

**Meeting Minutes of the Board of Directors  
November 17, 2016**

The Pledge of Allegiance was recited.

**ROLL CALL**

The tenth meeting in 2016 of the Toledo-Lucas County Port Authority Board of Directors was called to order at 8:00 a.m. on Thursday, November 17, 2016, at One Maritime Plaza, 2<sup>nd</sup> Floor, Classrooms A and B, Toledo, Ohio.

The following members were present: Chairman James M. Tuschman, Vice Chairman John S. Szuch, Directors William J. Carroll, Bernard H. Culp, David Fleetwood, Dr. Lloyd A. Jacobs, Andrea R. Price, Nadeem Salem, Sharon Speyer, and Baldemar Velasquez.

The following members were absent: Director Dr. Imran Andrabi, G. Opie Rollison and George Tucker.

**APPROVE MINUTES OF MEETING SEPTEMBER 22, 2016**

The minutes of the September 22, 2016 meeting were presented for approval, copies having been distributed in advance to all directors. On motion by Director Tuschman, seconded by Director Carroll, and unanimously carried, the minutes were approved as submitted,

**PUBLIC COMMENT PERIOD**

Chairman Tuschman requested comments from the public. Hearing none, he proceeded with the order of business.

**REPORT AND COMMUNICATIONS FROM THE CHAIR: JAMES M. TUSCHMAN**

Chairman Tuschman reported that two new Board Members have been appointed and introduced David Fleetwood. Dr. Imran Andrabi was not present due to travel. Chairman Tuschman informed the directors that pictures will be taken before and after the December board meeting. A Nomination Committee has been assembled; Directors Carroll, Salem and Szuch will serve on this Committee. Chairman Tuschman reported that Vice Chairman Szuch will not serve as Vice Chairman in the new year due to his schedule.

**RESOLUTION IN HONOR A. BAILEY STANBERY**

Chairman Tuschman introduced A. Bailey Stanbery and read aloud

**RESOLUTION NO. 77-16**

**Resolution in Honor of A. Bailey Stanbery**

On motion by Director Tuschman, seconded by Director, and unanimously carried, the resolution was adopted. The resolution in its full text is incorporated in the Resolutions Journal of the Port Authority.

**REPORT BY THE PRESIDENT & CEO: PAUL L. TOTH, JR.**

Mr. Toth reported that construction at Overland Industrial Park is making great progress. Wrangler Drive has been installed and poured. The parking lot paving will be done next week. Mr. Toth also reported that the staff participated in the annual Diversity and Inclusion training at Toledo Express Airport. Mr. Toth further reported that the buyout on the Dana Building has been completed and that the Port Authority is waiting to close on the financing provided by JobsOhio. Mr. Toth reported that Getro Jean-Claude, Port Authority Financial Analyst, received the 20 Under 40 Award which recognizes Toledo area leaders under the age of 40 who have been influential in the region. Mr. Toth reported that, on behalf of the staff, he accepted an award from Ohio Economic Development Association, 2016 Annual Excellence Award for Best Project (Dana at Overland Industrial Park).

**PRESENTATION BY TIM W. BROWN, PRESIDENT OF TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS (TMACOG)****REPORT REGARDING ACQUISITION OF GOODS, EQUIPMENT, MATERIEL AND SERVICES FOR QUARTER ENDING SEPTEMBER 30, 2016**

Mr. Toth reported on third quarter 2016 acquisitions made under Resolution No. 3-13 costing \$10,000 to \$100,000 and paid with funds appropriated in existing budget, for which all applicable requirements, including bidding have been met. Furthermore, Mr. Toth stated that no action is required by the board.

**RECOMMENDATIONS AND REPORTS FROM STANDING COMMITTEES AND DIVISIONS****FINANCE COMMITTEE****CONSIDER EXPENDITURES THROUGH OCTOBER 2016**

Director Szuch reported that the Operating Budget through October 2016 shows \$652,400 excess operating revenues over operating expense. This is ahead of budget by \$574,700.

The Finance Committee recommended approval of the Expenditures through October 2016.

After discussion, on motion by Director Szuch, seconded by Director Carroll, and unanimously carried, the Expenditures through October 2016 were approved as submitted.

