

MINUTES

**CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY
BOARD OF DIRECTORS MEETING
Thursday, May 9, 2024**

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 9, 2024, with notice of the meeting information provided to the public in advance. The meeting was called to order by Chairman Holmes at 9:05 a.m. Attendance by roll call showed the following:

PRESENT

Luis Cartagena
Margot Copeland
J. Stefan Holmes
Andrew Jackson – 9:54 a.m. arrival
Daniel O’Malley – 9:19 a.m. arrival
Dave Wondolowski
Peggy Zone Fisher

ABSENT & EXCUSED

Darrell McNair
Teleangé Thomas

ALSO PRESENT

C. Beck, Senior Manager of Planning, Environment, and Information Systems
M. Bocanegra, Chief Legal Officer (via zoom)
J. Dugan, Senior Accountant
M. Freilino, Manager, Exec. & Admin Operations
W. Friedman, President & CEO
D. Gutheil, Chief Commercial Officer – via Zoom
C. Naso, Chief Financial Officer
M. Rivalsky, Vice President & Controller
L. Sternheimer, Vice President, Urban Planning & Engagement
M. Wenham, Chief of Engineering & Capital Development
R. Winslow, Vice President, Development Finance
G. Woodson, Director, Development Finance & Inclusion (via zoom)
D. Wilcox, Mansour Gavin
S. Simpkins, Mansour Gavin
P. Ritzert, Mansour Gavin
N. Lesic, Lesic & Camper
K. Palmer, Crain’s Cleveland

APPROVAL OF MINUTES

The minutes of the Board of Directors meeting of March 14, 2024 were presented for approval by the Board, copies having been delivered in advance to all Directors. On motion by Director Zone Fisher, seconded by Director Wondolowski, the Minutes of March 14, 2024 were unanimously approved (5-0) by roll call vote.

PUBLIC COMMENT PERIOD

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

CHAIR'S COMMENTS

Chairman Holmes stated that the Board will be going into an Executive Session, it will be one of update purposes to keep the Board informed as we move forward as it relates to compensation of a public employee.

PRESIDENT'S COMMENTS

Mr. Friedman addressed the Board referred to a presentation attached hereto as "**Exhibit A**". Chairman Holmes asked Mr. Friedman the timeframe regarding the general cargo agreement. The agreement renews each year unless either party provides notice otherwise. This is the last year of a five-year agreement, so the Port will be entering into a renegotiation this year for next year's contract. Chairman Holmes asked how many Foreign Trade Zones there are. Mr. Gutheil replied we have five current FTZ customers. Swagelok is the largest, with 11 different sites being used throughout Northeast Ohio. Regarding CHEERS, Chairman Holmes asked whether there's an expected ETA and what is the Metroparks role in the project. Mr. Friedman replied that the anticipated date in which anticipated to see CHEERS online for receiving dredge material is 2029-2030. The Port and Metroparks are the co-lead authorities on the project. The Port is leading all in-water foundation work, and Metroparks is responsible for all land work and development. Director Wondolowski asked who owns the Access Road. Mr. Friedman replied that that question is currently debated, and ownership of the land is a tricky question. The Port believes we have jurisdiction and rights of way or easements along the very eastern edge of the airport. Director Wondolowski noted that ownership and easements are very different, and asked who holds ownership. Mr. Friedman replied it's an open question. The airport is trying to determine ownership of those lands and is submitting something to the FAA. Currently, a title and a deed doesn't exist. The Port believes however that State law is fairly clear that the Port has right of way, access and jurisdiction over all submerged lakefront lands. Director Wondolowski asked if the Port doesn't own it, why would the Port pay for improvements. That should be the responsibility of the owner. Mr. Friedman stated that improvements are required if the port is to keep using it for CDF operations. The Port has said to the City essentially that you need to allow the port to do what is necessary, or the City is going to have to step in and pick up the improvement costs. Director Wondolowski asked what the City's position regarding that request. Mr. Friedman replied it's been a long and complicated journey. The City has proposed an operating agreement that provides the Port with certainty and rights needed to keep operating. Currently the Port and City are working toward seeing if an operating agreement can be established. Director Zone fisher asked how many years the Port has been using the access road. Mr. Friedman replied that it's been used for over 50 years.

