

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
JUNE 2, 2022

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

I. Roll Call

Present: Darnell Brown  
Timothy DeGeeter  
Ronald Sulik  
Jack Bacci  
Marjorie Chambers  
Samuel Alai  
Sharon Dumas

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

II. Approval of Minutes

**MOTION** – Mayor Bacci moved, and Ms. Dumas seconded to approve the Minutes of the May 19, 2022 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, provided an update regarding NEORSD's ongoing COVID-19 pandemic response and informed the Board that NEORSD staff has 2 active COVID-19 cases, and 2 employees with COVID-19-like symptoms. There has been a total of 220 employees with confirmed diagnoses since the beginning of the pandemic, 218 of whom have recovered and returned to work.

Ms. Dreyfuss-Wells reminded the Board that in 2022 NEORSD expanded the eligibility for its cost savings programs by raising the eligibility from 200% of the Federal Poverty Level (FPL) to 250% of the FPL and allowing renters that meet the requirements and are responsible for paying their sewer and stormwater bills to participate in the program. Constance Haqq, Chief Administrative Officer, and her team established an annual goal of adding 2,000 new accounts to cost savings programs, based on the gap between eligibility and participation.

Ms. Dreyfuss-Wells invited Ms. Haqq to provide the first quarter report on NEORSD's cost saving outreach and enrollment process.

Ms. Haqq explained that there are six cost savings programs available to customers: the Homestead and Affordability Programs both provide a 40% discount on monthly bills; the Crisis Assistance Program provides up to \$300 per year; the Summer Sprinkling Program; the Plumbing and Sewer Repair Program; and the Regional Stormwater Management Program fee credits.

NEORSD has been focused on resolving the underutilization of its cost saving programs, pushing to enroll more customers, particularly renters, as they tend to experience more poverty than homeowners.

Expanding the income threshold to 250% of the FPL increased the number of eligible households by 20,000, as did opening the programs to renters for a total of 40,000 newly eligible households. In order to inform customers of the availability of these programs, NEORSD has increased its outreach efforts through partnerships with other organizations, and by having a dedicated customer service representative to assist with outreach and enrollment. Additionally, NEORSD has worked more closely with CHN Housing Partners. NEORSD supports CHN Housing Partners' Water Champions Program, which provides individuals to go into the community to inform residents of the cost saving programs.

NEORSD has provided the assistance of three customer service representatives to CHN Housing Partners and Step Forward in administering the federally funded Low-Income Household Water Affordability Program (LIHWAP) to assist them in customer outreach while they are experiencing staffing shortages, despite NEORSD not directly administering the program. These staff members contact customers three days per week to assist them with enrollment.

Additionally, NEORSD partnered with Cuyahoga County, as they also have a Homestead Program to provide a reduction in property taxes for low-income homeowners, with very similar income requirements to NEORSD's programs. The county provided a list of 80,000 households which NEORSD staff reviewed to identify customers and removed the names of customers already enrolled. NEORSD will send out letters directly to the remaining customers in batches of 5,000 to inform them of their potential eligibility for NEORSD's cost saving programs, in an effort to eliminate barriers to those customers.

NEORSD is scheduling six utility resource fairs to enroll customers in its programs and continues to include cost savings information in all of its educational outreach. Additionally, NEORSD contacted San Antonio Water and Sewer for information regarding their outreach efforts as they have 59% of eligible customers enrolled in their cost saving programs.

NEORSD's first utility fair was held on May 21. Ms. Haqq expressed her appreciation to Ward 9 Councilman Conwell for assisting NEORSD staff in organizing the event as well as NEORSD's Communications staff for their outreach efforts. Staff called and confirmed with everyone who registered and requested that they bring supporting documentation with them to the event. Ms. Haqq also thanked Dominion Energy, FirstEnergy, the Cleveland Divisions of Water and Water Pollution Control, and Cleveland Public Power for attending the event. Because customers had their supporting documents with them, they were able to sign up with CHN Housing Partners and Cleveland Connections at the event. The goal to enroll 60 customers was far exceeded with 120 customers enrolling at the event.

