

## MINUTES

### CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY BOARD OF DIRECTORS MEETING Thursday, October 13, 2016

The regular Meeting of the Cleveland-Cuyahoga County Port Authority Board of Directors was held at the Aloft Hotel located at 1111 West 10<sup>th</sup> Street, Cleveland, Ohio on Thursday, October 13, 2016. The meeting was called to order by Chairman Ronayne at 8:45 a.m. Attendance by roll call showed the following:

#### PRESENT

Chris Ronayne, Chair  
Diane Downing, Vice Chair  
Anthony Moore, Secretary  
Harriett Applegate  
Darrell McNair  
Patricia Ramsey  
Jan Roller  
Robert Smith

#### ABSENT AND EXCUSED

Paul Hoogenboom

#### ALSO PRESENT

W. Friedman, President & CEO  
D. Gutheil, VP, Maritime & Logistics  
M. Freilino, Office Manager & Exec. Asst. to CEO  
M. Rivalsky, Controller  
R. Bever, Project Accountant  
L. Bohinc, Finance Coordinator  
G. Woodson, Director, Development Finance & Inclusion  
L. Sternheimer, Director, Urban Planning & Engagement  
J. White, Director, Sustainable Infrastructure Program  
N. LaPointe, Director, Planning & Capital Development  
J. Davis, Vice President, External Affairs  
J. Magyar, Director, Operations & Facilities  
J. McJunkin, FMT  
I. MacDougall, Walter Haverfield  
G. Killeen, Tucker Ellis  
D. Wilcox, Climaco, Wilcox, Peca, Tarantino & Garofoli Co., L.P.A

#### APPROVAL OF MINUTES

The minutes of the Board of Directors meeting of September 8, 2016 were presented for approval by the Board, copies having been delivered in advance to all Directors. On motion by Director Ramsey, seconded by Director Roller and unanimously carried, the Board minutes of September 8, 2016 were approved.

**PUBLIC COMMENT PERIOD**

There being no public comment on the agenda items, Chairman Ronayne then proceeded with the Chair's Comments.

Chairman Ronayne asked Mr. Friedman to proceed with the President's Comments.

**PRESIDENT'S COMMENTS**

Mr. Friedman addressed the Board of Directors and provided an update on dredging. The USACE and the federal government agreed to dredge at their own expense and put the material into the Port's CDF. The State agreed to reimburse, should the outcome not be in favor of the State. A final outcome is still needed on the two lawsuits that have essentially become combined. The parties will be filing summary judgements and motions within the next few days. Director Roller asked what prompted the USACE to dredge. Mr. Friedman replied he is unsure, but pressure was being applied by Senators Brown and Portman and from Congress. Additionally, Arcelor Mittal filed its own order for a temporary restraining order and in their pleadings stated how dire the situation has become. The order stated that the Arcelor Mittal plant would have to be idled if dredging does not take place almost immediately.

Mr. Friedman noted that the finalized Strategic Plan Update will be brought to the Board in December.

**FINANCIAL REPORT**

Mr. Friedman presented the Financial Report which is included on pages 8-9 in the Board Agenda.

**MARITIME COMMITTEE**

***Agenda Item 4(d)(1)(a) – Port Security Grant Program***

Mr. David Gutheil addressed the Board of Directors and referred to a presentation attached hereto as "**Exhibit A**" (slides 1-3). Referring to slide 2, Director Roller asked whether the security improvements are required or if they are just desired. Mr. Gutheil stated that it's not necessarily required, however there are certain aspects of the security that need improvements. Mr. Friedman added that though the Port initiates the security improvements, the United States Coast Guard (USCG) completes an annual review of the Port. The Port's security plan must be reviewed and approved by the USCG each year. Director McNair asked what amount was applied for and whether it is consistent with past years. Mr. Gutheil replied yes, that the grant is actually for \$74,250 and the Port matches the balance. It will be a 2017 expenditure and it is consistent with past years.