**CONSIDER ACCEPTING AMOUNTS AND RATES AS DETERMINED BY BUDGET COMMISSION AND AUTHORIZING NECESSARY TAX LEVIES AND CERTIFYING THEM TO COUNTY AUDITOR**

Director Szuch reported that Section 5705.34 of the Ohio Revised Code requires that each taxing authority, including the Port Authority, annually authorize by resolution the necessary tax levies to be collected for the following year.

In 2013, voters of Lucas County approved a 0.40 mill property tax levy for the general purposes of the Port Authority. The levy runs five (5) years, which began January 1, 2014, for distribution in 2015, and is estimated to provide the Port Authority with about \$2.1 million annually.

The Finance Committee recommended adoption of a resolution authorizing the County Auditor to collect the 0.40 mill tax in 2017 on behalf of the Port Authority.

After discussion, on motion by Director Szuch, seconded by Director Salem, and unanimously carried;

### **RESOLUTION NO. 78-16**

#### **Authorizing Accepting Amounts and Rates as Determined by Budget Commission and Authorizing Necessary Tax Levies and Certifying Them to County Auditor**

was adopted. The resolution in its full text is incorporated into the Resolutions Journal of the Port Authority.

### **CONSIDER APPROPRIATION FOR CAPITAL LEASE FOR MITSUBISHI CHEMICAL PERFORMANCE POLYMERS RAIL SPUR**

Director Szuch reported that in July 2016, the Board of Directors approved a ten (10) year capital lease structure with Mitsubishi Chemical Performance Polymers, Inc. ("MCP") for the installation of rail spur and associated improvements. In addition, the Board authorized the application for a loan from the Ohio Department of Transportation State Infrastructure Bank in the amount of \$375,000 to be used for the construction of the rail spur on land owned by MCP located at 350 N. Buckeye Street in Bellevue, Ohio.

The Finance Committee recommended adoption of a resolution, authorizing the President to sign a ten (10) year Capital Lease with MCP for the construction of a rail spur, and appropriating \$375,000 from Port Authority Reserves to partially fund the project, which together with grant funds from Jobs Ohio, the Ohio Rail Development Commission, and a capital contribution from MCP, provides for the total project cost of \$775,000.

After discussion, on motion by Director Szuch, seconded by Director Jacobs, and unanimously carried;

### **RESOLUTION NO. 79-16**

#### **Authorizing Appropriation for Capital Lease for Mitsubishi Chemical Performance Polymers Rail Spur**

was adopted. The resolution in its full text is incorporated into the Resolutions Journal of the Port Authority.

### FINANCING PROGRAMS DASHBOARD

Director Szuch presented the Financing Programs Dashboard.

### BETTERBUILDINGS NORTHWEST OHIO PROGRESS REPORT

Teresa Smith reported on recent and current projects being undertaken by the BetterBuildings Northwest Ohio program.

### NORTHWEST OHIO BOND FUND TRUSTEE REPORT

Director Szuch presented the Northwest Ohio Bond Fund Trustee report.

### TRANSPORTATION & OPERATIONS COMMITTEE

#### CONSIDER DECREASE OF CUSTOMER FACILITY CHARGE AT THE CONSOLIDATED CAR RENTAL FACILITY AT TOLEDO EXPRESS AIRPORT

Director Carroll reported that the Rental Car Customer Facility Charge (the "CFC") at Toledo Express Airport was implemented in 2002. In May 2008, the Board authorized the Port Authority to construct the Consolidated Rental Car Facility and application for financing. In August 2008, the car rental agencies requested that the CFC collection amount be increased to \$3.50 per rental car contract day to pay the debt associated with the construction of the Facility.

The Transportation and Operations Committee recommended adoption of a resolution authorizing a decrease in the Consolidated Car Rental Facility CFC collection from \$3.50 per rental car contract day to \$2.00 per rental car contract day to cover Facility costs at Toledo Express Airport.

After discussion, on motion by Director Carroll, seconded by Director Culp, and unanimously carried;

#### RESOLUTION NO. 80-16

#### Authorizing Decrease of Customer Facility Charge at Consolidated Car Rental Facility at Toledo Express Airport

was adopted. The resolution in its full text is incorporated in the Resolutions Journal of the Port Authority.

