1. **Applicant Identification:** Lake Development Authority
   105 Main St, B501, Painesville, OH 44077

2. **Federal Funds Requested:**
   a. Assessment Grant type: Community-Wide
   b. Federal Funds Requested: $500,000
   c. Not requesting a waiver

3. **Location:** Lake County, Ohio

4. **Target Area and Priority Site/Property Information:**
   - Target Area – Fairport Harbor Village, CT 390852040
   - Two Priority Sites:
     - Diamond Shamrock - 1002 Third Street, Fairport Harbor, Lake County, Ohio, CT - 390852040001
     - De Nora Tech Laboratory - 625 East Street, Fairport Harbor, Lake County, Ohio, CT 390852040003

5. **Contacts:**
   a. **Project Director:**
      Mr. Patrick Mohorcic, Deputy Director of Planning and Development
      105 Main Street, Painesville, Ohio 44077
      Phone: 440-350-5343, email: pmohorcic@ldauthority.org

   b. **Chief Executive:**
      Mr. David Anderson, Executive Director
      105 Main Street, Painesville, Ohio 44077
      Phone: 440-350-5345, email: danderson@ldauthority.org

6. **Population (Communities in which Target Areas/Priority Sites are located):** Per the 2020 Census
   - Lake County: 232603 , Fairport Harbor - 3,108

7. **Other Factors Checklist:**

<table>
<thead>
<tr>
<th>Other Factors</th>
<th>Page #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community population is 10,000 or less.</td>
<td>n/a</td>
</tr>
<tr>
<td>The applicant is, or will assist, a federally recognized Indian tribe or U.S. territory.</td>
<td>n/a</td>
</tr>
<tr>
<td>The priority brownfield site(s) is impacted by mine-scarred land.</td>
<td>n/a</td>
</tr>
</tbody>
</table>
### Other Factors

<table>
<thead>
<tr>
<th>The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).</th>
<th>Yes, page 2 of narrative</th>
</tr>
</thead>
<tbody>
<tr>
<td>The priority site(s) is in a federally designated flood plain.</td>
<td>no</td>
</tr>
<tr>
<td>The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.</td>
<td>n/a</td>
</tr>
<tr>
<td>30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.</td>
<td>n/a</td>
</tr>
<tr>
<td>The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.</td>
<td>n/a</td>
</tr>
</tbody>
</table>

8. Letter from State or Tribal Environmental Authority: Attached
9. Releasing Copies of Applications -N/A – application does not have confidential, privileged, or sensitive information.
November 19, 2021

U.S. Environmental Protection Agency, Region 5
ATTN: Matt Didier
77 West Jackson Boulevard
Mail Code SB-5J
Chicago, IL 60604-3507

RE: Lake Development Authority Community Wide Assessment Grant Proposal

Dear Mr. Didier:

I am pleased to offer Ohio EPA’s support for the Lake Development Authority (LDA) Community Wide Assessment Grant Proposal. The LDA is applying for a community wide assessment grant totaling $500,000.

The funding the LDA is requesting under their community wide assessment grant proposal will be used to conduct Phase I and Phase II Environmental Site Assessments, asbestos and lead based paint surveys, along with risk assessments, environmental planning and engineering activities to support the redevelopment of brownfield properties. The LDA will focus on sites in the Fairport Harbor Target Area and North Painesville Target Area. If awarded, this grant would allow LDA to assess sites that they may have not considered in the past, allowing for redevelopment of vacant and underutilized space throughout the area.

We look forward to working with the Lake Development Authority and U.S. EPA on this project. If you have any questions, please do not hesitate to contact me at 614-644-2295 or via e-mail at Lisa.Shook@epa.ohio.gov.

Sincerely,

Lisa Shook
Lisa Shook, Manager
Ohio Environmental Protection Agency
Voluntary Action Program

cc: Patrick Mohorcic, Development and Planning Director, Lake Development Authority
Natalie Oryshkewych, Ohio EPA, DERR/NEDO
1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION
   a. Target Area and Brownfields
      i. Background and Description of Target Area:
      This application for communitywide assessment funding is being submitted by the Lake County Ohio Port and Economic Development Authority ("Port Authority") which provides economic development services to all 23 townships, villages, and cities in Lake County. The County is located on the Lake Erie shore in northeast Ohio, just east of Cleveland. The target area for this grant is the Waterfront Target Area (Census Tract 39085204000, henceforth known as CT) which is located in Fairport Harbor, Ohio. This tract is classified as severely distressed under New Markets Tax Credit guidelines and is a federally-designated Opportunity Zone.

      Lake County has 31 miles of Lake Erie shoreline; 10 percent of the total for Ohio. The Waterfront Target Area comprises all of the Village of Fairport Harbor ("Village"). The Village of Fairport Harbor, Ohio is located in northeastern Ohio on Lake Erie where the Grand River empties into the Lake Erie. Located approximately 30 miles east of Cleveland, the Village has about 3,100 people and is part of the Greater Cleveland Metropolitan Area. As a small community, Fairport Harbor has a strong downtown area less than 800 feet away from The Lake Metroparks Beach. This stretch of the river is a deep draft commercial port that supports the shipping of bulk commodities, including limestone, sand and gravel, and salt. The Grand River is designated as a Wild River by the Ohio Dept. of Natural Resources (ODNR).

      The docks on the Grand River were the main employers in town until The Diamond Alkali Company, established in Fairport in 1912, began producing soda ash, caustic soda and bicarbonate of soda. The plant employed several thousand people from Fairport and the surrounding communities. Fairport schools benefited from their taxes. Diamond Alkali merged in 1967 with the Shamrock Oil and Gas Corp. to become the Diamond Shamrock Corp. Diamond began closure of the facility in 1972 due to obsolescence, the last operations ceased at “The Diamond,” as local residents called it, in early 1977, Fairport residents found it necessary to pass a 20-mill levy to maintain funding for their schools. The railroad tracks in the switchyard between the Grand River and High Street were removed in the early 1980s. The land sat vacant until the early 1990s when the area began to be redeveloped into recreational boating marinas and housing developments. The harbor still maintains limited commercial traffic. Sand and limestone are major products shipped through the port. Rock salt is a major export from the port.

      Today Fairport is largely a commuter community. While manufacturing is still the largest single sector of Lake County’s economy, Fairport Harbor is suffering from high unemployment, poverty, and under-utilized lands beginning with the closure of the Diamond Shamrock chemical plant. When the plant closed in 1977 it employed over 3,000 workers, many of whom were residents of the Village. The closure impacted additional local businesses that supported the Diamond facilities. The decrease in manufacturing jobs has led to reductions in retail sales, manufacturing output, and commercial shipping. Today the Village has several vacant commercial and office buildings, with a poverty rate of 14% (ACS 2019), with the poverty rate among the adult population (18 to 64 yrs) being 15.9%, and among households with children under the age of 5 yrs being as high as 24.1%. The average income of a Fairport Harbor resident is $31,853 a year while the US average is $35,672 a year. The Median household income of a Fairport Harbor resident is $49,972 a year while the US average is $65,712 a year. Future job growth over the next ten years is predicted to be 24.5%, which is lower than the US average of 33.5%.

