

MINUTES

CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY
BOARD OF DIRECTORS MEETING

Thursday, May 11, 2023

The Meeting of the Cleveland-Cuyahoga County Port Authority Board of Directors was held at the Port Offices (1100 W. 9th Street) on Thursday, May 11, 2023 with notice of the meeting information provided to the public in advance. Having given notice at least two days prior to the meeting and not having previously attended remotely more than 3 times during the past 12 months, Director Thomas attended the meeting remotely via Zoom and gave the proper password. Prior to the meeting, Director Thomas was provided with all meeting-related materials. Director Thomas confirmed she was more than 1/4 mile from the primary meeting location at 1100 West Ninth Street, Cleveland, OH and had internet access to receive any material distributed at the meeting. It was then verified that all Board members could hear and be heard by all other members in attendance. The meeting was called to order by Chairman Holmes at 9:09 a.m. Attendance by roll call showed the following:

PRESENT

Margot Copeland
J. Stefan Holmes
Daniel O'Malley (via Zoom @ 9:17 a.m.)
Andrew Jackson
Teleangé Thomas *via zoom J.S.H.*
Dave Wondolowski (*via Zoom*)
P Zone Fisher

ABSENT & EXCUSED

~~Peggy Zone Fisher~~
Darrell McNair

ALSO PRESENT

C. Beck, GIS/Environmental Specialist
J. Davis, Senior VP, Public Affairs & Energy Policy
M. Freilino, Manager, Exec. & Admin Operations
W. Friedman, President & Chief Executive Officer
D. Gutheil, Chief Commercial Officer
C. Naso, Chief Financial Officer
L. Sternheimer, Director, Urban Planning & Engagement
R. Winslow, Vice President, Development Finance
G. Woodson, Director, Development Finance & Inclusion
J. Baker, Jr., ILA
M. Cobham, Cosmos Technologies
R. Holloman, The Bridges Group International
J. Bridges, The Bridges Group International
N. Lesic, Lesic & Camper
D. Ngnyen, Jacobs Engineering
J. Huang, City of Cleveland
S. Bray, Black Environmental Leaders
S. McDermott, Cleveland Metroparks
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 meeting of April 13, 2023 were presented for approval by the Board, copies having been delivered in advance to all Directors. On motion by Director Copeland, seconded by Director Wondolowski, and unanimously carried by roll call vote, the Minutes of April 13, 2023 were approved (5-0).

PUBLIC COMMENT PERIOD/CHAIR COMMENTS

There being no public comment, Chairman Holmes proceeded with the Agenda.

CHAIR'S COMMENTS

Chairman Holmes addressed the Board and reminded them of the new 9 a.m. start time for all future Board Meetings.

PRESIDENT'S COMMENTS

Mr. Friedman addressed the Board and recognized Ms. Rhonda Winslow for receiving the NAIOP President's Award. NAIOP is a nationwide Commercial Real Estate Development Organization. He stated the award is extremely well deserved considering all the hard work she does to bring many projects to fruition.

Mr. Friedman mentioned an Op-Ed he wrote that was published in Crain's Cleveland Business that mentions a green shipping corridor initiative for the Great Lakes and the St. Lawrence Seaway. We plan to position the Port of Cleveland to be at the forefront of the initiative as it unfolds.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(a) – CHEERS: Arup Additional Services

Ms. Linda Sternheimer addressed the Board and introduced Mr. Sean McDermott, Chief Planning and Design Officer for the Cleveland Metroparks. Mr. McDermott stated that the Cleveland Harbor Eastern Embayment Resilience Strategy (CHEERS) project was born from a phone call from the Port to the Cleveland Metroparks about an opportunity to partner with various organizations to solve a multitude of issues. He reported that the Cleveland Metroparks has received an additional \$2 million for the next level of design. She then referred to a presentation attached hereto as "**EXHIBIT A**" (slides 1-5).

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

RESOLUTION 2023-15

A RESOLUTION AUTHORIZING AND APPROVING THE REVOLUTION OF AN AGREEMENT WITH ARUP US, INC. FOR THE PURPOSE OF UNDERTAKING ADDITIONAL ENGINEERING SERVICES FOR THE CLEVELAND HARBOR EASTERN EMBAYMENT RESILIENCE STRATEGY PROJECT IN AN AMOUNT NOT TO EXCEED \$2,000,000 AND AUTHORIZING THE EXPENDITURE OF CERTAIN GRANT FUNDS

was adopted (5-0). The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

Chairman Holmes noted that Director O'Malley has joined the meeting via zoom. According to policy Directors must provide 24-hour notice if they plan to participate remotely. Therefore, Director O'Malley is unable to vote on any action items for the meeting.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(b) – Harborview Submerged Lands Lease (SLL)

Ms. Linda Sternheimer addressed the Board and referred to a presentation attached hereto as "**Exhibit A**" (slides 6-8). Chairman Holmes asked who has ownership of the site. Ms. Sternheimer replied it's a private residential home. Director Zone Fisher asked what work will be taking place that requires a SLL. Ms. Sternheimer replied they will be shoring up the land on the water facing side of the home.

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

RESOLUTION NO. 2023-16

A RESOLUTION DECLARING THE POSITION OF THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY WITH RESPECT TO A PROPOSED LEASE OF SUBMERGED LANDS FOR 11502 HARBORVIEW DRIVE, CLEVELAND, OHIO FOR USE BY THE PROPERTY OWNER AND RESCINDING AND REPEALING RESOLUTION NO. 2020-27

was adopted (5-0). *W. Z. F.* The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(c) – CMAQ Advanced Cargo Processing & Fiber Connectivity Project Grant Application & Local Match Commitment

Mr. Nick LaPointe addressed the Board and referred to a presentation attached hereto as "**Exhibit B**" (slides 1-4). Chairman Holmes asked whether the Port Authority 20% match was included in the capital budget. Mr. Carl Naso replied yes.