On motion by Director Downing, seconded by Director McNair, and unanimously carried,

RESOLUTION NO. 2016-35

A RESOLUTION RATIFYING, AUTHORIZING AND APPROVING THE ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF \$74,250 FOR SECURITY ENHANCEMENTS AND ENTERING INTO AN AGREEMENT WITH FEMA TO CARRY OUT THE COORDINATION AND RESPONSIBILITIES OF THE FY16 PSGP

was approved (8-0). The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

**MARITIME COMMITTEE**

***Agenda Item 4(D)(1)(b) – NOACA Transportation for Livable Communities Planning Grant***

Ms. Linda Sternheimer addressed the Board of Directors and referred to a presentation attached hereto as “**Exhibit A**” (slides 4-7). Referring to the map on slide 5, Chairman Ronayne asked whether the connection would be from the Centennial Trail to the neighborhoods. Ms. Sternheimer replied the idea is that there are 27 acres, and it could be much more than a pass through trail. The intent is to see how the entire hillside can be developed for public use and access. Chairman Ronayne asked whether the Barr & Prevost study work has been completed. Mr. Friedman replied that none of the work is completed, and only a portion of a funding source has been identified. The Port was able to get a \$2.5M appropriation for bulkhead restoration, so the planning exercise is extremely important to come up with a vision involving all necessary stakeholders such as the NEORSD, MetroParks, etc. The bulkheading is the foundation, and then the work can progress upward. Director Applegate asked what other corrective action is necessary in addition to the bulkheading. Mr. Friedman stated that there are drainage concerns, pipes are in need of repair, and there may be environmental remediation necessary. Director Roller asked when the project will begin. Mr. Friedman stated that hopefully next year. Director Applegate asked in how the Port is legally responsible for the stabilization of Irish Town Bend. Mr. Friedman replied that there is no mandate for the Port to take responsibility. The Port has taken the project on out of leadership and responsibility to ensure that shipping will not be impaired. The Port has centered focus around finding sourcing for the bulkheading, and are relying on others to support other areas. There is a Harbor Services Agreement with the City of Cleveland that shifted responsibility for administering bulkheads and monitoring their conditions, working with property owners to enforce repairs. The Port then turns to the City for enforcement of certain actions.

On motion by Director Downing, seconded by Director McNair, and unanimously carried,

RESOLUTION NO. 2016-36

A RESOLUTION RATIFYING, AUTHORIZING AND APPROVING THE EXECUTION OF A LOCAL PUBLIC AGENCY (“LPA”) TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (“TLCI”) AGREEMENT WITH ODOT AND NOACA TO ACCEPT A TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE PLANNING GRANT FOR UP TO \$80,000 AND AUTHORIZING EXPENDITURES FOR THE PROJECT IN THE AMOUNT NOT TO EXCEED \$100,000 FROM FUNDS PREVIOUSLY APPROPRIATED FOR PROFESSIONAL SERVICES FOR THE PURPOSE OF PLANNING IRISH TOWN BEND AND CONNECTIONS TO OHIO CITY

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

**MARITIME COMMITTEE**

***Agenda Item 4(D)(1)(c) – Ohio Lake Erie Protection Fund Grant***

Mr. James White addressed the Board of Directors and referred to a presentation attached hereto as “**Exhibit A**” (slides 8-12). Referring to slide 11, Director Roller asked who is named as the local source for funding. Mr. White replied that the Port is the local source. Director Moore asked whether the need for the second interceptor would be eliminated if the described process works. Mr. White replied that the second interceptor could be used near Arcelor Mittal at the head of navigation.

On motion by Director Ramsey, seconded by Director Smith, and unanimously carried,

RESOLUTION NO. 2016-37

A RESOLUTION AUTHORIZING AND APPROVING: (1) ACCEPTANCE OF A GRANT FROM THE OHIO LAKE ERIE COMMISSION FUND IN THE AMOUNT OF \$26,250; (2) ENTERING INTO AN AGREEMENT WITH THE OHIO DIRECTOR OF ENVIRONMENTAL PROTECTION, AS CHAIRMAN OF THE OHIO LAKE ERIE COMMISSION, TO CARRY OUT THE COORDINATION AND RESPONSIBILITIES OF THE EVALUATING CROSS VANES FOR IMPROVED BED LOAD INTERCEPTION PROGRAM; AND (3) EXPENDITURES FOR THE PROJECT IN AN AMOUNT NOT TO EXCEED \$35,000, TO BE PAID FROM FUNDS PREVIOUSLY APPROPRIATED FOR PROFESSIONAL SERVICES

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

**PUBLIC COMMENT PERIOD**

Chairman Ronayne then opened the floor for public comment related to non-agenda items.

There being no public comment, the meeting adjourned at 9:31 a.m. by motion of Director Smith, seconded by Director Ramsey, and approved unanimously by the Board.

  
CHAIR

  
SECRETARY