      1 https://www.bestplaces.net/economy/city/ohio/fairport_harbor

      The Village is transitioning its economy from a traditionally manufacturing community to a tourism driven economy. The Village will be at the epicenter of the Lake Metroparks 2.5-mile lakefront trail that will attract visitors to its downtown. The Village is also in the process of building an 80-slip transient marina that will attract boaters from across Lake Erie to visit the Lake Metroparks Beach and attend the many concerts, festivals, and events the Village already hosts. The Lake Metroparks Beach attracts over 300,000 visitors annually.

      The Port Authority will use the funds provided through this grant to focus on sites in the Village that will open up access to Lake Erie and spur economic development along both the Grand River and Lake Erie.
1.a.ii. Description of the Priority Brownfield Site(s):
The Waterfront Target Area’s Priority Brownfield Sites are along the Lake Erie coastline. The revitalization of key (or priority) properties in this target area are crucial for finishing Lake Metroparks 2.5-mile coastal trail, which will drive tourism and economic development into the Village of Fairport Harbor. The first site is the location of the former Diamond Shamrock R&D facility (henceforth known as DS R&D) The DS R&D area is the northern most buildings of the area that is now considered OU12. As shown on Figure 1, the area historically consisted of plant support facilities and warehouses, plant laboratory, personnel resources and medical facilities, technical staff offices, and machine and boiler shop. The DS R&D area has two buildings and is surrounded by private roads. This site could be redeveloped with a public road along with small commercial or industrial buildings located south of where the future trail will be located. The second site is the former De Nora Tech Laboratory (DNL) where possible petroleum, PCBs and industrial lubricants are suspected to remain. The lab was an accelerated life testing facility that contained more than 500 stations for chlorine and oxygen evolving electrodes, used for new application evaluation, manufacturing QC and troubleshooting. Currently, it is a vacant industrial building about 0.5 miles from the coastline, acting not only as an eyesore, but also as a public nuisance, attracting vagrants and vandals.

The remediation of these sites is crucial for the development of Lake Metroparks’ 2.5-mile coastal trail. This proposed trail, when completed, will be one of the longest coastal trails along Lake Erie in the country. It will start at the Painesville Township Fishing Pier, running through Diamond Shamrock’s old properties, the DS R&D area, and cut through the Village downtown, connecting hikers to the Lakefront Beach and the new marina being built as part of(?) the western end of the trail. The two sites play crucial roles in opening up access to Lake Erie. The DS R&D area is critical for opening up trail access to the Village’s downtown to connect the beach to the coastal trail. The property east of the DS R&D area along the Lake is owned by Mariana Properties, an affiliate of Glenn Springs Holdings, Inc (Glenn Springs), who acquired the property, along with the others, along the coast. The Port along with its community partners have been regularly meeting with representatives of Glenn Springs, who are very much in support of the Port Authority’s vision for brownfield revitalization in the area and the development of the coastal trail.

The DNL property is crucial for the relocation of the Village’s city hall. Currently, City Hall is at the center of the Village downtown, and with the development of both the marina and coastal trail, it is a great location for a Bed and Breakfast (BnB). The proposed plan is to move City Hall to the vacant De Nora building. Therefore, the De Nora building needs to have environmental assessments done in order to determine if the relocation of City Hall is feasible.

1.b. Revitalization of the Target Area
1.b.i. Reuse Strategy and Alignment with Revitalization Plans: The reuse strategy for the priority sites is to complement the growing experience-based economy in the Village, focusing on mixed-use, retail, residential, and recreational developments. The Port and the Village completed a market study in 2019 for plans on developing prime Lakefront properties to open up future development and job creation along the coast. By assembling these sites and completing basic due diligence to reduce upfront risk, the Port Authority can market the sites to qualified developers with a demonstrated track record of completing catalytic, transformative projects that help communities realize their full potential. The County already works with landowners to market available properties through Zoom Prospector, a platform sponsored by JobsOhio, Ohio’s economic development corporation. Additionally, the entirety of the Village is a designated federal Opportunity Zone.

OU12 will be where the trail will “spill out” into the Village’s downtown district. The Port Authority and the Village recently completed a market study for a transient marina and is in the process of completing the design and engineering of the marina that will be constructed at the existing public boat ramps located next to the beachfront on the trail. This $14 million enhancement to existing facilities will attract new tourist traffic from the Lakeside through facilities for boaters such as showers and a pump-out station but also through connectivity to the shops and restaurants in the Village’s Downtown. The marina will also include facilities for charter fishing boats, including a fish-cleaning station, which will attract even more tourism in the Village. The expansion of the
marina will be onto parts of the docks that are identified will increase foot traffic in the Village's Downtown and Lake Metroparks Beach. It will also be an anchor for the 2.5-mile coastal trail.

Our reuse plan outlined in this grant is a part of a greater reuse plan outlined in the Lake County Coastal Development Plan (CDP) and our Landside Communities Plan. These identified opportunities to increase public access to Lake Erie along with bolstering Lake County’s tourism economy. Recently, we have implemented a major “next step” in updating the Village's Downtown. In July 2020 the Village was awarded a $265,000 Community Development Block Grant for Phase I of the Village’s Downtown Streetscape project. The grant will fund new sidewalks, additional streetlights, new entrance signs to the downtown district, and new Americans with Disabilities Act (ADA) accessible curb ramps at crosswalks and improved ADA accessibility to downtown businesses. The next steps in the CDP for the Village of Fairport Harbor are as follows: 1) begin construction of new transient marina, 2) create trail “spillout” into the Downtown, and 3) relocate Village Hall. In order to create more opportunity for economic development in the downtown district, the Village is actively exploring the relocation of city hall to the DNL site, described in the Priority Sites, to consolidate services and functions in a single location and reduce operating costs. Built before the turn of the 20th Century, the building is in the heart of the storefront district and the Village would like to see it redeveloped complementarily, such as a BnB, whose patrons would be in walking distance of the waterfront and beach.

1.b.ii. Outcomes and Benefits of Reuse Strategy: As mentioned above, the entirety of the Village is designated as federal Opportunity Zone, and so all the economic growth that results from the redevelopment of the priority sites will occur in an Opportunity Zone.

This project will result in redevelopment of underutilized vacant land as well as reuse of existing structures. This project will add tourism traffic and investment into the Village’s downtown, bringing a wide range of redevelopment potential with additional retail/commercial space/public promenades. For instance, the main goal of the Village and County is to make the Village a “destination” for boaters and other tourists looking for a weekend getaway during the spring and summer months. Its location will attract Lake Erie tourists all year and create a new tourism economy for the Village.