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

RESOLUTION NO. 2023-17

A RESOLUTION AUTHORIZING, APPROVING AND RATIFYING A CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) GRANT PROGRAM APPLICATION FOR THE ADVANCED CARGO PROCESSING & FIBER CONNECTIVITY PROJECT AT THE GENERAL CARGO TERMINAL AND TO ENCUMBER AND RESTRICT \$613,200 FROM UNRESTRICTED FUNDS AS A COST SHARE CONTRIBUTION TO THE CMAQ GRANT

was adopted (5-0). The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(d) – Dock 20N Cargo Diversification Project

Mr. Nick LaPointe addressed the Board and referred to a presentation attached hereto as “**Exhibit B**” (slides 5-12). Chairman Holmes asked what percentage of the dock will be left unpaved. Mr. LaPointe replied 60%-70% of the dock will be paved with funding already in place to support the project and is consistent with the capital budget. The other 30% will be regraded and packed with aggregate to tie it in with the existing grades of the pavement. The remaining portion will be included in a future phase.

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

RESOLUTION NO. 2023-18

A RESOLUTION RATIFYING AND ACCEPTING \$1,962,500.00 IN OHIO DEPARTMENT OF TRANSPORTATION GRANT FUNDS AND AUTHORIZING AND APPROVING THE EXECUTION OF A GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE GENERAL CARGO TERMINAL’S DOCK 20N CARGO DIVERSIFICATION PROJECT

was adopted (5-0). The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

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

RESOLUTION NO. 2023-19

A RESOLUTION AUTHORIZING AND APPROVING THE PORT AUTHORITY TO ENTER INTO A CONTRACT WITH THE ANTHONY ALLEGA CEMENT CONTRACTOR, INC. FOR AN AMOUNT NOT TO EXCEED \$4,073,993.00, FOR THE PURPOSES OF CONSTRUCTING THE CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY’S DOCK 20N CARGO DIVERSIFICATION PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM MONIES THAT HAVE BEEN APPROPRIATED IN THE FY 2023 CAPITAL BUDGET

was adopted (5-0). The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(e) – Sediment Processing & Management Facility 2024 & 2025 Mechanical Capacity Containment Berms

Mr. Nick LaPointe addressed the Board and referred to a presentation attached hereto as “**Exhibit B**” (slides 13-16). Director Wondolowski asked whether it’s a prevailing wage job. Mr. LaPointe replied yes, Mark Haynes Construction is aware, has certified that it is a prevailing wage project, and it will be reviewed throughout the project using certified payrolls and site visits. Director Jackson asked whether the disparity between the bids received is concerning and if we’re confident the project can be completed for the amount presented. Mr. LaPointe replied that Mark Haynes has done three other projects at the site and we’re confident they can complete the job for the bid they’ve put forth.

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

RESOLUTION NO. 2023-20

A RESOLUTION AUTHORIZING AND APPROVING THE PORT AUTHORITY TO ENTER IN TO A CONTRACT WITH MARK HAYNES CONSTRUCTION, INC. FOR AN AMOUNT NOT TO EXCEED \$1,084,050, INCLUDING \$98,550 OF PORT AUTHORITY CONTROLLED CONTINGENCY, FOR THE PURPOSES OF CONSTRUCTING THE 2024 & 2025 MECHANICAL CAPACITY CONTAINMENT BERMS AT THE PORT AUTHORITY’S SEDIMENT PROCESSING & MANAGEMENT FACILITY AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM MONIES THAT HAVE BEEN APPROPRIATED IN THE FY 2023 CAPITAL BUDGET

was adopted (5-0).  The resolution in its full text is incorporated into the Resolution Journal of the Port Authority.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(f) – General cargo Terminal Electrification & Warehouse A Modernization Project Planning & Design Professional Services Agreement (Component 1-A)

Mr. Nick LaPointe addressed the Board and referred to a presentation attached hereto as “**Exhibit B**” (slides 17-24).

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

RESOLUTION NO. 2023-21

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF A DESIGN PROFESSIONAL SERVICES AGREEMENT WITH THE JACOBS ENGINEERING GROUP, INC. FOR THE PURPOSE OF THE GENERAL CARGO TERMINAL ELECTRIFICATION & WAREHOUSE A MODERNIZATION PROJECT, IN AN AMOUNT NOT TO EXCEED

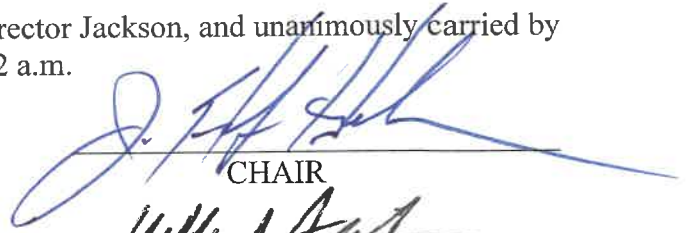
\$529,959.00 TO DEVELOP THE ELECTRIFICATION & NET ZERO EMISSIONS MASTER PLAN FOR THE GENERAL CARGO TERMINAL, COLLECT FIELD DATA, & DEVELOP THE BASIS OF DESIGN FOR THE PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM MONIES THAT HAVE BEEN APPROPRIATED IN THE FY 2023 CAPITAL BUDGET

was adopted (5-0). 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.

On motion by Director Wondolowski, seconded by Director Jackson, and unanimously carried by roll call vote (5-0), the meeting was adjourned at 10:12 a.m.


CHAIR

ASST. SECRETARY