### TOLEDO EXPRESS AIRPORT STATISTICS

### SEAPORT STATISTICS

### AMTRAK RIDERSHIP

### PLANNING & DEVELOPMENT COMMITTEE

#### **CONSIDER JOBS AND COMMERCE ECONOMIC DEVELOPMENT AGREEMENT FOR CONSTRUCTION OF WRANGLER DRIVE**

Director Speyer reported that a key component of the development of Overland Industrial Park is to construct a 1,400' roadway that will provide access to the new Detroit Manufacturing Systems building from Jeep Parkway. This new roadway, aptly named Wrangler Drive, is estimated to cost \$1,426,532. Funding for construction will come in part from the Ohio Development of Transportation ("ODOT") Jobs and Commerce Economic Development Fund in the amount of \$250,000 or eighteen percent (18%) of the total project cost, whichever is the lesser amount, on a reimbursement basis.

The Planning and Development Committee recommended adoption of a resolution authorizing the President to accept funding from ODOT and enter into an Economic Development Agreement with ODOT based on the terms detailed.

After discussion, on motion by Director Speyer, seconded by Director Carroll, and unanimously carried;

#### **RESOLUTION NO. 81-16**

#### **Authorizing Jobs and Commerce Economic Development Agreement for Construction of Wrangler Drive**

was adopted. The resolution in its full text is incorporated in the Resolutions Journal of the Port Authority.

#### **CONSIDER CONSTRUCTION CONTRACT FOR ACCESS ROAD AND UTILITIES IMPROVEMENTS AT CENTER OF INNOVATION FOR BENEFICIAL USE OF DREDGED MATERIAL CELLS (SALENBIEN TRUCKING & EXCAVATION)**

Director Speyer reported that in October 2014, this Board authorized the President to accept grant funding from the Ohio Department of Natural Resources through its Healthy Lake Erie Fund and to enter into an agreement with the City of Toledo to utilize City property to implement projects involving the beneficial use of dredged material. This project will consist of a new access road, installation of a new waterline and new sanitary sewer installation.

The Planning and Development Committee recommended adoption of a resolution authorizing the President to enter into a contract for the construction of a new access road, installation of a new waterline, and new sanitary sewer installation at the Center of Innovation for Beneficial Use of Dredged Material Cells with Salenbien Trucking & Excavating, in an amount not to exceed \$863,418.91, and authorizing payment, including up to a ten percent (10%) contingency, to be paid from proceeds of the Healthy Lake Erie Fund grant.

After discussion, on motion by Director Speyer, seconded by Director Salem, and unanimously carried;

## RESOLUTION NO. 82-16

**Authorizing Construction Contract for Access Road and Utilities Improvements at Center of Innovation for Beneficial Use of Dredged Material Cells (Salenbien Trucking & Excavation)**

was adopted. The resolution in its full text is incorporated in the Resolutions Journal of the Port Authority.

### GOVERNMENT, COMMUNITY & HUMAN RELATIONS COMMITTEE

#### **CONSIDER COMMUNITY ECONOMIC DEVELOPMENT INITIATIVE GRANT FOR HISTORIC SOUTH INITIATIVE PROJECT**

Director Price, Government, Community and Human Relations Committee chair, reported that an application has been submitted by Historic South Initiative requesting a \$35,000 grant to provide street lighting along Broadway Street and adjoining cross-streets. The Historic South Initiative was formed under 501(c)(3) of the U.S. Internal Revenue Code to provide greater safety, economic development, and revitalization of the old south end neighborhood.

The Government, Community and Human Relations Committee recommended adoption of a resolution authorizing a grant agreement with the Historic South Initiative and the expenditure of \$35,000 of previously-appropriated funds from the Property Tax Fund for eligible development costs.

After discussion, on motion by Director Price, seconded by Director Jacobs, and unanimously carried, the recommendation was tabled; the street lighting project will be reconsidered in December.

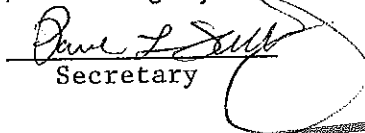
### DIVERSIFIED CONTRACTORS ACCELERATOR PROGRAM (DCAP) REPORT

Director Price reported that capital requests in the amount of \$10,000 have been approved since last update. One new Contractor has been accepted into DCAP, Wamba Remodeling & Maintenance Contracts, resulting in 51 total participants. Approvals to date: \$3,991,937.

### OTHER BUSINESS

### ADJOURN

There being no further business, the meeting adjourned at 9:40 a.m.

  
Secretary

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Chairman