Director Copeland stated that a deep dive annually would be helpful. It's not a criticism because the content is excellent, but in the interest of time perhaps the staff could prepare a report and distribute to the Board in advance. That way the Board can review in the pre-read of materials and address any necessary questions or concerns during the Board Meeting. Director Wondolowski stated that he agrees with Director Copeland and noted that this has been the best report given in the 5-6 years he's been on the Board.

Director Wondolowski stated that in regard to OAQDA would require legislative activity because the tall timber building is the most recent example that comes to mind, where they were going to grant a 30-year non-school TIFF to that project without Mayor Jackson and his administration knowing about it and it was shut down. Mr. Friedman noted that the Port is acting as a coalition acting with other financing authorities throughout the State. Director Wondolowski stated it's definitely concerning, and the building trades would be happy to get involved with that effort in legislatively because the infringement of their actions on the local level could be damaging long term.

MARITIME COMMITTEE

Agenda Item 4(C)(1)(a) – U.S. EPA Clean Ports Grant Application Update

Ms. Carly Beck addressed the Board and referred to a presentation attached hereto as “**Exhibit B**”. Mr. Colin Jones addressed the Board and stated his organization is excited to partner with the Port of Cleveland and is hoping that the grant application is successful. Director Copeland asked how many are competing for the grant and whether any government officials that could be helpful to us engaged in the process. She also asked Ms. Beck’s thoughts on the likelihood the Port of Cleveland would be a recipient. Ms. Beck replied the grant is a highly anticipated program for the Port community so there will be significant competition. However, the EPA is committed to awarding at least one application per region, so at least one Great Lakes port will be receiving funds and we believe that with our planning activities the Port of Cleveland has a very good chance of being a recipient. Mr. Friedman stated that the congressional delegation has been engaged and we’ll be receiving support letters from them. Director Zone Fisher asked when awards will be announced. Ms. Beck replied likely in September or October.

PUBLIC COMMENT PERIOD – Non-Agenda Items

No public comment regarding non-agenda items.

Chairman Holmes advised that the board will be going into Executive Session to discuss compensation for a public employee per the regs you see here on the Agenda and will be adjourning immediately after. On motion by Director Wondolowski, seconded by Director Zone Fisher, and unanimously carried by roll call vote (7-0), the meeting was adjourned into Executive Session at 10:12 a.m. The Board exited Executive Session at 11:33 a.m. On motion by Chairman Holmes, seconded by Director Wondolowski, the meeting was adjourned at 11:34 a.m.



CHAIR



SECRETARY



Department Updates

May 10, 2024

Maritime

- Hulett removal from CBT, site clean-up, Vegetation/invasive species management plan
- Remote scanning of containers
- New access control implementation at Main Gate & Port Office Building
- Cruise Terminal Welcome Signage, collaboration with Destination Cleveland
- FDA – dock codes for potable water
- Vessel Information System project – being developed by SLSMC & SLSDC
- Vessel Traffic Solutions at Irishtown Bend

Maritime

- Operating agreement at general cargo terminal
- April 2024 worked with Liebherr to perform annual maintenance and switched out all cables on both cranes as well as had them certified by independent inspector per State requirements
- Working with RTA & Omnitrax, on logistics for the track connector and easement so RTA can have their new cars delivered using Port
- Assisting with recently announced FEMA Port Security Grant Program for enhancing CBT security posture and infrastructure
- Providing support for Port engineer for CBT tunnel project

Maritime

- Provide support to Logistec for the installation of electrical upgrade to WH A for their first electric tow motor- May 2024
- Installing new power unit on Jetsam for the log crane for upcoming season
- Working with CBP to ensure a smooth transition into basement space and act as liaison moving forward for their needs in their new office space
- Summer 2024- install Safety Zone signage on Cuyahoga River- Argonaut, Davis A&M students, USCG collaboration