Redevelopment of the DNL site as the Village’s new administrative building, police station, and fire station will also open redevelopment of the existing city hall, where the two buildings can be sustainably reused (DNL and Village Hall), and complement the tourist redevelopment capacity of the Village Downtown landscape. This strategy will help the Village, our disadvantaged community, by creating new jobs in the travel and tourism industry while creating a robust retail economy based on lakefront access and revitalizing dilapidated sites.

1.c. Strategy for Leveraging Resources:

1.c.i. Resources Needed for Site Reuse: When the Port Authority completed the Coastal Development Plan (CPD) mentioned above, it used an award from Ohio’s CMAG program. CMAG funds are focused on Lake Erie-related initiatives such as improving water quality, coastal planning, education programs, land acquisition, research, improving public access, and habitat restoration. The Port Authority provided the required match for the grant from its Lakeshore Improvement Fund, which comes from a 2% allocation of Lake County’s lodging tax and is designated by the Ohio Revised Code (ORC) for any capital project undertaken by the Port Authority within one mile of Lake Erie. The CMAG program and the County’s Lakeshore Improvement Fund can be leveraged by the Port Authority for redevelopment of the priority sites on Lake Erie. Lake County has also received $500,000 in demolition and revitalization funds from the State. The Port Authority will manage these funds and will be able to leverage them to help with both existing structures on DS R&D and DNL.

Throughout its existence, the Port Authority has leveraged a wide range of outside resources to accomplish its mission of providing economic development services to all of Lake County. For the transient marina project, the Port Authority has been awarded $2 million from the ODNR to help construct the centerpiece to the coastal trail. ODNR will also house their 65’ research vessel at the marina to continue research on Lake Erie. The Port Authority has also successfully applied for funding from the Northeast Ohio Areawide Coordinating Agency’s (“NOACA”) Transportation for Livable Communities Initiative (“TLCI”). The Port Authority is working with NOACA to design where the best place is for the trail to spill out into the Village, that is why the DS R&D property is so crucial to the plan. The TLCI program seeks to develop new, alternative transportation options
while promoting reinvestment in underutilized or vacant/abandoned properties and supporting economic development. The Port also received a TLCI planning grant in 2019 to develop a streetscape/revitalization plan for downtown Grand River, a village on the other side of the Grand River from the Fairport Harbor with a retail/commercial area directly adjacent to the river that has seen disinvestment and deterioration over the years. The TLCI program also has implementation funding once plans are completed.

Specific to brownfield redevelopment, the Port Authority undertook remediation and revitalization of the former Coe Manufacturing facility in Painesville. The Port Authority received a $1.2 million grant from Ohio’s Jobs Ready Sites program and a $325,000 loan from the Ohio Water Development Authority. Of the five buildings that remained on the site when the Port took possession, four have been remediated and sold and the fifth was demolished. Between the companies that purchased the buildings, approximately 50 new jobs came to the site. These examples and resources the Port can leverage again to help facilitate redevelopment of the priority sites using EPA grants funds as stimulus. We will be a great example of an EPA return on investment (ROI).

As an Ohio port authority, the Port can also leverage sales-tax exempt financing to facilitate redevelopment of the priority sites. The ORC enables port authorities to act as conduits for bond financing on development project where the port authority assumes a temporary ownership role and is exempt from paying sales tax on construction materials. This can typically result in as much as 4% cost savings; for a project ranging in the millions of dollars, these savings can be significant and often become a determining factor in the viability of a project. Since its inception in 2007, the Port Authority has completed over $100 million in bond deals.

1.c.ii. Use of Existing Infrastructure: This grant will enable the Port to apply sustainable land use principles through revitalization and reuse of underutilized properties in the Target Areas. All of the priority sites described above in the Targeted Areas have existing connectivity to utility and transportation infrastructure, which makes them ideal for reuse. The Village has assessed the Targeted areas and identified that the existing infrastructure is suitable for redevelopment and will not require new infrastructure to be economically viable, thus reducing the need for new subsurface utility construction which will reduce land consumption and enhance economic redevelopment.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT
2.a. Community Need
2a.i. Community Need for Funding:

The presence of brownfields throughout neighborhoods creates areas of blight and decreases property values; median home values in the TAs range from $104K to $113K compared to the County, State, and U.S. median home values of $156K, $145K, and $217K, respectively. The median household income in the County and the TAs has actually decreased by approximately $2500 since 2018 and 2019, pre-pandemic. The TA is in CT in which the percentage of people considered low income are ≥50th percentile for both the State and the U.S., four of which are ≥68th percentile.

Losses of large manufacturing firms and energy plants in recent years have significantly reduced the revenues available to local governments. The State of Ohio has cut its Local Government Assistance Fund over 57% since 2010 and eliminating the Ohio Estate Tax has also impacted the availability of local resources. Redevelopment of the priority brownfields in the targeted area will spur economic growth, provide impoverished residents with much needed employment opportunities, and increase local property and income tax bases. The second component of financial need is the available revenues. Communities have to operate and support redevelopment. Residential vacancy rates are 6% in the County and approximately 7% in the Village (2015-2019 ACS). The only reason tax revenue has remained steady since 2013 is because of a permanent increase in the County sales tax. Because budgets for vital municipal services (fire, police, etc.) must be maintained, economic development programs get cut. Therefore, the County communities have limited resources to support brownfields assessment or redevelopment. The EPA assessment grant will provide funds not otherwise available to the Village to begin site assessment and revitalization planning efforts beyond a commercial use.

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2.a.ii. Threats to Sensitive Populations.

2.a.ii.(1) Health or Welfare of Sensitive Populations: The Village is an environmental justice community based on high concentrations of minority and impoverished residents, in which 30% of the residents are considered low income. Residents throughout the TA have been disproportionately impacted by environmental pollution (air, soil, and groundwater) anticipated to be emanating from the priority brownfields and located in every neighborhood.

As we can see from the figures above, while minority populations make up a small percentage of the Village’s total population, they are a large percentage of the residents living below the poverty line.

