

MINUTES

CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY BOARD OF DIRECTORS MEETING Thursday, October 13, 2022

The Meeting of the Cleveland-Cuyahoga County Port Authority Board of Directors was held at the Port Offices (1100 W. 9th Street) on Thursday, October 13, 2022 with notice of the meeting information provided to the public in advance. The meeting was called to order by Chairman Holmes at 8:42 a.m. Attendance by roll call showed the following:

<u>PRESENT</u>	<u>VIA TELEPHONE</u>	<u>ABSENT & EXCUSED</u>
Margot Copeland	Teleangé Thomas	
J. Stefan Holmes	David Wondolowski	
Andrew Jackson		
Darrell McNair		
Daniel O'Malley		
Peggy Zone Fisher		

ALSO PRESENT

C. Beck, GIS/Environmental Specialist
M. Bocanegra, Chief Legal Council
J. Dugan, Senior Accountant
J. Davis, Vice President, External Affairs
M. Freilino, Manager, Exec. & Admin Operations
W. Friedman, President & Chief Executive Officer
D. Gutheil, Chief Commercial Officer
N. LaPointe, Director, Planning & Capital Development
C. Naso, Chief Financial Officer
M. Rivalsky, Controller
R. Snipes, Senior Accountant
L. Sternheimer, Director, Urban Planning & Engagement
G. Woodson, Director, Development Finance & Inclusion
J. Baker, Jr. ILA
V. Lee, Arup Development
S. Holland, ODNR Coastal Management
K. Lewis, Cuyahoga Land Bank
J. Ferancy, Osborn
K. Coffman, Cleveland Metroparks
B. Stalla, ODOT
J. Weyer, Shark & Minnow
S. Bray, Black Environmental Leaders
J. Ziss, Kurtz Bros., Inc.
J. Huang, City of Cleveland
M. King, Cuyahoga County
D. Wilcox, Climaco, Wilcox, Peca, & Garofoli Co., L.P.A
S. Simpkins, Climaco, Wilcox, Peca, & Garofoli Co., L.P.A

APPROVAL OF MINUTES

The minutes of the Board of Directors meetings of September 9, 2022 were presented for approval by the Board, copies having been delivered in advance to all Directors. Director McNair recommended a correction to page five (5) of the draft minutes to note that Resolution 2022-25 was voted down as opposed to being tabled. With that change, on motion by Director Copeland, seconded by Director McNair, Director O'Malley abstaining from the vote, and unanimously carried by roll call vote (5-0) with Directors Thomas and Wondolowski concurring with the majority vote on the phone, the Minutes of September 9, 2022 were approved.

PUBLIC COMMENT PERIOD/CHAIR COMMENTS

There being no public comment, Chairman Holmes addressed the Board and audience.

CHAIR'S COMMENTS

Chairman Holmes thanked staff for planning the Board Orientation and noted it was extremely beneficial for those who attended. Director Zone Fisher agreed.

PRESIDENTS COMMENTS

Mr. Friedman addressed the Board noted there will be a strategic planning session immediately following the Committee Reports at the November 10, 2022 Board Meeting.

BUDGET & ADMINISTRATION COMMITTEE

Agenda Item 4(C)(1)(a) – Community Investment Fund

Mr. Davis addressed the Board and referred to pages 6-7 of the Board Agenda. Chairman Holmes noted the project is a great way for the Port to reinvest in our region, and a wonderful opportunity to partner with the Cuyahoga Land Bank. Director Jackson asked what the total budget is for the project. Mr. Davis replied \$3.5 million is the estimate for the building. Director Copeland stated she is extremely pleased with the direction the Community Investment Fund has headed. She thanked Mr. Davis for his work on securing the partnership.

On motion by Director Copeland, seconded by Director Zone Fisher, with Director McNair abstaining from the vote, and unanimously approved by roll call vote

RESOLUTION NO. 2022-28

A RESOLUTION ACCEPTING THE RECOMMENDATION FROM THE PORT COMMUNITY INVESTMENT FUND COMMITTEE CHAIR AND AWARDING A GRANT TO THE CUYAHOGA COUNTY LAND BANK IN THE TOTAL AMOUNT OF \$100,000 AND AUTHORIZING EXPENDITURE OF FUNDS PREVIOUSLY APPROPRIATED FOR THE PORT COMMUNITY INVESTMENT FUND

was adopted (5-0), with Directors Thomas and Wondolowski concurring with the majority vote on the phone. The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(2)(a) – Cleveland Harbor Eastern Embayment Resilience Strategy (CHEERS) Approval of Award of Contract for Design and Permitting

Ms. Sternheimer addressed the Board and welcomed guests and invited them to address the Board if they'd like. Ms. Joyce Huang, City Planning Director for the City of Cleveland stated she and her team have been extremely engaged in the CHEERS development process. She believes the Port engaged in a robust RFQ process and they support the selection of Arup and support moving forward with the process. Ms. SeMia Bray, Co-Director at Black Environmental Leaders, addressed the Board. She stated that CHEERS represents an opportunity to transform an area of Cleveland that was created out of segregation. CHEERS will be a collaborative effort to finally transform the area to one of community, where residents can enjoy the amenities of the lakefront.

Ms. Sternheimer then introduced Mr. Vincent Le, Associate Principal at Arup. They each addressed the Board and referred to a presentation attached hereto as "**Exhibit A**". Director McNair stated that he appreciated the presentation. Reflecting back to the September Board Meeting, he stated that he didn't feel there was adequate representation from the groups coming forward, and there was a lack of clarity with respect to how partners would each be participating. The Port Authority takes inclusion very seriously, and we must lead by example. Director McNair stated he was impressed with today's presentation and the attention to detail. Director McNair asked that Staff take note of what the Board expects when projects like this are presented in the future. Chairman Holmes thanked Director McNair for being deliberate and intentional in keeping focus on the issues of inclusion. He also thanked Mr. Le for his impressive presentation and noted that he and Arup should be very proud of their intentional work with to respect diversity and inclusion. Director Copeland noted she was impressed by today's presentation. It was a meaningful and impactful way to present.

