

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
JULY 5, 2018

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:30 p.m. by Darnell Brown.

I. Roll Call

PRESENT: D. Brown  
R. Sulik  
T. DeGeeter  
J. Ciaccia  
S. Dumas  
R. Stefanik

ABSENT: J. Bacci

The Secretary informed the President that a quorum was in attendance.

II. Approval of Minutes

**MOTION** – Mr. Sulik moved and Mr. Ciaccia seconded to approve the minutes of the June 21, 2018, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Dreyfuss-Wells began her report by starting that on June 13 she and District staff met with the District's federal advocates in Washington D.C. to meet with the Ohio delegation and update them on the consent decree modification request. The purpose of the meeting was to stress the urgency of agency review and action on this request. They visited with Senators Portman and Brown, the chiefs of staff for Congresswomen Fudge and Kaptur and staff of the offices of Congressmen Renacci and Joyce. The senators and staff had good questions and they understand the necessity of the U.S. EPA and the Department of Justice paying attention to the modification request in a very timely manner.

Staff presented the modification request on June 20 to Cuyahoga County Executive Budish at his request. He asked a series of questions about the District's work under Project Clean Lake, which was a great opportunity to update him on the status and long pattern of cost savings that the District has done while maximizing the environmental benefits.

CEO Dreyfuss-Wells advised that the modification request was submitted on June 22 to the U.S. EPA, the Department of Justice, the Ohio Attorney General's Office and the Ohio EPA to begin their formal process of review. The modification proposes to pivot from two pieces of infrastructure -- one at Easterly and one at Southerly -- that have no significant environmental value, and to focus instead on more local issues which are significantly impacting water quality in the region. Issues affecting the region include SSOs, basement flooding and inflow and infiltration, etc.

CEO Dreyfuss-Wells recognized that the team that worked on this modification request did an amazing job.

Mr. Ciaccia inquired regarding the timeline of the modification request. Eric Luckage, Chief Legal Officer & General Counsel, explained that staff are trying to get the modification ready to submit to the court by the end of the year; there are no specific deadlines.

Mr. Ciaccia questioned whether any consent decree project deadlines would be impacted by the timing of the modification. Mr. Luckage stated that they would not be affected.

CEO Dreyfuss-Wells indicated that the District has also begun the public part of the campaign in terms of talking with the Alliance for the Great Lakes and the Ohio Environmental Council to make sure that they are fully aware of and supportive of the modification request.

Moving to the next topic, CEO Dreyfuss-Wells stated that over the weekend a significant hazardous algal bloom issue impacted local beaches, and she asked Scott Broski, Supervisor of Environmental Services, to elaborate.

Mr. Broski explained that while July may seem early for algal blooms to occur it is not unprecedented. However, algal blooms historically occur during August and September. He noted that the bloom is off Cleveland and east of Cleveland. A significant bloom is developing in the Sandusky bay.

He advised that some of the things believed to contribute to algal blooms are precipitation, runoff and nutrients. Other contributors are non-point source pollution like agriculture and other sources of nutrients which could include combined sewer overflows (CSOs) and wastewater plant discharges. Algal blooms grow in stagnant, warm water that is exposed to ample sunlight.

The response strategy to the algal bloom is to follow what the Ohio Department of Health, the Ohio EPA and Ohio Department of Natural Resources published in 2016 as the Harmful Algal Bloom Response Strategy for Recreational Waters.

As soon as District staff becomes aware of a harmful algal bloom it is confirmed visually and a sample is taken. The cyanobacteria will determine which toxins they produce and staff will know which toxins to test for. Staff then notifies beach managers so they can post warning signs. Once the toxin analysis based on the cyanobacteria yields results, the warnings are revised as necessary. If the toxin analysis exceeds the elevated recreational public health advisory then the beach managers would close the beach. Once a hazardous advisory is posted it cannot be removed until there are two consecutive samples at least one week apart in which the cyanotoxin concentrations are below threshold levels and the bloom is gone.

Mr. Broski advised that the poor water quality postings have been on display since June 29 because they must wait one week to obtain the second clean sample. The advisory will be removed following the second clean sample.

The June 29 event was first observed at Edgewater and we had a crew working in Euclid Creek and asked them to go to Villa Angela Beach. The samples were identified as anabaena. Staff communicated that result to the MetroParks so they could post the advisory, as the toxin was above the recreational threshold.