The goal for new enrollees in NEORSD cost saving programs for 2022 is 2,000 customers and the First Quarter total is 1,133 new enrollees. Ms. Haqq provided a graphic demonstrating the breakdown of enrollees per program.

NEORSD has upcoming utility fairs scheduled in Councilman Starr's ward, Councilwomen Santana and Spencer will combine events on the West side, and fairs will also be held in Richmond Heights and East Cleveland. NEORSD hopes to hold its fifth utility fair in Parma.

NEORSD will continue to track progress from the outreach performed based on Cuyahoga County's list and will explore new partnerships. Additionally, NEORSD is working with CHN Housing Partners to decrease the accepted types of documentation needed to enroll in the programs in hopes of further reducing barriers.

President Brown expressed appreciation that the team is targeting sections of the service area likely to have eligible customers and noted the importance of following up with residents in the communities to ensure that they are aware of the programs. Ms. Haqq thanked President Brown for his comments and added that the outreach was widely discussed on Twitter with residents notifying each other about the event. Ms. Haqq thanked the Government Affairs Department and Customer Service Department staff for their efforts.

Ms. Dreyfuss-Wells highlighted the amount of work that Ms. Haqq and her team have put into continuous outreach and noted that while there is more to accomplish, the efforts are bearing fruit.

President Brown noted that there was prior discussion regarding potential State legislation that would curtail the ability of utilities such as NEORSD to certify delinquent accounts and asked for an update regarding the matter. Ms. Dreyfuss-Wells advised that NEORSD provided comment regarding Senate Bill 193, which would have revoked the ability of utilities to certify delinquent accounts. Because Senator Williams has resigned, the status of the Bill is currently unknown, however, NEORSD will continue to monitor the status and update the Board.

V. Action Items

Authorization to Advertise

Resolution No. 177-22                      Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the purchase of ten vehicles with an anticipated expenditure of \$741,500.00.

Resolution No. 178-22                      Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Southerly PLC Replacement project with an anticipated expenditure of \$17,000,000.00.

**MOTION** – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution Nos. 177-22 through 178-22. After the following discussion, without objection, the motion carried unanimously.

President Brown asked whether, Regarding Resolution No. 178-22, this is the third wastewater treatment plant (WWTP) to undergo this initiative and is to be completed over the course of three years. Devona Marshall, Director of Engineering and Construction, answered affirmatively and explained that this is the third of four such projects planned under Automation Project Management (AMP) Phase 1/Phase 2. The Westerly Programmable Logic Controllers (PLC) project is complete, the Easterly PLC project began construction in April, and the Collections System PLC Replacement is scheduled to bid for construction by the end of this year.

Ms. Marshall added that there is one more near term PLC replacement project at the Southerly Plant as the PLCs associated with the Renewable Energy Facility (REF) were not included in the first phase. The reason for this is that the PLCs in the REF have not reached the end of their useful life and to extend the expenditures over a longer period of time as PLCs will continue to require periodic replacements.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 179-22                      Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, to implement the 2023 Green Infrastructure Grants Program for the Combined Sewer Area.

**MOTION** – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 179-22. After the following discussion, without objection, the motion carried unanimously.

President Brown asked whether the intent of Resolution No. 179-22 is to allow the member communities to submit applications to participate in the program. Frank Greenland, Director of Watershed Programs, answered affirmatively and provided a graphic demonstrating the history of

the program including funds awarded in green infrastructure grants and projections of the reduction of stormwater getting into the combined sewer system. Mr. Greenland explained that to date, NEORSD has awarded nearly \$11 million in grants providing nearly 33 million gallons of stormwater reduction annually.

In 2022, NEORSD instituted design-only grants to allow member communities to better prepare their projects for construction. The total grant amount for 2023 is \$1.5 million.

