

BOARD OF TRUSTEES  
SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY

MINUTES OF: Regular Meeting of the SORTA Board of Trustees

DATE: Tuesday, May 8, 2007, 9:30 a.m.  
The SORTA/Metro Board Room  
1014 Vine Street, Suite 2000  
Cincinnati, Ohio, 45202

BOARD MEMBERS

PRESENT: Robert W. Buechner Robert P. Mecklenborg  
Steven P. Goodin Roxanne Qualls  
Margaret C. Gutsell Melody Sawyer Richardson  
Stephan M. Louis Lamont Taylor  
William L. Mallory, Sr.

STAFF MEMBERS

PRESENT: Michael H. Setzer William J. Desmond  
H. Theodore Bergh David M. Warning  
Michael L. Brown Suzanne M. Gilkey  
Sallie L. Hilvers Colin R. Groth  
Timothy J. Reynolds Carole E. Senior  
Richard L. Moore Patricia A. Drybala  
(Legal Counsel)

OTHERS

PRESENT: Ed Lenihan, Center for Independent Living Options  
Carolyn Miller, League of Women Voters  
Reggie Victor, City of Cincinnati  
Kevin Osborne, CityBeat  
Will Scott, Professional Transit Management Ltd.

CALL TO ORDER: Mr. Lamont Taylor, Chairman of the SORTA Board, noted the presence of a quorum and called the meeting to order.

HEARINGS FROM CITIZENS: Mr. Lenihan remarked about his recent experience on a new Access bus, specifically welcome improvements to the rear seat and railing.

APPROVAL OF MINUTES: Mrs. Richardson made a motion that the minutes of the April 10, 2007 regular meeting be approved as previously mailed and Mr. Buechner seconded the motion.

The Board unanimously approved the minutes.

MEET THE TEAM: Mr. Setzer introduced Dave Warning, Graphics Design Coordinator, and Suzanne Gilkey, Graphics Assistant.

**COMMITTEE REPORTS**

OPERATIONS AND MANAGEMENT COMMITTEE

Ms. Qualls stated that the Committee met and has the following items to be presented to the Board:

Proposed Resolution No. 2007-21, Approval of the Government Square & Bus Stop Cleaning Contract

Ms. Qualls moved for adoption and Mr. Buechner seconded the motion. This resolution approves renewal of the contract with Downtown Cincinnati Inc. to continue the janitorial cleanliness of the Government Square facility and bus stops/shelters in the Cincinnati business district for one year at a cost not to exceed \$114,965.

By roll call vote the Board unanimously approved Resolution No. 2007-21.

Proposed Motion, Amend The 2007 Capital Plan To Include The Purchase of Cameras For Access Vehicles and Approve Purchase Under The Safety Vision Contract

Ms. Qualls moved for adoption and Mrs. Richardson seconded the motion. This motion approves amendment to the 2007 Capital Plan to reduce the number of buses included to allow for the purchase of Access vehicle cameras at a cost not to exceed \$300,000, previously authorized for purchase from Safety Vision.

By voice vote the Board unanimously approved the motion.

Proposed Resolution No. 2007-22, Approval of Expenditure For Second Street/Riverfront Transit Center Structural Analysis

Mr. Taylor moved for adoption and Mr. Mecklenborg seconded the motion. This resolution approves the expenditure of \$115,000 from the Riverfront Transit Center parking revenues in excess of expenses to the City of Cincinnati for a Second Street structural analysis.

By roll call vote the Board unanimously approved Resolution No. 2007-22.

Proposed Resolution No. 2007-23, Approval of Fare Zone Boundaries For Access Service

Ms. Qualls stated that the Committee was not bringing this resolution forward for Board approval at this time. Staff agreed to respond to the Committee's questions at the next Operations & Management Committee meeting.

Proposed Resolution No. 2007-23, Approval of Contract For Rebranding Thirty-Six (36) Buses

Mr. Buechner moved for adoption and Mr. Mallory seconded the motion. This resolution approves rebranding thirty-six high floor buses and awards the contract to Roadboardz Ads at a total cost not to exceed \$50,400.

