

**THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY
BOARD MEETING MINUTES
Thursday, September 9, 2004
7:30 AM at the Port Authority Offices**

I. CALL TO ORDER

Jack Rouse called the Port of Greater Cincinnati Development Authority Board of Directors meeting to order at 7:38 A.M.

II. BOARD MEMBERS PRESENT:

Bailey, Clifford
Budig, Otto
George, Louis
Hale, Joe
Hull, Betty
Humes, Tom
Jio-Ducci, J.J. Johnson
Kull, Ron
Muller, Paul
Rouse, Jack
Sieberburgen, David
Vehr, Nick

EXCUSED:

Love, Steve
Kearney, Eric
Otto, Charlotte
Reid, Janet
Zimmer, Joe

STAFF:

Cheney, Mike
Ciampone, Kathy
Satzger, Kim

GUESTS:

Adams, Herb	OVRCC, Southwest Ohio Carpenters
Cundiff, Jim	Hamilton County
Jones, Bruce	Squire, Sanders & Dempsey
McMurray, Kevin	Frost, Brown, Todd
Osborne, Kevin	Cincinnati Post
Phillips, Bonnie	City of Cincinnati
Williams, John J.	Gonzalez, Saggio & Harlan

III. APPROVAL OF MINUTES

MOTION: Lou George made a motion that the minutes of the July 20, 2004 Board Meeting be approved. Ron Kull seconded the motion. The motion was passed unanimously.

Kim Satzger pointed out that there were also minutes from the June meeting to be approved.

MOTION: Otto Budig made a motion that the minutes of the June 10, 2004 Board Meeting be approved. Tom Humes seconded the motion. The motion was passed unanimously.

IV. BROWNFIELD PROJECT UPDATE

4820 River Road Project – Kim Satzger explained that the Port Authority has submitted an Application for Conveyance of Port Facility Property for the former Defense Fuel Support Point located on River Road in Cincinnati, Ohio. The application was submitted to the U.S. Department of Transportation Maritime Administration (MARAD) for a Public Benefit Conveyance. The resolution included in the Board packets supports the application and enables Port Authority staff to negotiate with the MARAD for the transfer of the property.

Ms. Satzger further stated that this is the same property in which the Port Authority has had an interest for nearly three years. In fact, the Port Authority has conveyed, in writing, its interest in the site to the Air Force and the General Services Administration during that time period. The facility is a former jet fuel storage facility which was used by the Wright Paterson Air Force Base (WPAFB) in Dayton, Ohio. The US Government has now declared the facility as “surplus” property and as such will either sell it at a negotiated sale price to a private owner or may transfer the property to a port authority. Under Federal law, Port Authorities may petition MARAD to transfer Federal properties that have been declared surplus to the needs of the federal government to a port authority for continued use as a port facility.

On Tuesday, September 7, 2004, the Port Authority submitted a *Conveyance of Port Facility Property* application to the U.S. Department of Transportation Maritime Administration (MARAD) for the former Defense Fuel Support Point located at 4820 River Road. The application is a conditional application which is dependent on the Ohio EPA and the Air Force agreeing on the scope of the environmental remediation, as well as on the Air Force funding the cleanup activities. The application is also contingent upon the Port Authority finding a tenant for the site and board approval.

Kim Satzger introduced Kevin McMurray of Frost, Brown, Todd. Mr. McMurray is the Port Authority’s environmental attorney on the project. Mr. McMurray explained that one of the tanks has leaked and there is a plume of jet fuel under River Road. The plume is not going far as it appears to be contained by clay soils surrounding the spill area. Therefore, it is easier to control and cleanup the spill. There are potentially other areas that may require cleanup and therefore further site characterization is recommended.

Jack Rouse asked if the Port Authority had a long term use for the property. Kim Satzger responded that the Port Authority plans to use the site as a bulk liquid facility. Ms. Satzger stated that the Port Authority had issued a Request For Proposal (RFP) and received interest in leasing the property from several entities.

Lou George asked if the Port Authority would be landlords of the facility. Kim Satzger answered that the Port Authority would be a landlord. In fact, under a Public Benefit Conveyance, the Port Authority would be required to maintain the site as a port facility in perpetuity.

Dave Siebenburgen asked about the cleanup costs. Kim Satzger indicated that preliminary investigations indicate that the cleanup costs are estimated at between \$2 and \$3 million. The recommissioning cost would be paid by the tenant that would lease the facility. Ms. Satzger said that recommissioning costs are the costs associated with making the facility operational as the facility has been closed since 1996.

Ms. Satzger stated that the resolution before the board supports the application and enables Port Authority staff to negotiate with the MARAD for the transfer of this property.

MOTION: Dave Siebenburgen made a motion to adopt the resolution in support of the Public Benefit Conveyance (PBC) application and authorize Port Authority staff to negotiate with the Maritime Administration (MARAD) for the transfer of property. The motion was passed unanimously.