Daily testing shows that the results have come down quickly which is likely a function of weather, wind conditions and currents. The District also served as the analytical data provider for the Board of Health which reported that other beaches were having blooms.

The event occurred because there was a low biomass bloom in the central basin. That bloom was pushed ashore by the winds into the warm waters that are in the shallow areas of the beaches. Cove-like areas held water in very hot, sunny conditions and it bloomed very quickly.

Mr. Ciaccia questioned whether the event was confined to the beaches or how far out into the lake it occurred. Mr. Broski advised that it was concentrated in the beach area although some very low concentrations of algae were offshore.

Mr. Brown questioned whether the water temperature is cooler the further from shore because of depth. Mr. Broski affirmed and stated that is why the concentrations are low further offshore.

Mr. Brown inquired whether there are significant variations with readings related to wind direction, temperature and sunlight. Mr. Broski advised that they can vary from day to day depending on weather conditions. District staff is out on the beaches early every day and checking the status again in the afternoon based on the forecast and wind conditions. The beaches are managed by the MetroParks and their lifeguards are trained to look for such conditions.

Mr. Ciaccia stated that he asked for the offshore numbers because there are various drinking water systems along the way – such as Avon Lake and Lake County -- and perhaps the District should be coordinating with them as well.

Mr. Broski explained that he spoke with the Cleveland Water Department to make them aware of the toxin concentrations on beaches.

CEO Dreyfuss-Wells advised that staff will have a meeting to go through the details and review the most recent incident with CWD and the MetroParks. Such an incident had not transpired since 2015 and the District wants to make sure that communication is open and consistent.

#### V. Action Items

##### Authorization to Advertise

Resolution No. 237-18

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for two years of fuel management services at all District facilities.

**MOTION** – Mayor Stefanik moved and Ms. Dumas seconded to adopt Resolution No. 237-18. Without objection, the motion carried unanimously.

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Mr. Ciaccia inquired whether there is no construction included in the contract. Mr. Greenland advised that it is strictly debris removal.

Authorization to Amend Resolution

Resolution No. 207a-18

Authorization to Amend Resolution No. 207-18 authorizing the District to enter into a settlement agreement relative to the Dugway Storage Tunnel Project with 12655 Coit Road, LLC., for the acquisition of two permanent sewer easements located at 12655 Coit Road in the City of Bratenahl, known as part of PPN 631-13-006, to authorize the District to pay the consideration of \$30,000.00 directly to 12655 Coit Road, LLC with the prior Court deposit of \$16,225.00 to be refunded to the District.

Resolution No. 67c-18

Authorization to Amend Resolution No. 67-18 to authorize the District to enter into a one-year contract with Henderson Contracting Company, LLC in place of Top Designer Landscaping, LLC for grounds maintenance services at the District's Stormwater sites and the Chevrolet Boulevard Detention Basin in an amount not-to-exceed \$27,939.88.

**MOTION** – Mr. Sulik moved and Ms. Dumas seconded to adopt Resolution Nos. 207a-18 and 67c-18. Without objection, the motion carried unanimously.

Authorization of Contract Modification

Resolution No. 243-18

Authorization to modify Contract No. 16003693 with Marra Services, Inc. for the Combined Sewer Overflow Bar Racks Maintenance Services Project for a one-year time extension with no change in the contract amount.

Resolution No. 244-18

Authorization to modify Contract No. 14003099 with Stantec Consulting Services, Inc. for the Superior Stones Canal CSO Improvements Project with an increase in the contract amount by \$250,000.00 bringing the total not-to-exceed contract price to \$3,272,000.00.

**MOTION** – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution Nos. 243-18 through 244-18. After the following conversation, without objection, the motion carried unanimously.

Referencing Resolution No. 244-18, Mr. Brown asked what the District will get by bringing the price to over \$3 million. Doug Gabriel, Deputy Director of Engineering & Construction, explained that in the preliminary design phase of the project, additional effort was put forth to reevaluate the original concepts that were in the design RFP. Through that analysis staff was able to reduce or eliminate four regulators and converted three to storm-only outfalls, resulting in savings of about \$6 million in capital costs. This resolution is reconciling the budget on the project.

Sewer Use Code Matters

Resolution No. 245-18

Authorization to adopt the findings of the Hearing Officer with regard to the sewer account of Mr. Philip Rosenberg, Sewer District Case No. 18-013, that the customer's request be approved for a partial credit of \$304.56.

