,000 from the City of Dayton for the projects being carried out by the TID in conjunction with the Dayton International Airport. He also noted a deposit reported on Page 17 from the City of Union of \$883,091.46 per the requirements of the agreement among Union, Montgomery County, and the TID in connection with the Proctor & Gamble Dayton Mixing Center (Project Walnut. He noted that the \$883,000 deposit exceeded the required initial payment of debt service on the ODOT SIB Loan and the Port Authority's bond by \$190,000.

Mr. Stanley explained that under contract, the City of Union must transmit to the TID (as the County's agent) the proceeds of the TIF revenue, which the TID will hold on behalf of the parties until there is a determination among the three parties about how excess funds will be expended. Mandatory expenses from these funds are the debt service payments for the Port bonds and the SIB loan.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-28, approving the financial report for April 2016, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ April 2016 Bills & Expenses {Resolution 2016-29}

Mr. Meyer referred the Board to Resolution 2016-29 and the summary of bills and expenses for April 2016 included in the Board packets.

Mr. Stanley commented that the expenses for April 2016 were relatively routine. He explained that there had been a slight increase in the audit contract with Plattenburg, the CPA performing the TID's audit, and noted that Mr. Fraunfelter had successfully negotiated the firm's fee increase downward from the amount originally proposed.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-29, approving the payment of bills and expenses for April 2016, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

■ The Kleingers Group Proposal for Landscape Architectural Services for the I-75 Gateway Project {Resolution 2016-30}

Mr. Meyer referred the Board to Resolution 2016-30 and the Kleingers Group Proposal for Landscape Architectural Services for the I-75 Gateway Project that was included in the Board packets.

Ms. Davidson explained that the TID had previously entered into a Pedestrian Access Projects Management and Financing Agreement (PMFA) with Miami Township which had engaged the TID in design, engineering, and construction for the pedestrian access improvements along Lyons Road. She explained that the PMFA also had provided terms for the TID and the Township to engage in preliminary engineering and feasibility studies for additional related projects in connection with the Dayton Mall Master Plan. One of those additional projects, she noted, was the I-75 Aesthetic Gateway Project at the interchange of Interstate 75 and State Route 725. Ms. Davidson explained that the Dayton Mall Joint Economic Development District (JEDD) would like to expand the scope of that project to incorporate the design and cost estimate of landscape enhancements in the 75/725 Interchange infields. She recommended that the TID engage the Kleingers Group to perform the requested

landscape design in order to maintain continuity with the landscape design plans that had already been created for the Austin interchange by the Kleingers Group. Ms. Davidson explained that the Kleingers Group had been asked to provide a proposal for the landscape conceptual design services for the expanded Gateway Project and that its fee for conceptual design would not exceed \$16,504.

Mr. Stanley reminded the Board that the TID's PMFA with Miami Township allowed the Township to assign sub-projects listed in the PMFA to other parties with the TID's agreement and that the Gateway Project was one of those sub-projects. He added that the JEDD Board would have to agree to expand the scope of its approved contract with the TID.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-30, approving the Kleingers Group proposal and authorizing the Executive Director to negotiate & execute an agreement with Kleingers not to exceed \$16,504, based on the proposal, as presented, was moved by Mr. Cluxton, seconded by Ms. Singer, and unanimously approved.

■ Air Cargo Access Improvement Management & Financing Agreement (Resolution 2016-31)

Mr. Meyer referred the Board to Resolution 2016-31 and the Air Cargo Access Improvement Management & Financing Agreement that was included in the Board packets.

Mr. Stanley reminded the Board that they had accepted proposals for engineering services from IBI Group and Passero Associates for the Dayton Air Cargo Access Improvements Projects (Projects), in anticipation of the execution of an agreement with the City of Dayton. He further explained that the proposed resolution would approve the project agreement between Dayton and the TID that would memorialize the anticipated funding of the Projects and the respective roles & responsibilities of the parties. He noted that the proposed agreement was similar to previous agreements with Dayton with the TID serving in a turn-key project delivery role on behalf of the City. He stated that, while the bulk of Projects funding would be coming from Dayton, the TID would be responsible for seeking and obtaining funds from third parties.

Ms. Shillito noted specific provision stating that the financial resources of the TID would not be committed to the Projects.

Mr. Meyer asked about the TID fee of \$25,000 for first phase of each project, and noted that the TID would receive 3% of the construction costs. Ms. Shillito explained that the agreement contained provisions designed to protect the TID and that the initial fees would be credited toward the final fee totals when the Projects advanced to construction.

Following discussion and response to Board questions and comments, adoption of Resolution 2016-31, approving the Air Cargo Access Improvement Management & Financing Agreement, as presented, was moved by Ms. Singer, seconded by Mr. Cluxton, and unanimously approved.

Mr. Stanley asked that Ms. Davidson give an update about the Signal Project which, upon completion, would allow the TID to bring the Austin Landing Phase II project to a close.

Ms. Davidson reminded the Board that the single piece of equipment holding-up the completion of the project had been obtained more quickly than expected and that all that remained to be done was to remove the temporary signal

poles and coordination with DP&L to obtain power. She predicted that the permanent signal would soon be fully functional and that the contractor would have until June 10th to finish punch-list items.

Mr. Stanley added that the biggest change that this permanent signal would bring to the area is that the bikeway through Waldruhe Park would finally be connected to the bike lane on the perimeter of Austin Landing, providing for safe pedestrian and bike crossing.

■ **Public Comments**

There were no public comments.

■ **Next Meeting**

Mr. Meyer asked if the next Montgomery County TID Board Meeting would be held on June 13th and Mr. Stanley responded that he would be out of town on that date but that the TID would follow up with a later date according to Board members' schedules.

■ **Executive Session**

Ms. Shillito suggested that the Board recess to executive session to discuss projects in the northern part of Montgomery County and other political subdivisions related to requests for economic development assistance and public infrastructure improvements for projects in connection with (A) the 70/75 Airport Logistics Access Project and related northern Montgomery County projects and (B) southern Montgomery County projects including the Austin Interchange.

Mr. Cluxton moved that the Board recess to executive session to discuss economic development, as suggested by Ms. Shillito. Ms. Singer seconded the motion. Ms. Singer voted for the motion. Mr. Cluxton voted for the motion. Mr. Meyer voted for the motion.

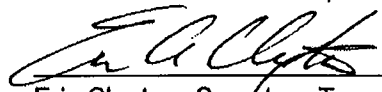
The Board recessed to executive session at 2:30 PM. Mr. Stanley, Ms. Shillito, Ms. Davidson, Ms. Deitz, Mr. Gruner, and Mr. Fraunfelder joined the Board in executive session.

Mr. Collins entered the meeting at 2:57 PM.

■ **Adjourn**

The Board returned to open session at 3:44 PM.

With no further business, Mr. Meyer adjourned the meeting at 3:44 PM.


Eric Cluxton, Secretary-Treasurer

7-11-16
Date