Maritime Business Development

- Containers – discussing new services with two entities (NDA's in place)
- Foreign Trade Zone – currently working on two activations
 - Berea
 - Streetsboro (Portage County) & Montville (Geauga County)
- Bulk cargo opportunity for CBT
- GLSLS/UK delegation meetings in Cleveland mid-July
- SeaTrade Conference in Miami, cruise industry business development
- Montreal (May 2024) various maritime business related meetings

Capital Development & Urban Planning

Irishtown Bend

- Construction Management & Coordination
- Managing grant reporting to funders: EPA (fed), MARAD (fed), ODOT (state), ODNR (state)
- Regular meetings: City, public, stakeholders (County, LAND, OCI, CMP, CMHA, Canalway) NEORS, ODOT, NOACA
- Regular Meetings with Congressional Offices & Staff: submissions to request funding to help close funding gap; Support Letters

Capital Development & Urban Planning – *CHEERS*

- Regular meetings with design team (Arup, KS Associates, WRT, CMP, BEL, ODOT, ODNR, Cleveland planning)
- Funding strategy: including long term strategy (leveraging 217, possible bonds and near term (grant writing and submissions)
- Permitting discussions with USACE, OPEA, ODNR
- SLL issues working with new owner of First Energy site.
- Public meetings
- Working collaboratively with our lobbyists, consultants and project teams to develop our strategy as it relates to WRDA language
 - Regular meetings with Congressional Offices and Staff
 - working with USACE to implement a long term 217 agreement- Buffalo and HQ

Capital Development & Urban Planning

Lakefront Planning

- Working with transportation consultant (Arup) to assess City connector plans impact on the Port.

Cuyahoga Old River Clean-up

- Bi-weekly meetings EPA, OEPA, USACE
- Planning public meeting May 15th

Capital Projects

- Electrification & Warehouse A in detailed design
- Dock 20N substantially complete
- Federal dredge cycle is starting up, Port dredging two docks at GCT
- Iron Ore Tunnel Conveyor Modernization
- Access Road Improvements design complete, out for bid continuing coordination with City for 7460's and CSPP submittal to FAA

Capital Projects

- Green Marine certification and external verification complete; met continual improvement requirement
- Grants – EPA Clean Ports, PIDP, Port Security Grant Program
- Continuing compliance w/ permits and grant commitments – industrial stormwater, wastewater, air, bulk liquid transfer, fuel tanks, dredging, wildlife, capital permits, grant reporting, metric tracking, etc.
- Continuing update of infrastructure/assets and use of asset management software

General Counsel – General Legal

- 1) 2024 Tariffs
- 2) Rock Hall Leases
- 3) FOB Access contract
- 4) Main Gate contract
- 5) 217 agreement
- 6) Logistec Leases
- 7) RTA easements for rail car transfer project
- 8) Hulett contracts
- 9) Jacobs Engineering contract(s)
- 10) Bulk Oil Transfer Manifold relocation -
USACE agreements and project agreements
- 11.SMPF Access Road
- 12.CIF NOFO drafting
- 13.Grant auditing matters
- 14.Maintenance Dredging
- 15.Davey Resource
- 16.Argonaut
- 17.CPP agreements for WHA
- 18.CBT Ore Tunnel Design
- 19.WTW Insurance Renewal
- 20.American Industrial Mining Co.

General Counsel – General Legal

21.KS Dredging Survey

22.ODOT OMAP Grant re: WHA

23.Buckeye Surface

24.Winter Berthing agreement

25.Shook

26.Pitney Bowes

27.McKeil Marine

28.Johnson Mirmiran

29.Cleveland Browns

30.Cleveland DRAW

31. Allega Construction

32.ChemJays

33.Shark & Minnow

General Counsel

- **Federal Funding Tracking**

- PIDP Baseline Funding - \$120.4m for FY 2024 (down from \$212m)
- PIDP Funding (IIJA) - \$500m for FY 2024
- GLA - \$5m for newly created authority
- USACE - \$600.4m Harbor Maintenance

- **ContractWorks Project**

- improvement in operational efficiency in managing contract life cycle management & non-contract forms;
- leveraging to create ways to track our metrics (e.g. MBE/FBE);
- creating workflows to improve compliance and project closeouts.