2.a.ii(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions: Key indicators for greater than normal incidence of disease and adverse health conditions are presented below.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Lake County</th>
<th>Ohio</th>
<th>U.S.</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Low Birth Weight</td>
<td>7.5%</td>
<td>8.7%</td>
<td>8.3%</td>
</tr>
<tr>
<td>% Food Insecure Households</td>
<td>15.8%</td>
<td>11.6%</td>
<td>10.6%</td>
</tr>
<tr>
<td>% Food Insecure Children</td>
<td>25%</td>
<td>17.4%</td>
<td>14.6%</td>
</tr>
<tr>
<td>Lung cancer deaths D</td>
<td>45.6</td>
<td>46.7</td>
<td>38.5</td>
</tr>
<tr>
<td>Cancer Incidence Rate D</td>
<td>481.2</td>
<td>467.5</td>
<td>450.5</td>
</tr>
<tr>
<td>Cancer Death Rate E</td>
<td>166</td>
<td>171</td>
<td>153</td>
</tr>
<tr>
<td>Heart Disease Death Rate E</td>
<td>99</td>
<td>102</td>
<td>93</td>
</tr>
<tr>
<td>Drug Overdose Death Rate E</td>
<td>44</td>
<td>42</td>
<td>22</td>
</tr>
<tr>
<td>Excessive Alcohol Consumption D</td>
<td>20.8%</td>
<td>18.5%</td>
<td>19%</td>
</tr>
<tr>
<td>Current Smoker D</td>
<td>21.1%</td>
<td>21.4%</td>
<td>17%</td>
</tr>
<tr>
<td>% Children with asthma F</td>
<td>16.1%</td>
<td>14.2%</td>
<td>7.1%</td>
</tr>
</tbody>
</table>

A Ohio Department of Health, 2017; B Bas defined by USDA; C United Way of Lake Co.; D ODH, cases per 100,000 population; E Lake Co. Community Needs Health Assessment, 2019; F ODH Asthma in Lake Co. and Ohio; G US News Healthiest Communities/Lake County; H Healthy Northeast.org

The percentage of food insecure households for the County is greater than both the National (10.6%) and State average (11.6%) at 15.8%, which correlates with the percentage of households (TA – 18.5%, State – 10%, and U.S. – 12%) using supplemental nutritional assistance (SNAP). Cancer incidences are greater for the County (481.2), per 100K people, than both the State (467.5) and Nation (450.5), with deaths from lung cancer in the County at 45.6%, greater than the U.S. at 38.5%. The County also exceeds the U.S. death rate for heart disease at 99 deaths per 100K people, compared to 93 for the U.S. Residents are chronically impacted from their daily exposure to contaminated soil, groundwater, and vacant buildings containing hazardous materials near their homes, parks, and daily travel to schools, shopping, and churches. The assessment grant will help identify brownfield sites that are directly contributing to greater than normal incidence of disease and adverse health conditions in the County’s sensitive populations and target those sites for cleanup and redevelopment. This project will not only help clean up contaminated properties but promote a healthy lifestyle through lake access and walking trails to help address these health issues in our community.

3 https://ejscreen.epa.gov/mapper/
4 https://data.census.gov/cedsci/profile?g=1600000US3926306
2.a.ii(3) Promoting Environmental Justice:
The U.S. EPA's Environmental Justice Screening and Mapping Tool (EJSCREEN) rates the TA as worse than 50% to 83% of the country with respect to air quality (e.g., ozone, particulate matter) environmental indicators. The assessment grant will help identify brownfields contributing to the health and welfare of sensitive populations, and provide a kick-start to redevelopment that will lead to increased job opportunities for the County’s and regions poorest residents. Regional efforts to address the effect of a steady decrease in employment opportunities, income levels, and tax revenues are thwarted by the ever-increasing number of abandoned sites and brownfields. The Census Tract in which the TA is located are earmarked for the New Market Tax Credit, along with being located in the HUD Opportunity Zones (CT 204000 and 204500)⁷. The CT in which the TA is located rank in the ≥98th percentile for the State and the ≥97th percentile in the U.S. for being located near a Superfund site. The Census Tract is also similarly ranked for the State and Nationally for being near a site in which mitigation measures are in place due to environmental impact issues (99th percentile) or a hazardous waste site (84th to 86th percentile). The CT is also ranked ≥77th percentile for the State and 85th percentile in the U.S. for lead paint¹ (due to aging housing stock) in which greater than 60% of housing was built before 1970². This data correlates with the high incidences of cancer. Use of assessment grant funds will help stop the creeping blight in the TAs and provide a mechanism to begin redevelopment to add jobs, improve home values and contribute to economic growth.

2.b. Community Engagement (i) and (ii) Project Involvement and Project Roles: The partners listed below will be engaged in eligible grant activities. The Port frequently collaborates with these partners to assist communities throughout the region.

<table>
<thead>
<tr>
<th>Partner Name</th>
<th>Point of Contact</th>
<th>Specific Role in the Project</th>
</tr>
</thead>
</table>
| Lake County General Health District | Ron H. Graham MPH Health Commissioner  
Lake County General Health District  
5966 Heisley Road  
Mentor OH, 44060  
Office: 440.350.2358  
24/7: 440.251.9796         | Will provide education to the public regarding the health issues that impact the Village’s community. |
| Glenn Springs                 | Rick Passmore  
Site Coordinator  
Houston: (713) 215-7622  
Mobile: (859) 221-7616       | Owner of the lake front property. They will provide access to their land to help build the lakefront trail. |
| Lake Metroparks               | Paul Palagyi  
440-639-7275 x1189  
palagyi@lakemetroparks.com  | Help solicit input from the public on redevelopment planning, support with implementation recreational redevelopment |
| Fairport Harbor               | Amy Cossick  
Village Administrator  
440-352-3620 x112  
cossick@fairportharbor.org | Village will provide assistance generating public awareness, soliciting feedback, and planning for redevelopment |
| Lake County                   | Jason W. Boyd  
County Administrator  
Jason.boyd@lakecountyohio.gov  
440.350.2745          | Administers the Lake County Bed Tax money to be used for shoreline development |

² https://opportunityzones.hud.gov/resources/map
Authority, will be given information to distribute and place on their websites. 2) The Port will host an initial outreach and “kick-off” meeting (including a virtual Zoom or Teams participation option) to acquaint key community organizations, environmental organizations, educational institutions, and the media with the grant project. We will present the 2.5-mile Lakefront Trail to the community as well as the relocation of City Hall and discuss how this will benefit them. We will also ask for their comments, concerns, and feedback on the project to incorporate that into the redevelopment process. 3) The Port will continue offering opportunities for feedback and communication with stakeholders. Additional public meetings and presentations (including virtual options) will be coordinated by the Port as requested by community organizations. At the close of the project, the Port will hold a public meeting (in-person/virtual) to share project outcomes. Presentation materials and minutes will be archived and placed on the Port’s website and social media pages. If requested, news releases, web postings, written materials, etc. will be available in other languages for residents whose first language is not English (7.6% of residents, 2019 ACS). Currently there is no EPA Environmental Workforce Development/Job Training programs in the County, though the Port’s partnership with Lake Erie College, Environmental Science program will allow students to be provided with opportunities in brownfields assessment/cleanup/redevelopment.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a. Description of Tasks/Activities and Outputs: The following four tasks will be implemented to assess priority sites in the Target Area (TA) and other high-risk and developable sites (i.e., non-priority sites) identified during the 3-year performance period.