**MOTION** – Ms. Dumas moved and Mr. Ciaccia seconded to adopt Resolution No. 245-18. Without objection, the motion carried unanimously.

Authorization to Adjust Credit

Resolution No. 246-18

Authorize the District to issue a credit adjustment in the amount of \$25,211.68 be approved against sewer charges for a like and consistent adjustment already granted by the Cleveland Division of Water on NEORSD Account #4646832993 for Christie Lites Cleveland, LLC at 2360 East 71st Street, Cleveland, OH 44104.

**MOTION** – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 246-18. Without objection, the motion carried unanimously.

Property-Related Transactions

Resolution No. 247-18

Authorize the District to acquire one permanent subterranean easement located on Abbey Road in the City of Cleveland, on a portion of PPNs 007-11-019 and 007-11-020, owned by the Greater Cleveland Regional Transit Authority, necessary for the construction of the Westerly Storage Tunnel Project with a total consideration of \$10,150.00.

Resolution No. 248-18

Authorize the District to acquire the fee simple interest of the entirety of PPN 108-13-187, located at 512 East 107th Street in the City of Cleveland, owned by the Cuyahoga County Land Reutilization Corp., necessary for the construction and maintenance of the Dugway West Interceptor Relief

Sewer Project with a total consideration of \$1.00.

Resolution No. 249-18

Authorize the District to acquire one permanent subterranean easement, located on a portion of PPN 116-23-003, located at 881 Wayside Drive in the City of Cleveland, owned by Soundwich, Inc., necessary for the construction of the London Road Relief Sewer Project with a total consideration of \$3,000.00.

Resolution No. 250-18

Authorize a relocation payment to Glenville Manning associated with the District's permanent acquisition of PPN 673-04-052, located at 1762 Coit Road in the City of East Cleveland, owned by Glenville Manning, necessary for the construction of the East 140th Street Consolidation and Relief Sewer Project with a total consideration of \$2,392.81.

Resolution No. 251-18

Authorize the District to acquire two permanent stormwater easements and one temporary easement located on Bradley Road in the City of Cleveland, and known as part of PPNs 009-34-004 and 009-34-006, owned by Connell Aluminum Properties, LLC, necessary for the construction and maintenance of the Spring Creek Culvert Rehabilitation Project with a total consideration of \$1,600.00.

Resolution No. 252-18

Authorize the District to acquire one temporary easement located at 7724 E. Linden Lane in the City of Parma, known as part of PPN 457-17-013, owned by Todd J. Zilka, necessary for the construction and maintenance of the Baldwin Creek Bank Stabilization Project with a total consideration of \$1.00.

Resolution No. 253-18

Authorize the District to acquire one permanent stormwater easement and one temporary easement, located on Granger Road in the City of Brooklyn Heights, known as part of PPN 531-23-021, owned by the Village of Brooklyn Heights, necessary for the West Creek Temporary Bank Stabilization Project with a total consideration of \$1.00.

Resolution No. 254-18

Authorize the District to acquire one permanent stormwater easement and two temporary easements located at 990 Resource Drive in the

City of Brooklyn Heights, known as part of PPN 531-28-006, owned by Resource Drive Associates, LLC, necessary for the construction and maintenance of the West Creek Temporary Bank Stabilization Project with a total consideration of \$1.00.

Resolution No. 255-18

Authorize the District to acquire one permanent stormwater easement and two temporary construction easements located at 6330 Pearl Road in the City of Parma Heights, known as part of PPNs 473-21-002 and 473-21-029, owned by Iren Cseko, necessary for the construction of the Columbo Park Stream Restoration Project with a total consideration of \$115,000.00.

Resolution No. 256-18

Authorize the District to acquire one permanent easement and one temporary easement, located at 657 East 152nd Street in the City of Cleveland, on a portion of PPN 116-09-004, owned by Yaser S. Najjar, necessary for the construction of the London Road Relief Sewer Project with a total consideration of \$2,000.00.

Resolution No. 257-18

Authorize the District to acquire one permanent subterranean easement, located at 16201 St. Clair Avenue in the City of Cleveland, on a portion of PPN 116-14-104, owned by Levant Koprulu, necessary for the construction of the London Road Relief Sewer Project with a total consideration of \$82,370.00.