- **Political Pro - GR software**

- Does not get mentioned much but is a HUGE value to tracking and sourcing policy news of interest, federal and state legislation, federal and state rulemakings. This helps us find and/or track all legislation, rulemakings and fundings noted here.

Government Affairs

- Legal - legislation and potential rulemakings of interest and impact to the Port: tax levy, aviation, beneficial use.
- CHEERS - working collaboratively with our lobbyists, consultants and project teams to develop our GR as it relates to WRDA language
- ITB - congressional submissions to request funding to help close our funding gap;
- USACE - providing legal support to our CHEERS efforts on working with USACE to implement a long term 217 agreement;
- City - have met generally in 2024 on climate, BKL and city planning matters;
- Agenda - formally building out a GR agenda for remainder of 2024 and start of 2025

Development Finance

- **Development Finance Project Pipeline Management, more than 35 projects in pipeline**
 - 4 projects specific to bond fund
 - 13 market-rate mixed-use projects
 - 3 refunding/recapitalization projects
 - 3 manufacturing projects
 - 7 low to mid-income residential projects
 - 6 miscellaneous/governmental projects
- **OAQDA Legislation/Lobbying Efforts**
- **MBE/FBE monitoring inclusion reports/participation for development finance projects, developers & general contractors**

Port Press

Report from April 2023 to April 2024 shows:

1,318 Total Articles

24,959 Total Engagement

The number of times a link was shared, commented on or liked on social media networks including Facebook, Pinterest and journalist shares on X

77 Journalist Shares

The total number of journalists who have shared a link on X

639,04K Journalist Reach

The cumulative number of X followers for the journalists who tweeted the link

3.06 M Average UVM (unique visitors per month)

The average unique devices visiting each publications domain in a month.

Port Press

Approximately 65% local and 35% outside of Cleveland (that includes trade publication and news media in other cities).

Local: Cleveland.com, Crain's, Cleveland Business Journal, Local broadcast, IdeaStream, NEOTrans

State and national: Columbus Dispatch, Cincinnati Enquirer, NPR, Chicago Tribune, National Geographic

Trade Press: Dredgewire, Construction Equipment News, FreightWaves, Yahoo Finance

Port Hosted Events/Meetings

February 2024:

- USCBP Facilities Ribbon Cutting

March 2024:

- Operations safety meeting for general cargo terminal

April 2024:

- Development Finance Lunch & Learn, attended by 40 individuals from various organizations (Naso, Winslow)
- Cleveland State University “Developing Global Business” Class Tour of Port & Presentation (Magyar)

Spring/Summer/Fall 2023 & 2024:

- Flotsam & Jetsam Employment Training for Davis A&M High School Students (Magyar)
- Davis A&M High School Teachers & Administrators Tour of Port & Presentation (Magyar)

Port Hosted Events/Meetings

June/July 2024:

- Youngstown State University “Ohio Exports Internship Program”, Class Tour of Port & Presentation (Magyar)
- Supplier diversity MBE/FBE outreach events (Wenham)
- Marine Club Days – hosting customer reception with Logistec (Gutheil)

Legislative Delegations hosted to date in 2024:

- Matt Dolan;
- Bride Sweeney;
- Terrence Upchurch

Leadership/Membership

- Ohio Women in Public Finance Board, Vice President (Winslow)
- NEO Regional Area Maritime Security Sub-Committee Quarterly Meetings, Voting Member (Magyar)
- Cuyahoga River Safety Task Force, Member (Magyar)
- Ohio Pennsylvania Export Initiative, Board Member (Gutheil)
- Great Lakes Cruising Coalition, Board Member (Gutheil)
- NOACA, Board Member, Finance Audit & Policy Committee (Friedman/Sternheimer)
- NEODF Board (Naso)
- Great Lakes Green Shipping Corridor Network, Performance Management Working Group (Beck)
- AAPA Environment Committee Vice Chair (Beck)
- Urban Land Institute, Member (Sternheimer)
- American Planning Association Member (Sternheimer)
- Ohio Planning Association Member (Sternheimer)
- Flats Forward Board of Directors (Friedman)
- Flats Forward Economic Development Committee (Sternheimer)
- Vision for the Valley, Member (Sternheimer)