<table>
<thead>
<tr>
<th>Task 1 – Programmatic and Outreach Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>i. Project Implementation:</strong> The Port will complete programmatic and public outreach activities throughout the grant period.</td>
</tr>
<tr>
<td><strong>ii. Anticipated Schedule</strong></td>
</tr>
<tr>
<td>• The Work Plan will be prepared within 1 month of receiving notification of the grant award.</td>
</tr>
<tr>
<td>• The CA will be executed within 3 months of award.</td>
</tr>
<tr>
<td>• A QEP will be retained within 3 months of award.</td>
</tr>
<tr>
<td>• Quarterly reports will be submitted within 30 days of the end of the quarterly reporting period and ACRES will be updated as priority and non-priority sites are assessed. ACRES will subsequently be updated with cleanup and/or redevelopment information during and/or after the performance period. MBE/WBE reports will be submitted annually. Final project closeout documentation will be submitted as required once the performance period ends.</td>
</tr>
<tr>
<td>• Staff will attend brownfields training programs as available during the grant period.</td>
</tr>
<tr>
<td>• “Kick-off” meeting will be held within 1 month of receiving notification of the grant award.</td>
</tr>
<tr>
<td>• Community outreach activities will continue throughout the performance period.</td>
</tr>
<tr>
<td><strong>iii. Task/Activity Lead</strong></td>
</tr>
<tr>
<td>• The Port will be responsible for day-to-day programmatic oversight and outreach activities throughout the performance period.</td>
</tr>
<tr>
<td><strong>iv. Outputs</strong></td>
</tr>
<tr>
<td>• Work Plan, CA, quarterly reports (12); ACRES updates; final project closeout documentation; staff training; public meetings and development of outreach materials.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Task 2 – Site Inventory</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>i. Project Implementation</strong></td>
</tr>
<tr>
<td>• Additional (non-priority) sites will be evaluated for assessment based on the following: 1) sites identified as an imminent threat to public health or the environment; 2) high-opportunity brownfields that will help the Port achieve its brownfields program goals; and 3) brownfields identified as high-priority by communities served by the County.</td>
</tr>
<tr>
<td>• Non-priority sites will be added to the inventory.</td>
</tr>
<tr>
<td>• In-kind Port staff time and travel will be contributed for amounts over those accounted for in 3.b.</td>
</tr>
</tbody>
</table>
ii. Anticipated Schedule

- The prioritization system will be developed within 3 months of grant award.
- Non-priority sites will be added to the inventory throughout the 3-year performance period.

iii. Task/Activity Lead: The Port will work with the QEP to update/maintain existing inventory of brownfield sites.

iv. Outputs: Updated brownfields inventory and prioritization.

IV.E. Task 3 – Site Assessment – Phase I and II ESAs

i. Project Implementation

- Priority sites (and additional non-priority sites identified during the performance period) will be evaluated through performance of Phase I and/or Phase II assessments, conducted in accordance with All Appropriate Inquiry (ASTM Standard E1527-13) and other ASTM standards/practices. Health and Safety Plans (HASPs) will be prepared for each site, plus Hazardous Materials Assessment (Asbestos Surveys and similar for Petroleum Assessment)
- Selected QEP to prepare Quality Assurance Project Plan and submit to USEPA for approval
- Assessments on both priority and other sites following securing site access will occur.
- The Port and QEP will meet to ensure the required site access has been secured, individual assessments are progressing, and the overall project schedule is met.
- In-kind Port staff time will be contributed for site access/assessment scheduling coordination.

ii. Anticipated Schedule

- Phase I and/or Phase II assessments will continue throughout the performance period.
- Assessments will begin once the selected QEP receives U.S. EPA approval of their QAPP (depends on EPA timing but is anticipated within 3 months of QEP selection).
- Assessments on both priority and other sites following securing site access will continue throughout the performance period.
- The Port and QEP will meet monthly to ensure required site access have been secured, individual projects are progressing, and the overall project schedule is met.

iii. Task/Activity Lead: The QEP will lead this task with oversite from the Port.

iv. Outputs: 1 QAPP and an anticipated 8 Site Eligibility Analyses, 8 Phase I ESAs/HMAs/Petroleum Assessments (as applicable) and 5 Phase II ESA reports.

Task 4 – Cleanup Planning

i. Project Implementation

- Cleanup/ redevelopment planning as required by various state of Ohio programs for sites (both priority and additional sites that are assessed using the grant) where redevelopment is imminent. Assessment of Brownfields Cleanup/redevelopment Alternatives (ABCAs), evaluation of needed institutional/engineering controls, and prepare cleanup and reuse plans.
- Brownfield Targeted Area redevelopment plan that considers cleanup strategies for high priority brownfield sites, including adaptive reuse of existing buildings and sites; and other neighborhood stabilization efforts, including infrastructure needs assessment to identify upgrades required to support growth; identify specific market niches and continued connectivity to lake, adjacent uses, other development initiatives underway.

ii. Anticipated Schedule

- Cleanup planning will be conducted at priority sites and other sites following completion of the associated assessment activities and will continue throughout the performance period.

iii. Task/Activity Lead: Under oversight by the Port, the QEP will lead this task with support for plans from a certified planner/organization.

iv. Outputs: Outputs include at least 3 cleanup planning documents and 1 Targeted Area-wide plan

3b. Cost Estimates: Approximately 80% of the $500K ($400K HS; $100K petroleum) budget will go directly to site assessment activities; less than 5% will go to indirect costs, and none to direct administrative costs. No expenses will be incurred for personnel, equipment or fringe benefits.

Task 1 – Programmatic and Community Outreach:

- Personnel costs: in kind time for program management and community outreach
• Travel costs: $4,000 for 2 LCPEDA people’s attendance at one U.S. EPA Brownfields Conference ($1,500 flight/lodging/per diem per person) and 1 person’s attendance at one other brownfields training program ($1,000) and includes flight/lodging/per diem per person.
• Supplies: $1,000 for paper, printing, etc. to produce project information and outreach materials over the 3-year implementation period.
• Contractual: $5,000 for consultant assistance on technical summaries for 12 quarterly reports ($250/per report-$3,000 total), which includes updating and maintaining ACRES, monthly progress meeting, conducting community involvement and outreach meetings (minimum of 4 public meetings budgeting a consultant charge of $500/mtg-$2,000 total).

**Task 2 - Site Inventory and Prioritization:**
- Personnel: in kind time for meetings with stakeholders on site inventory and prioritization.
- Contractual: $4,800 ($120/hr x 40 hours) to assist in site inventory, identification and prioritization

**Task 3 – Site Assessment:**
- Contractual*:
  - Up to 8 Site Eligibility Analysis at average cost of $250 each = $2,000
  - Up to 8 Phase I ESAs at average cost of $3,500 each = $28,000 (5 Haz/3Petro)
  - Hazardous Materials Assessment: 5 Phase II ESA sites (De Nora Tech, Diamond Shamrock R&D, Richmond Street Triangle, Buckeye Soda and 1 yet to be determined) at an average of $50,000* = $250,000
  - Petroleum Assessments: Up to 4 Phase II ESAs at average cost of $30,000 each* = $120,000
  - 1 QAPP and QAPP update = $1,200 ($120/hr x 10 hours)

*Costs are based on similar Ohio EPA funded TBA grant-funded assessments and vary by site size and complexity and study requested by Ohio EPA/BUSTR.