The Board requested that before any brand bus is wrapped with advertising, the Operations & Management Committee be consulted before for their approval.

By roll call vote the Board unanimously approved Resolution No. 2007-23.

Proposed Resolution No. 2007-24, Approval To Purchase Access Non-Revenue Road Supervisor Vehicle

Mr. Louis moved for adoption and Dr. Gutsell seconded the motion. This resolution approves the purchase of one Access road supervisor vehicle from The Braun Corporation at a cost not to exceed \$28,342.

By roll call vote the Board unanimously approved Resolution No. 2007-24.

PLANNING AND DEVELOPMENT COMMITTEE

Mr. Buechner stated that the Committee met and has the following item to be presented to the Board:

Proposed Resolution No. 2007-25, Approval of Cincinnati Public Schools Service Agreement

Mr. Buechner moved for adoption and Mr. Taylor seconded the motion. This resolution authorizes staff to execute a renegotiated agreement with Cincinnati Public Schools.

By roll call vote the Board unanimously approved Resolution No. 2007-25.

Mr. Buechner revisited the Monthly Financial Report (March), highlighting the negative variance due in large part to the delayed payment from the City at the 2007 appropriation level and the lack of the fare increase which had been budgeted. He emphasized the impact to SORTA's ability to balance the budget and plan for future bus purchases.

Mr. Setzer reviewed action taken to-date by staff to secure City Council approval of the fare increase. Ms. Qualls suggested staff prepare a page of bullet points outlining the issue and the consequences to gain better understanding from Councilmembers.

Mr. Buechner suggested SORTA enlist the understanding and support of the AMOS Project. Mr. Taylor stated that he would contact Joyce McKinley of the AMOS Project.

Mr. Buechner briefly reviewed the information items from the Planning & Development Committee agenda. He then asked Tim Reynolds to proceed with his Small Bus Analysis presentation that was moved from the Planning & Development Committee to the Board meeting for the benefit of all the Trustees.

GENERAL MANAGER'S REPORT

Mr. Setzer updated the Board on the current status of the Warren County Rt. 71/72 Service renewal, stating that the Warren County Board of Commissioners had voted to increase the fare from \$2.25 to \$3.25, but staff was waiting to hear from the other funding partners, Deerfield Township, City of Mason, and Hamilton County before bringing respective agreements to the Board.

Mr. Setzer asked Richard Moore to explain restrictions by the Ohio Open Meetings Act placed on the Board's ability to conduct business or hold deliberations through the use of e-mails or sequential telephone conversations with a majority of the board members. Mr. Moore explained that the Open Meetings Act requires that all Board action and deliberations take place in open meetings and that this requirement cannot be circumvented through the use of serial individual meetings or communications with individual board members.

Mr. Setzer also asked Mr. Moore to address restrictions placed on individual board members speaking on behalf of the Board without Board authorization. Mr. Moore explained that this issue was more of a Board policy issue than a legal question and that this issue would probably be best addressed through the adoption of a Board policy on communications. Mr. Taylor suggested that the Board's policy be reviewed with the assistance of Sallie Hilvers, Chief Communications Officer, and presented to the Board for approval.

Mr. Moore also reminded the Board that in addition to the Open Meetings Act, the Ohio Open Records Act required that all communications among board members dealing with the official business of the Board, were subject to public disclosure through an open records request.

NEW BUSINESS

Mr. Taylor informed the Board that the American Public Transportation Association (APTA) has decided to hold their 2009 Transit Board Members Seminar in Cincinnati.

The next regular meeting of the SORTA Board of Trustees is tentatively scheduled for Tuesday, June 12, 2007, 9:30 a.m., SORTA/Metro Board Room, 1014 Vine Street, Suite 2000, Cincinnati, Ohio.

Mr. Taylor made a motion that the meeting be adjourned and Mr. Buechner seconded the motion. The Board unanimously approved the motion and the meeting adjourned at 10:55 a.m.

APPROVED:

ATTESTED:

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Stephan M. Louis  
Vice-Chairperson

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H. Theodore Bergh  
Secretary-Treasurer