President Brown inquired as to the status of discussions with Cuyahoga County regarding funding. Mr. Greenland explained that NEORSD is in discussions with the County and \$1 million is tentatively slated to go to NEORSD's Green Infrastructure Grants Program. NEORSD will come to the Board to approve an agreement to accept the funds and solicit additional project proposals if the funds are received.

#### Authorization to Purchase

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| Resolution No. 180-22 | Authorization to purchase Polychem metallic sludge collector replacement parts, as-needed, from sole source vendor Pelton Environmental Products, necessary for the Primary Settling Tanks used at the Easterly and Southerly Wastewater Treatment Plants in a total amount not-to-exceed \$250,000.00.                                  |
| Resolution No. 181-22 | Authorization to enter into a one-year agreement with sole source vendor OSIsoft, LLC, for software maintenance and support for NEORSD's Process Data Management System (PDMS) application, for the period June 1, 2022 through May 31, 2023, in an amount not-to-exceed \$64,350.00.  |
| Resolution No. 182-22 | Authorization to purchase a three-year enterprise agreement from Dell Marketing, LLP under the State of Ohio Cooperative Purchasing Program, necessary for Microsoft Office 365 license subscriptions and Windows and SQL Server software maintenance from July 1, 2022 through June 30, 2025 in an amount not-to-exceed \$1,122,000.00. |

**MOTION** –Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 180-22 through 182-22. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

- Resolution No. 183-22      Authorization to enter into agreements with AIG/Lexington National Insurance Company, Travelers Insurance, Berkley National Insurance, Arch Insurance Group, Inc., Chubb Limited, Resilience Insurance, and Lloyd's of London for their respective portions of NEORSD's operational insurance program for the period July 1, 2022 through June 30, 2023, as presented, in a total amount for all agreements not-to-exceed \$1,338,611.00, including allowance.
- Resolution No. 184-22      Authorization to enter into an agreement with the City of Cleveland and the Cleveland Museum of Natural History's GreenCityBlueLake Institute as fiscal agent, to sponsor District-related projects, including an offering of ten rain barrel workshops for homeowners led by participating youth, to be implemented under Mayor Justin M. Bibb's 2022 Youth Summer Employment Program in amount not-to-exceed \$20,000.00.
- Resolution No. 185-22      Authorization to enter into a one-year partnership agreement with the Cuyahoga County Solid Waste District for its Cuyahoga County Household Hazardous Waste Program (HHW Program) to assist in the cost to collect and transport household hazardous waste in the total amount of \$75,000.00.

**MOTION** – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 183-22 through 185-22. After the following discussion, without objection, the motion carried unanimously.

President Brown requested an overview of the insurance provided under Resolution No. 183-22. Ken Duplay, Chief Financial Officer, explained that the market was less volatile than it has been in recent years and that Julie Reed of Willis Towers Watson (WTW), NEORSD's insurance broker, was in attendance to answer questions. Mr. Duplay invited Shola Ojo, Manager of Finance and Compliance, to provide a presentation to outline the insurance program and renewal of the policies.

Mr. Ojo explained that the current period began July 1, 2021, and will end June 30, 2022, and the three primary activities that WTW assists with are procuring insurance, providing market updates, and administrative duties during the renewal period. NEORSD is in the fourth year of its six-year agreement with WTW.

Mr. Ojo provided a detailed summary of the renewal activities process throughout the year and explained that the First Quarter is dedicated to meeting with WTW and creating a renewal strategy. This year, a primary focus was cyber insurance renewal to engage as many vendors as possible.

In the Second Quarter, applications are submitted to market and quotes from vendors are received and reviewed by NEORSD staff and management before coming to the Board for approval.

In the Third Quarter, after approval of the insurance renewal, payments for the policies are issued to the vendors, and the agreements from the vendors are received and reviewed with audit activities performed to ensure that, not only are the policies accurate, but that the vendors have current information regarding staffing levels and other factors that can impact premiums.

In the Fourth Quarter, there are loss control site visits performed by AIG to assess safety measures, particularly fire suppression, at NEORSD facilities. The visits impact premiums for the next year. AIG will sometimes make recommendations for safety improvements, which staff will implement if possible.