**Task 4 – Cleanup and Reuse Planning:**
- Contractual costs: 3 cleanup and reuse plans/Analysis of Brownfield Cleanup Alternatives (ABCAs) at average cost of $13,000 each-$39,000 total for DTL, Diamond Shamrock R&D and Richmond Street Triangle sites
- Eligible Reuse Plan: The Port will complete a Brownfield Redevelopment Plan of the Targeted areas for the Village of Fairport Harbor for $45,000 and will address cleanup strategies for high priority brownfield sites, adaptive reuse of existing buildings defined above.

<table>
<thead>
<tr>
<th>Budget Categories</th>
<th>Task 1 Programmatic, Outreach</th>
<th>Task 2 Inventory, Prioritization</th>
<th>Task 3 Phase I, Phase II</th>
<th>Task 4 Cleanup Planning &amp; Reuse Planning</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel non-admin)</td>
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<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$0</td>
<td>$0</td>
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<tr>
<td>Contractual</td>
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<td>$4,800</td>
<td>$401,200</td>
<td>$84,000</td>
<td>$495,000</td>
</tr>
<tr>
<td>Total Direct Costs</td>
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<td>$4,800</td>
<td>$401,200</td>
<td>$84,000</td>
<td>$500,000</td>
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<td>Indirect Costs</td>
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<tr>
<td>Total Budget (indirect &amp; direct)</td>
<td>$10,000</td>
<td>$4,800</td>
<td>$401,200</td>
<td>$84,000</td>
<td>$500,000</td>
</tr>
</tbody>
</table>

**3.c. Measuring Environmental Results:** The Port will track, measure and report outputs (e.g., the number of completed Phase I and Phase II ESAs and public meetings) and outcomes (e.g., acres of land assessed; land remediated and redeveloped; number of jobs created or retained; tax revenue generated; redevelopment investment value; and other funding leveraged) in ACRES. The actual outputs will be compared to the estimated number of outputs listed in Section 3.b. The Port will document outcomes/outputs that cannot be easily entered into ACRES (i.e., website updates, staff training, community outreach/meetings) in quarterly reports. The Port will evaluate the project progress semi-annually and, if goals are not being met, will meet with local stakeholders and the QEP to discuss the shortcomings and adjust the project approach.
4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability (i) Organizational Capacity, and (ii) Organizational Structure: The Port will be the grantee, administrator and decision-making body during the 3-year performance period. Upon award of the grant, the Port will execute the Cooperative Agreement (CA) and ensure compliance to the CA, as well as be responsible for financial tracking, outreach to stakeholders and liability management. The Port will provide input on site prioritization, land assembly, and other regional economic impact throughout the 3-performance period. The Port has a proven track record for successfully managing Federal and State grant and loan programs, expending funds and completing project promptly. The Port has the technical, administrative, and accounting capabilities and management systems in place to for successful grant management. In addition, the Port will retain an environmental consultant using a Qualifications-Based Selection Process, complying with federal procurement regulations (40 CFR §31.36) who is experienced in all aspect of U.S. EPA Assessment programs requirements, Ohio VAP, BUSTR, grant management, conducting environmental assessments and assisting with project tracking.

a(iii). Description of Key Staff: Mr. David Anderson, the Port’s Executive Director, will serve as the Chief Executive Officer (CEO) for the grant. As the Mayor of the City of Willoughby for 27 years Mr. Anderson oversaw the revitalization of the City’s historic storefront district and has extensive experience with public grant funds. He has been the Port Executive Director for 2 years and close to 30 years of managing public funds. Mr. Patrick Mohoric, Deputy Director of Planning and Development for the Port Authority will be the Project Director for the grant, coordinating all day to day administrative affairs. Mr. Mohoric oversees Lake County’s physical development initiatives as well as the county’s coastal development plan. Mr. Mohoric has 3 years of experience in managing federal grants, including a $2 million federal allocation of the Workforce Innovation and Opportunity Act (WIOA) funds through the U.S Department of Labor. He has also administered and coordinated Ohio Department of Natural Resource grants, Ohio Department of Transportation Grants, and other statewide grants in Ohio. Timothy Cahill, the Port’s Chief Financial Officer, has over 40 years of fiscal experience in both the public and private sector. He has over 7 years’ experience in managing public dollars and grant funds.

a(iv). Acquiring Additional Resources: The Port has managed the procurement of contractors for multiple grant project. The process complies with federal procurement regulations (40 CFR §31.36) and includes guidance to attract and utilize minority- and women-owned businesses, as possible. As the Grantee for this grant, The Port will use their established procurement process to retain a highly competent QEP and Certified Planner to assist with developing a Targeted Area Redevelopment plan. The QEP and Planner, under direction of the Port, will assist in managing and tracking the activities funded by the grant.

4b. Past Performance and Accomplishments, (ii) Has Not Received an EPA Brownfields Grant

4.b.ii.1. Purpose and Accomplishments. The Port has not received an EPA Brownfields Grant, but it has been party to other federal and non-federal assistance agreements. The Port received a $1.2 million grant from Ohio JRS program and $325,000 low-interest loan from the Ohio Water Development Authority to facilitate remediation of the former Coe Mfg. site in Painesville. Since then, the Port has attracted new companies to the site for the creation of 50 new jobs. A VAP Covenant Not to Sue was received from Ohio EPA in 2018. The grant included Phase II ESA work, Remedial Action Plans, and actual remedial work including the removal of PCBs in soil and vapor mitigation systems.

4.b.ii.2. Compliance with Grant Requirements. The Port has an excellent track record for administering many state and federal grants regarding environmental, redevelopment, infrastructure and waterway project. The Port has complied with reporting requirements, has undergone single-year audits due to the level of federal funding and funding department audits, resulting in no findings. By working with experienced consultants, workplans, schedules and terms and conditions were developed and followed. If adjustments to the plan became necessary, the funding agency was consulted to ensure that the project remained within the spirit of the agreement, prior to making the adjustment. Also, the Port’s collaborative approach has afforded the ability to leverage both public and private sector funding. These successes demonstrate the Port’s ability to leverage grant dollars, spurring revitalization in targeted areas.
FY22 U.S. EPA Assessment Grant Application  
Lake Development Authority

THRESHOLD CRITERIA

Section III. B. 1. Applicant Eligibility

1. Applicant Eligibility

Documentation of Applicant Eligibility

Please see the attached Resolution 2007-0222, as passed by the Lake County Ohio Board of Commissioners on February 22, 2007, created the Lake County Port Authority and authorizes it receive grant funds to carry out its statutory duties.