Resolution No. 258-18

Authorize the District to enter into a right of entry agreement for use of property, located at 16324 St. Clair Avenue in the City of Cleveland, located on a portion of PPN 116-20-004, owned by Collinwood Nottingham Villages aka Collinwood and Nottingham Villages Development Corporation, necessary for the construction of the London Road Relief Sewer Project with a total consideration of \$1.00.

**MOTION** – Mr. Ciaccia moved and Mr. Sulik seconded to adopt Resolution Nos. 247-18 through 258-18. Without objection, the motion carried unanimously.



VI. Information Items

1. Information Technology Progress Update

Chandra Yadati, Director of Information Technology (IT), provided a summary of projects IT has completed in 2018 -- including the Billing and Receivables Project, the Data Warehouse Project and UltiPro.

Mr. Yadati explained that earlier in 2018 staff modernized and brought a digital experience to community partners for plan review submissions and permit requests, Energy Cap was implemented, which tracks energy and gas usage, and billing, payment and receivables information was brought together in partnership with CWD to bring it into a single data warehouse.

Daryl Coats, Data Governance & Business Intelligence Manager, advised that the Billing and Revenue Data Warehouse Project was approved by the Board in November 2017. The data warehouse aggregates data from CWD's billing system and the Oracle EBS system. The data will be used to provide web-based billing payment, accounts receivable information and analytics to the District. CWD IT and District IT partnered on this project.

The data is presented to users in easily understandable terms, which allows analysts to perform queries, answer questions and provide reporting without worrying about the underlying data fields or query performance. Mr. Coats further explained the enhanced and detailed billing information and tools the District now has.

Mr. Ciaccia inquired how staff will mesh with CWD on this information. Kenneth J. Duplay, Chief Financial Officer, advised that this allows staff to take data they are already receiving from CWD in different formats and combine them with District direct-bill data into one single source. That information can be used to identify things that may also impact CWD.

Mr. Yadati continued to state that operational excellence was considered for all areas of business. He wants to ensure that there is a good alignment and the District is making the right technology investments.

Moving to workforce planning and investment, he indicated that staff has upgraded the equipment platform last year and this week the first paychecks have come on through the UltiPro system, which combines payroll, time-keeping and Human Resources into one combined system.

Other 2018 initiatives will include a wide-area network upgrade, an Oracle upgrade and annual personal computer refresh. In the next month, they will move to an electronic Oracle I-expense system to manage travel and subscription reimbursements. Disaster recovery testing will commence with asset management, Oracle financial and purchasing systems.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

Mr. Brown noted that a storm had caused havoc in the area on Tuesday. He was particularly concerned about East 185th Street because it seems like the merchants are starting to see more basement flooding. He asked that the District work with the City of Cleveland to investigate why that may be occurring because it is unusual.

CEO Dreyfuss-Wells advised that staff met to discuss that topic this morning. Staff received e-mails from several residents on Tuesday at 3:30 when it started to rain because of flooded basements. Staff is getting information out to Councilman Polensek and his constituents so they understand the maintenance activities the District has been doing. The Lakeshore Boulevard Relief Sewer will come online next week.

Mr. Brown stated that the councilman was very concerned about that July 9 online date. Mr. Gabriel explained that the District is on schedule to commence activating the Lakeshore Boulevard Relief Sewer next Monday and it will probably take most of the week to complete the work. The sewer should be online by the end of next week.

Mr. Brown stated that it is a significant level of improvement against flooding for portions of that area and provides additional capacity for streets north of Lakeshore. He suggested having some outreach in that regard and further stated that the Board would want to know how it is performing after the first three or four series of events.

Moving to the last item, Mr. Brown postponed the election of officers until the July 19 meeting.

IX. Executive Session


There were no items.

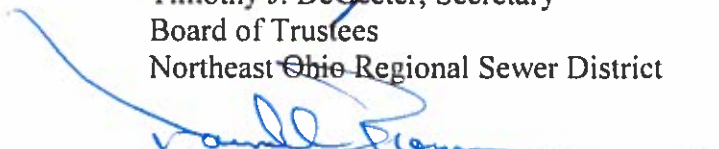
X. Approval of Items from Executive Session

There were no items.

XI. Adjournment

**MOTION** – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mr. Sulik moved and Mayor Stefanik seconded the motion to adjourn at 1:28 p.m. Without objection, the motion carried unanimously.

  
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Timothy J. DeGeeter, Secretary  
Board of Trustees  
Northeast Ohio Regional Sewer District

  
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Darnell Brown, President  
Board of Trustees  
Northeast Ohio Regional Sewer District