3333 Vine Street – Kim Satzger stated that the 3333 Vine Street Project is complete and the Port Authority is currently working with Uptown Crossing Community Urban Redevelopment Corporation (UCCURC) to request reimbursement from the Clean Ohio Assistance Fund.

Jack Rouse added that the economic inclusion participation numbers for the 3333 Vine Street project came in north of 30%, a good indicator that the Port Authority's projects are making an effort on upholding the Port Authority's Economic Inclusion Policy.

3603 East Kemper Road – Ms. Satzger said that the RCRA (Resource Conservation and Recovery Act) cleanup is now complete. The Port Authority's environmental engineer has filed the RCRA closure plan to Ohio EPA. Once the plan is accepted, the Port Authority will be able to file the No Further Action (NFA) letter certifying that all of the environmental remediation is complete. The Port Authority is currently working with Neyer Properties, Inc. on a Purchase and Sale Agreement for the property.

4000 Red Bank Road – Kim Satzger reported that the Port Authority and the developer continue to work with the Ohio EPA to discuss the scope of the cleanup at the site. Once these discussions are completed, the project will be bid. As has been previously discussed with the Board, more contamination has been found at the site. Therefore, the cleanup and remediation costs have increased from \$3 million to nearly \$5.5 million. Currently, the Port Authority is working with Gene Ellington of Ellington Management Services to assist in maximizing opportunities for minority, women and small business enterprise for this project. The Port Authority will fund \$3M of the cleanup cost through a grant provided by the Clean Ohio Fund Program. The additional cleanup cost will be funded by the property owner, WP Carey.

400 Pike Street – Kim Satzger indicated that the asbestos abatement and interior demolition activities have been underway since the end of July 2004. Ms. Satzger stated that the economic inclusion participation numbers are tracking at a 21% average for asbestos abatement and interior demolition activities.

V. BANKS PROJECT UPDATE

Kim Satzger said that the Port Authority has been asked to make a presentation to the TRAC Committee meeting today in Sharonville, Ohio. TRAC funds were awarded for The Banks Intermodal Facility in the amount of \$11 million. This will enable the first phase of garage construction to begin on the eastern side of The Banks project – Blocks 4 & 8.

Jack Rouse said that 3CDC has been working on updating The Banks Plan, which has included making the Riverfront Park smaller.

VI. CHAIRMAN'S REPORT

Jack Rouse stated that the Port Authority's approved 2004 budget included several positions. These positions have not been filled due to the fact that the Port Authority has not received its full operational support from the City of Cincinnati and Hamilton County. However, within the last week, the Port Authority received \$200,000 from Hamilton County. In preparation for receipt of full operational support, the Port Authority is currently advertising for the position of Director of Economic Inclusion. The position is being advertised in both the Enquirer and the Herald.

Betty Hull asked if we have had any responses to the ads. Kim Satzger said that 11 resumes had been received to date by the Port Authority. Ms. Satzger said that resumes were due at the office by 5:00 p.m. on September 20, 2004.

VII. PRESIDENT'S REPORT

Bonnie Phillips from the City of Cincinnati was introduced by Kim Satzger. Ms. Satzger said that the City of Cincinnati received a job training grant from the USEPA. Through this grant, the City has developed a program for training hazardous waste workers from disadvantaged neighborhoods. This is a program that has experienced tremendous success. In fact, the firm that is doing the work on 400 Pike Street project, SRW Environmental Services, has hired graduates of this program. One such hire was recently sent to Florida to help with the Hurricane Charley cleanup.

Tom Humes asked if the IEDC report was the same one talked about in the Forum section of the September 5, 2004 Sunday Enquirer. Kim Satzger said that it was. Dave Siebenburgen and J.J. Johnson Jio-Ducci requested a copy of the report.

VIII. EXECUTIVE SESSION

Nick Vehr read a motion entitled Motion Pursuant to O.R.C. 121.22 G, "To adjourn the meeting of the Board of Directors" of the Port of Greater Cincinnati Development Authority and to go into executive session (i) to consider the employment and compensation of a public employee and (ii) for conferences with attorneys representing the Port concerning disputes involving the Port that are the subject of imminent court action. Upon conclusion of the executive session, the Board will reconvene its meeting of the Board of Directors.

MOTION: Nick Vehr made the motion detailed above. Tom Humes seconded the motion. The motion was carried unanimously by roll call vote.

The Board of Directors adjourned into executive session at 8:10 a.m.

The Board of Directors came out of executive session at 9:08 A.M. and the regular meeting resumed.

MOTION: Otto Budig made a motion to accept the financial reports. Clifford Bailey seconded the motion. The motion was carried unanimously.

IX. ADJOURMENT

MOTION: Otto Budig made a motion to adjourn the Board of Directors meeting. Clifford Bailey seconded the motion. The motion was passed unanimously.

The meeting was adjourned at 9:20 A.M.

Respectfully,

Kimberly Satzger
Secretary