Section 9 of the Resolution reads as below:

“Section 9. This Board hereby appropriates $5000.00 from the un-appropriated portion of the General Fund of this County to be transferred to the Port Authority, upon its creation, for deposit in such account or accounts as are directed by the Board of Directors of the Port Authority to be used as provided for in this Resolution and the Act. This Board also authorizes the Port Authority to accept and/or receive any assets and/or funds transferred to the Port Authority from any source, to be used by the Port Authority for its statutorily authorized purposes, provided that such transfer and receipt are permitted by Ohio law.”

Ohio Revised Code 4582.01 (B)(1) lists the authorized purposes of Ohio port authorities as follows:

‘(B) "Authorized purposes" or "purpose" means either of the following:

(1) Activities that enhance, foster, aid, provide, or promote transportation, economic development, housing, recreation, education, governmental operations, culture, or research within the jurisdiction of the port authority;’

Section 3. B. 2 Community Involvement

2. Community Involvement

The plan to involve stakeholders will include three primary efforts: 1) The Port will announce the Grant award in a press release to the local newspaper and in an ad placed on local radio stations and the local Public Access Television station to reach residents at all education and access levels. The announcement will also be posted on the Port’s website and social media (Facebook and Twitter) pages. Key community partners, such as the Eastern Lake County Chamber of Commerce and Fairport Harbor Port Authority, will be given information to distribute and place on their websites. 2) The Port will host an initial outreach and “kick-off” meeting (including a virtual Zoom or Teams participation option) to acquaint key community organizations, environmental organizations, educational institutions, and the media with the grant project. We will present the 2.5-mile Lakefront Trail to the community as well as the relocation of City Hall and discuss how this will
benefit them. We will also ask for their comments, concerns, and feedback on the project to incorporate that into the redevelopment process. 3) The Port will continue offering opportunities for feedback and communication with stakeholders. Additional public meetings and presentations (including virtual options) will be coordinated by the Port as requested by community organizations. At the close of the project, the Port will hold a public meeting (in-person/virtual) to share project outcomes. Presentation materials and minutes will be archived and placed on the Port's website and social media pages. If requested, news releases, web postings, written materials, etc. will be available in other languages for residents whose first language is not English (7.6% of residents, 2019 ACS). Currently there is no EPA Environmental Workforce Development/Job Training programs in the County, though the Port’s partnership with Lake Erie College, Environmental Science program will allow students to be provided with opportunities in brownfields assessment/cleanup/redevelopment.

Section 3. B.3 Affirm No Active EPA Grants

3. Named Contractors and Subrecipients:

Lake Development Authority affirms it has not procured/named a contractor/subrecipient

4. Expenditure of Existing Grant Funds:

Lake Development Authority affirms it does not have an active EPA Brownfields Assessment Grant.
November 3, 2021

John Jurevis  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Mail Code SE-7J  
Chicago, IL 60604-3507  

RE: Lake Development Authority Community-Wide Brownfield Assessment Grant Proposal  

Dear Mr. Jurevis:

This letter acknowledges that the Lake Development Authority notified the Office of the Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR) of its plans to use the $500,000 grant proposal for a community-wide brownfield assessment for hazardous and/or petroleum waste. The targeted areas for this grant include specifically the Fairport Harbor and the North Painesville Target Areas. Goals of the grant include assessment of blighted areas, improving and protecting the harbor, Lake Erie, the Grand River and green spaces, the revitalization of former industrial areas, to encourage reuse of existing buildings and to develop the proposed coastal trail along Lake Erie. The grant will provide assessments needed to leverage other grants to further the assessment and clean up of the targeted areas.

I am pleased to offer BUSTR’s support for the Lake Development Authority’s Community Wide-Brownfield Assessment Grant proposal. We look forward to working with the Lake Development Authority and the U.S.EPA on this project.

Sincerely,

Stevan Krichbaum  
Bureau Chief – BUSTR  
Division of State Fire Marshal  
Ohio Department of Commerce  

xc: Site File  
Patrick Mohoric, Lake Development Authority
Commissioners' Office, Lake County
Painesville, OH, February 22, 2007

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:
Commissioners: Aufuldish, Sines and Troy
Commissioner Aufuldish presented the following resolution and moved its adoption.

RESOLUTION CREATING THE LAKE COUNTY PORT AUTHORITY AND PROVIDING FOR THE ORGANIZATION THEREOF

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and

WHEREAS, under authority of Sections 4582.21 through 4582.59 of the Ohio Revised Code (the “Act”), a county may, by resolution of the board of county commissioners, create a port authority which shall be a body corporate and politic, have the powers and jurisdiction enumerated in the Act and have territorial limits coterminous with the territorial limits of the county as the political subdivision creating such port authority, excluding the territory of any other port authority within the territorial limits of the County which is then in existence; and

WHEREAS, in order to assist Lake County in carrying out its purposes of promoting projects that will provide for the creation of jobs and employment opportunities and improve the economic welfare of the people residing in Lake County, as well as to encourage projects to enhance, foster, aid, provide or promote transportation, economic development, housing, recreation, education, governmental operations, culture or research within the territory served by the port authority; and

WHEREAS, this Board desires and determines it to be necessary to create a port authority to serve the entire area of the County, excluding the territory of each of the Eastlake Port Authority, the Fairport Harbor Port Authority, the Grand River Port Authority and the Greater Mentor Port Authority (such port authorities, collectively, the “Municipal Port Authorities”) so long as that port authority is in existence;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Lake, State of Ohio, that:
Section 1. A port authority to be designated and known as the “Lake County Port Authority” (the “Port Authority”) is hereby created under the authority of Section 4582.21 of the Act.

Section 2. The Port Authority shall have territorial limits coterminous with the boundaries of the County as they now or hereafter exist, but excluding the territory of each of the Municipal Port Authorities so long as that port authority is in existence. The Port Authority shall be a body corporate and politic and shall have all the powers and jurisdiction now or hereafter given to it by the Act, as the same may be expanded or limited by changes in the Act or by subsequent resolutions of this Board. The exercise of those powers and jurisdiction by the Port Authority are deemed to be essential governmental functions of the State of Ohio. The Port Authority shall comply with all provisions of law applicable to it including, but not limited to, Sections 121.22 and 149.43 of the Ohio Revised Code, in each case as modified by the Act.

Section 3. In accordance with Section 4582.22(B), this Board of County Commissioners determines that the Port Authority shall have all the powers currently granted by the Act, except it shall not participate in any undertaking which involves the relocation of a business within the boundaries of the Port Authority from one political subdivision to another political subdivision without the approval of the legislative authority of each such subdivision and except that it shall not exercise the authority granted to it by Section 4582.40 of the Ohio Revised Code without a prior resolution of this Board. In addition, the Port Authority shall file a report annually with the Clerk of this Board (not later than May 1 with respect to the immediately preceding calendar year starting May 1, 2008) on matters pertaining to its development and redevelopment activities, projects and programs, including information with respect to completion of projects or phases of projects, completed economic development financing activities, and the economic impact of completed projects and development financing activities. Finally, the Port Authority shall maintain a system of accounting established and administered in accordance with Ohio law and with generally accepted accounting principles applicable to governmental entities and consistently applied.