Representation

- Cuyahoga Connects, Maritime Stakeholders Meeting (Magyar)
- Maritime Security Risk Analysis Model for NEO Region (Magyar)
- IdeaStream (NPR) “Shipping Jobs Explained” (Magyar)
- Propeller Club (Gutheil)
- Climate Working Group w/ City, County, GCP, Foundations, GrowthOpps ~monthly meetings (Beck)
- Cuyahoga AOC Committee Member, ~monthly meetings/events (Beck)
- CUBE Symposium (construction supplier diversity event) hosted by GCP (Wenham)
- Port Council, representation at quarterly meetings (Winslow)

Professional Development

- Ohio Ethics Commission Training (All Port staff)
- Women in Transportation Symposium (Sternheimer)
- ODNR Nature-Based Shorelines Training (Beck)
- WEDA Conference; AAPA Port Management; AAPA Smart Ports Expo (Wenham)
- CPA Continuing Education Courses (Winslow)
- International Economic Development Council Annual Conference(s); Council of Development Finance Agencies Annual Development Finance Summit(s) (Woodson)

Presenter/Speaker/Panelist

December 2023: ULI Finance Real Estate Panel (Winslow)

January 2024:

- Ohio Council of Port Authorities Financing Event (Winslow)
- Davis A&M High School Career Day (Magyar)

February 2024:

- Cuyahoga River Safety Task Force, Safety Zone signage on Cuyahoga River (Magyar)
- Business Advisors of Cleveland Luncheon (Gutheil)

March 2024:

- WEDA Western Dredging Association March 13, 2024 (Beck & Sternheimer)
- Transportation Go! Conference Panelist, agriculture related container movements/cargo (Gutheil)

Presenter/Speaker/Panelist

April 2024:

- Seaman's Service Annual Meeting (Magyar)
- Cleveland Engineering Society Design and Construction Conference (Sternheimer)
 - Reeling in Resilience: CHEERS
 - Sailing Towards Stability: ITB

May 2024

- Annual July 4 Fireworks Planning with USCG, CFD, Downtown Cleveland Alliance (Magyar)
- Cuyahoga Connect Event to kick-off commercial & recreational boating season (Gutheil)
- Climate Leadership Conference, Waterfront Bike Tour led by Linda (Sternheimer)

August 2024

- Ohio Freight Conference speaker re: sustainable approaches and pursuit of net-zero by Port (Wenham)



U.S. EPA Clean Ports Grant Application

May 9, 2024

Federal Funding *Other Upcoming Applications*

- Enhancing Container Handling & Cargo Diversity
 - U.S. DOT Maritime Administration Port Infrastructure Development Program (PIDP)
 - Due in May, Awards in Fall
 - Scope: Dock 20N paving and utility infrastructure, Warehouse 22 refurbishment, additional equipment to expand container business/cargo diversity
- Cleveland Bulk Terminal Site Entrance & Security Enhancements
 - FEMA Port Security Grant (PSGP)
 - Due in June, Awards in Fall
 - Scope: Gate improvements (entrance drive, fencing, lighting, guard facilities), fiber installation, IT, network, surveillance, and cybersecurity improvements