On motion by Director McNair, seconded by Director Zone Fisher, and unanimously approved by roll call vote,

RESOLUTION NO. 2022-29

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH ARUP US, INC. FOR THE PURPOSE OF UNDERTAKING ENGINEERING SERVICES FOR THE CLEVELAND HARBOR EASTERN EMBAYMENT RESILIENCE STRATEGY PROJECT IN AN AMOUNT NOT TO EXCEED \$3,734,833 AND AUTHORIZING EXPENDITURE OF FUNDS FROM CERTAIN GRANT FUNDS TO BE RECEIVED.

was adopted (6-0), with Directors Thomas and Wondolowski concurring with the majority vote on the phone. The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(2)(b) – Change Order for the Agreement with the Osborn Engineering Company for the purpose of undertaking engineering services for the Irishtown Bend Rehabilitation and Stabilization Project

Ms. Linda Sternheimer addressed the Board and referred to a presentation attached hereto as “**Exhibit A**” (slides 8-10).

On motion by Director Jackson, seconded by Director Zone Fisher, and unanimously carried by roll call vote,

RESOLUTION NO. 2022-30

A RESOLUTION AUTHORIZING AND APPROVING A MODIFICATION OF AN EXISTING ENGINEERING SERVICES CONTRACT WITH THE OSBORN ENGINEERING COMPANY FOR THE PURPOSE OF UNDERTAKING AN EXPANDED SCOPE OF ENGINEERING SERVICES AS A CHANGE ORDER IN AN AMOUNT NOT TO EXCEED \$350,000.00 ASSOCIATED WITH THE CUYAHOGA RIVER FRANKLIN HILL STABILIZATION PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM CERTAIN GRANT FUNDS TO BE RECEIVED AS AUTHORIZED BY RESOLUTION NO. 2019-13

was adopted (6-0), with Directors Thomas and Wondolowski concurring with the majority vote on the phone. The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(2)(c) – Port of Cleveland Sediment Processing & Management Facility Operating Agreement with Kurtz Brothers, Inc.

Mr. Nick LaPointe addressed the Board and referred to a presentation attached hereto as “**Exhibit B**”. Chairman Holmes stated he was pleased with the diverse group of workers he saw during the site visit. He congratulated Mr. Ziss and Kurtz Bros Inc. for being inclusive. Mr. Jason Ziss, Kurtz Bros. Inc. addressed the Board and stated the Port of Cleveland has paved the way for innovative sediment management. Cleveland is setting the standard for how sediment can be reintegrated into the community. Mr. Friedman stated that without this operation there could be no dredging, and without dredging there is no maritime industry. It is very important work.

On motion by Director Copeland, seconded by Director McNair, and unanimously carried by roll call vote,

RESOLUTION NO. 2022-31

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF AN OPERATING AGREEMENT WITH KURTZ BROTHERS, INC. FOR THE PURPOSE OF OPERATING THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY'S SEDIMENT PROCESSING & MANAGEMENT FACILITY'S BENEFICIAL USE & CAPACITY REGENERATION OPERATION ON THE SURFACE OF CDF'S 9 & 12

was adopted (6-0), with Directors Thomas and Wondolowski concurring with the majority vote on the phone. The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(2)(d) – Greater Cleveland Regional Transit Authority License Agreement at Cleveland-Cuyahoga County Port Authority General Cargo Terminal

Mr. Gutheil addressed the Board and referred to a presentation attached hereto as "**Exhibit C**". Chairman Holmes asked who's responsible for the equipment while it's being stored at the port. Mr. Gutheil replied that RTA is self insured.

On motion by Director McNair, seconded by Director Jackson, and unanimously carried by roll call vote,

RESOLUTION NO. 2022-32

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A LICENSE AGREEMENT FOR THE USE OF DOCK 22 SOUTH WITH THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

was adopted (6-0), with Directors Thomas and Wondolowski concurring with the majority vote on the phone. The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

PUBLIC COMMENT PERIOD – Non-Agenda Items

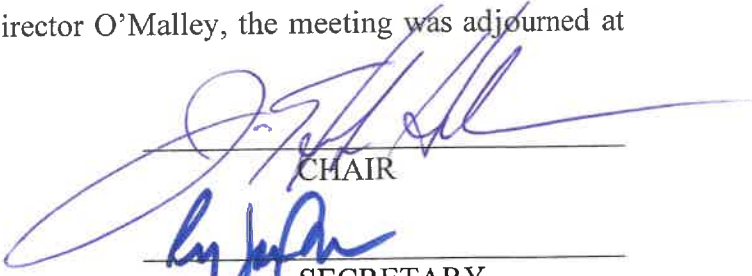
No public comment regarding non-agenda items.

EXECUTIVE SESSION


Chairman Holmes stated the Board would be entering Executive Session for the purposes of: (1) to consider the purchase of property for a public purpose pursuant to R.C. 121.22(G)(2); and (2) to confer with the Port Authority's attorneys to discuss pending court action pursuant to R.C. 121.22(G)(3). On motion by Director Zone Fisher, seconded by Director Jackson, and unanimously carried by roll call vote, the Board entered into Executive Session at 10:32 a.m.

The Board exited Executive Session at 11:11 a.m. and reconvened the meeting.

On motion by Director Jackson, seconded by Director O'Malley, the meeting was adjourned at 11:12 a.m.



CHAIR



SECRETARY