Section 4. The Port Authority shall be governed by a seven member Board of Directors each of whom shall serve for a term of four years, provided that such Board initially shall be composed of members having terms of office commencing on the date of the adoption of this resolution and expiring as follows: one member shall have a term of office expiring December 31, 2007, two members shall have a term of office expiring December 31, 2008, two members shall have a term of office expiring December 31, 2009, and
two members shall have a term of office expiring December 31, 2010. The initial appointments to the Board of Directors of the Port Authority shall be as set forth in a subsequent Resolution of this Board. All of the members of the Board of Directors shall be appointed by the Board of County Commissioners and shall have the qualifications provided by Section 4582.27 of the Act and by this Resolution. Upon the resignation or removal of a member of the Board of Directors or the expiration of a member’s term of office, a new member of the Board of Directors shall be appointed by the Board of County Commissioners in the manner provided herein. Any person appointed to fill a vacancy shall be appointed to fill only the unexpired term, and any director shall be eligible for reappointment.

Section 5. The members of the Board of Directors shall serve without compensation but may receive reimbursement for reasonable expenses incurred in the performance of their duties. No member appointed to the Board of Directors shall hold any elected or other public office except that of notary public, member of the State militia or member of a reserve component of the United States Armed Forces; provided that employment in a public school system or other educational system shall not be a violation of this section. No member of the Board of Directors shall be interested in the profits or emoluments of any contract, job, work or service of the Port Authority, other than as permitted by Ohio law. Any member of the Board of Directors may be removed by the Board of County Commissioners of the County for misfeasance, nonfeasance, or malfeasance in office.

Section 6. A majority of the members of the Board of Directors shall have been qualified electors of, or shall have their businesses or places of employment in, one or more political subdivisions within the area of jurisdiction of the Port Authority, for a period of at least three years next preceding their appointment.

Section 7. After the initial appointments to the Board of Directors, the Clerk of this Board, after consultation with this Board, shall give written notice of the time and place of the organizational meeting of the Board of Directors to the initial members of the Board of Directors at least five days prior to the meeting. The Clerk shall also give public notice of the time, place and purpose of the organizational meeting of the Board of Directors to news media to which notice of special meetings of this Board is required to be given, at least twenty-four hours prior to the meeting. The Board of Directors at such meeting shall, pursuant to Section 4582.27 of the Ohio Revised Code, elect one of its members as chairperson and another as vice-chairperson and shall designate their terms of office, and shall appoint a secretary-treasurer, who need not be a member of the Board of Directors. A majority of the Board of Directors shall constitute a quorum for purpose of holding a meeting of the Board. The affirmative vote of a majority of the members present and voting (which must be at least a majority of the quorum) shall be necessary for any action taken by the Port Authority unless the Board of Directors determines by rule to require a greater number of affirmative votes for particular actions to be taken by the Port Authority. No vacancy in the membership of the Board of Directors shall impair the rights of a quorum to exercise all the rights and perform all duties of the Port Authority.

Section 8. Subject to compliance with or assumption or satisfaction of the applicable requirements (if any) of any outstanding notes, bonds, contracts or other obligations of the Port Authority, the Port Authority may be dissolved at any time upon adoption of a resolution by the Board of County Commissioners of the County; provided that upon dissolution, any real or personal property or combination thereof which has been received from or made available by the County shall be returned to the County. In the event of a dissolution, and after paying all expenses, debts and costs of the Port Authority, any balance remaining in the Port Authority’s funds and any remaining real or personal property belonging to the Port Authority shall be distributed to the County.

Section 9. This Board hereby appropriates $5000.00 from the un-appropriated portion of the General Fund of this County to be transferred to the Port Authority, upon its creation, for deposit in such account or accounts as are directed by the Board of Directors of the Port Authority to be used as provided for in this Resolution and the Act. This Board also authorizes the Port Authority to accept and/or receive any assets and/or funds transferred to the Port Authority from any source, to be used by the Port Authority for its statutorily authorized purposes, provided that such transfer and receipt are permitted by Ohio law.

Section 10. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 11. This Resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Budget Director; County Prosecuting Attorney; Catherine Haworth, Lake County Economic Development Center, 391 W. Washington Street, Painesville, OH 44077.

Commissioner Troy seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:
"AYES": Commissioners: Aufuldish, Sines and Troy
"NAYS": None
RESOLUTION CREATING THE LAKE COUNTY PORT AUTHORITY AND PROVIDING FOR THE ORGANIZATION THEREOF

Resolution adopted,
Amy Elszasz, Clerk

CLERK’S CERTIFICATION

I, Amy Elszasz, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on February 22, 2007, and recorded in the Commissioners’ Journal, Volume 2007.

WITNESS my hand this twenty-second day of February, 2007, in Painesville, Ohio.

Amy Elszasz, Clerk
Board of Commissioners, in and for Lake County, Ohio

S:\LCC\CLK\RESOLUTIONS\20070222\C02.wpd
(C-192a)
RESOLUTION NO. 2013-18

RESOLUTION AUTHORIZING, RATIFYING AND APPROVING A NAME CHANGE OF THE LAKE COUNTY PORT AUTHORITY TO THE LAKE COUNTY OHIO PORT AND ECONOMIC DEVELOPMENT AUTHORITY.

WHEREAS, the Board of County Commissioners of the County of Lake, Ohio ("Board of County Commissioners") created the Lake County Port Authority (LCPA) pursuant to Sections 4582.21 through 4582.59 of the Ohio Revised Code (the "Port Act") to carry out the "authorized purposes" of the Port Act, including, among others, activities that enhance, foster, aid, provide or promote economic development; and

WHEREAS, pursuant to a resolution duly adopted on July 11, 2013 by the Board of County Commissioners, the Board of County Commissioners determined (based on the recommendation of this LCPA) that the Lake County Port Authority should henceforth be known as the "Lake County Ohio Port and Economic Development Authority. An Ohio Port Authority."

WHEREAS, the resolution of the Board of County Commissioners is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lake County Ohio Port and Economic Development Authority, that:

Section 1. This Board hereby authorizes, ratifies and approves the name change of the Lake County Port Authority to the Lake County Ohio Port and Economic Development Authority as provided for in the resolution attached hereto as Exhibit A. The name change has taken effect as of the date of the adoption of the resolution of the Board of County Commissioners authorizing such name change.

Section 2. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect immediately upon its adoption.

Adopted: July 16, 2013

Yeas: 6
Nays: 0
Chairperson:

Attest:

Secretary

1