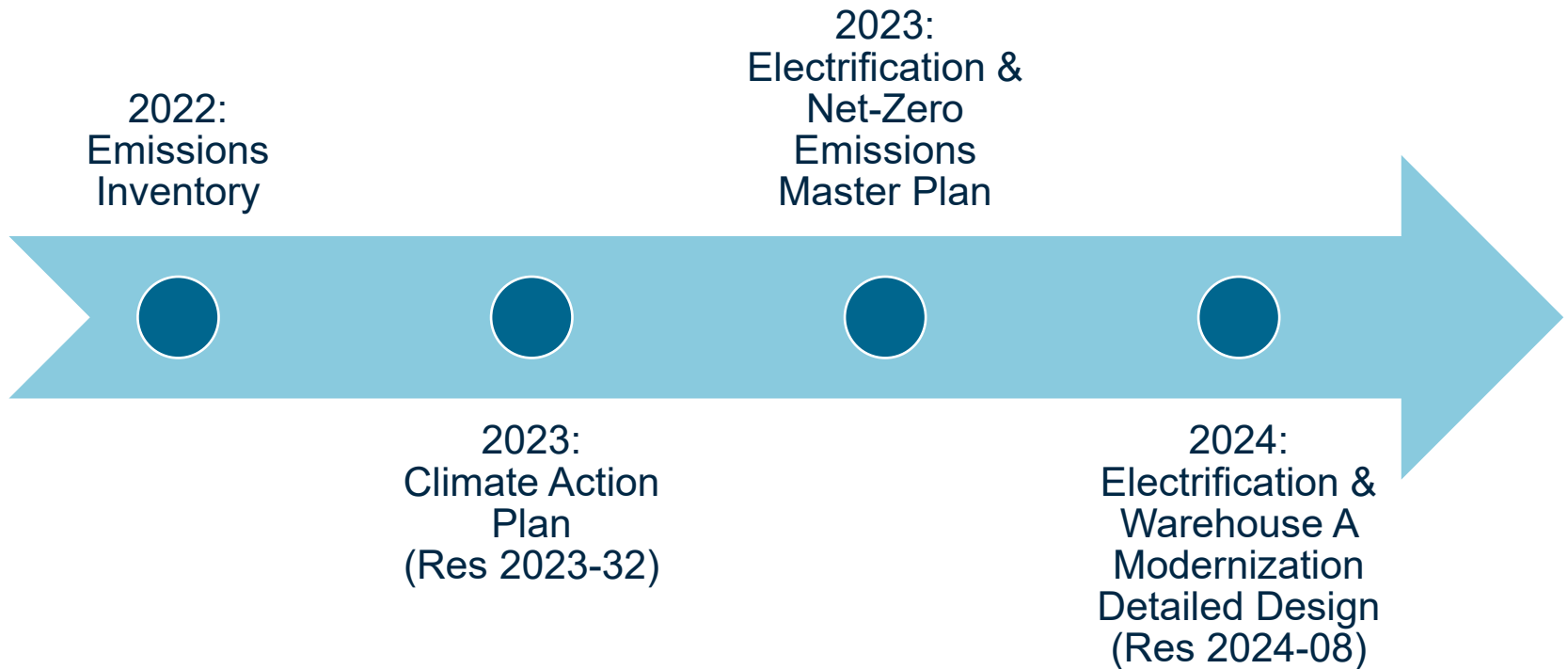


Environment & Sustainability *Current/Past Initiatives*

- Founding member of Green Marine, active since 2007
- Development of Cleveland Lakefront Nature Preserve
- Repowering/replacement of cargo handling equipment
- LED conversions, dusk to dawn sensors
- Collaboration with Great Lakes Towing to repower tugs
- Main gate improvements resulting in reduced congestion
- Emissions inventory 2016-2017



Environment & Sustainability *Building the Foundation*

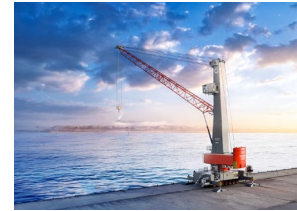


Electrification Master Plan *Hub and Spoke Model*



Warehouse
Rooftop
Solar and
Battery
Storage

Electric
Mobile
Harbor
Crane



Warehouse
A Electrical
Distribution
Hub

Electric
Cargo
Handling
Equipment



Cargo
Vessel
Shore
Power



U.S. EPA Clean Ports Program *Background Information*

- 2022 Inflation Reduction Act provided EPA \$3B to fund zero-emission port equipment and infrastructure at U.S. ports
- Notice of Funding Opportunity (NOFO) released in February 2024 for the full amount
- Program Goals:
 - Build a foundation for port sector to transition over time to ZE operations
 - Reduce diesel pollution in near-port communities
 - Ensure community engagement and emissions reduction planning are standard practices
- \$10M minimum project request
- 10% local match

EPA Clean Ports Program

EPA is funding zero-emission (ZE) port equipment and infrastructure to reduce greenhouse gases and air pollutants at our nation's ports, delivering cleaner air for communities across the country.

SEAPORT ACTIVITY ACCOUNTS FOR:

- 31 Million Jobs*
- 26% of the U.S. economy*

Ports serve as vital gateways for the movement of goods and passengers across the country.

Exposure to diesel exhaust can lead to serious health conditions like **asthma**.

Older diesel equipment emits **harmful pollutants** including air toxics.

This pollution can worsen existing heart and lung disease, especially in **children** and the **elderly**.

PROGRAM BENEFITS

- Decreases exposure to harmful pollutants
- Reduces greenhouse gas emissions

*American Association of Port Authorities (AAPA) | <https://www.aapo-ports.org/advocating/content.aspx?itemNumber=21150>.

For more information, please visit [Clean Ports Program | US EPA](#)
To learn more about reducing emissions at ports, visit [EPA Ports Initiative](#)

U.S. EPA Clean Ports Program *Port's Application*

Cleveland Harbor Electrification Initiative ~\$95M application led by the Port

Port of Cleveland

- Electrical infrastructure for chargers and mobile harbor crane
- Warehouse A rooftop solar and associated battery storage
- Shore power connection at Dock 24
- 2 electric reach stackers

Logistec USA, Inc.

- 10 electric forklifts and charging infrastructure
- Electric heavy-lift mobile harbor crane

LOGISTEC

Great Lakes Towing

- Construction of two new electric tugs
- Installation of charging infrastructure at GLT docks



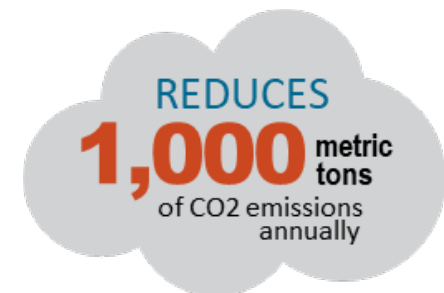
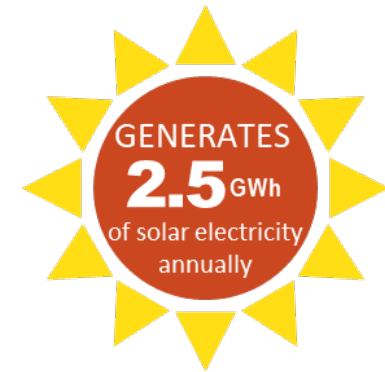
U.S. EPA Clean Ports Program *Project Details*

- Total Project Costs: ~\$105M
 - Split roughly three ways between Port, Logistec, and GLT
 - Each partner to be responsible for providing local match and following grant requirements
- Includes components from each “spoke” of the Electrification Master Plan
- Four-year period of performance
- Applications due 5/28, awards in fall 2024



U.S. EPA Clean Ports Program *Project Benefits*

- Solar generates 2.5GWh of solar electricity annually and provides operational cost savings and resiliency
- Reduces entirety of Port's CO₂ emissions by over 1,000 metric tons annually, an over 40% reduction
- Reduces impact of other harmful air pollutants to nearby communities (particulate matter, ozone, NOx, SOx)
- Improves competitiveness of the Port with new, efficient equipment, including heavy-lift crane that can handle new types of cargo
- Electrical/charging infrastructure prepares the Port for future electric equipment investments





PORT
CLEVELAND