Once the renewal process is complete, there are tasks that are only activity based, such as claims reporting for motor vehicle accidents. NEORSD also continues to monitor the market throughout the year as it can be volatile; for example, there was a 100% increase in cyber insurance over the course of the year.

Mr. Ojo provided a summary of the different types of insurance policies that NEORSD carries and what they cover beginning with General Casualty liability. Commercial General Liability protects against third-party property damage and bodily injury allegedly caused by NEORSD from general business operations. Employee Benefits Liability is for administration of the employee benefits program. Law Enforcement Liability would cover any potential claims against NEORSD's Security staff. Public Entity Management Liability protects executive staff and Board Members. Public Entity Employment Related Practice Liability is in place for employment-related civil claims. Additionally, there is a General Liability policy and a Stop Gap Liability policy which provide employees with liability coverage and protects the employer from liability for work injury, which is more closely related to Workers' Compensation claims. There is also an Automobile policy to cover NEORSD vehicles which includes uninsured/underinsured coverage as well as physical damage to vehicles. The auto policy saw an 11% cost increase in the last year.

There is primary insurance and secondary insurance. Included under General Liability is the secondary insurance, umbrella, and excess coverage. There is \$10 million in coverage under the umbrella policy for unexpected catastrophic events in excess of the limits of the primary policies including General, Automobile, and Employer Liability policies.

The second secondary coverage is the excess liability coverage which adds a layer of protection for losses in excess of primary and umbrella policy limits but does not provide gap coverage under those underlying policies.



Mr. Ojo provided policy premiums beginning with General Liability at a cost of \$384,317, which is a 4% increase from last year. Excess Worker's Compensation coverage, which is intended to cover catastrophic events in excess of NEORSD's self-insured workers compensation policy, has a \$103,159 premium. Crime Insurance, which covers common losses such as employee theft and fraud has a \$20,780 premium. Property, the largest premium with an 8% increase from last year renewal, has a \$661,500 premium. This is the first year that there was a single digit increase in the Property premium due to more favorable market conditions and NEORSD's efforts with AIG to address loss control prevention safety measures.

Mr. Duplay added that, as was discussed during the Rate Study process, NEORSD's Property Insurance covers its physical facilities and pump stations; however, underground facilities, sewers, and storage tunnels are not insured. This is part of the reason that NEORSD has its reserves, as it is self-insured for a catastrophic event in the collection system.

Mr. Ojo advised that Terrorism Insurance had a 33% decrease in premiums with a total cost of \$50,225. The Cyber Insurance premium is \$98,630, a 100% premium cost increase which is reflective of what is happening in the market. NEORSD staff spent significant time and effort in ensuring that the proper controls are in place and working with WTW.

The expiring premiums from the last renewal period were \$1.2 million and the current total is \$1.3 million plus a \$20,000 allowance to account for audits to the invoices. The total increase in premiums is 6.42%, which is lower than most years.

Mr. Ojo provided a final graphic demonstrating the various policies.

Ms. Dumas asked for a brief explanation of the Workers' Compensation coverage. Mr. Ojo explained that NEORSD is self-insured, meaning that it pays directly for any injury-related costs up to \$800,000 per incident and anything over that amount would fall under the excess coverage.

Mayor Bacci asked what would happen if there was a catastrophic event at an NEORSD facility that impacted local waterways and whether there would be government funding to assist with costs. Julie Reed of WTW advised that NEORSD does not currently purchase Independent Pollution Liability coverage meaning that NEORSD would need to seek out state and/or federal assistance should such an event occur. This is not typically covered under a standard liability or property policy.

#### Authorization to Enter Into Contract

Resolution No. 186-22

Authorization to enter into a three-year requirement contract with The Smith & Oby Service Company under the State of Ohio's Cooperative Purchasing Program, necessary for HVAC/R repairs and



as-needed preventative maintenance at all District facilities in an amount not-to-exceed \$1,600,000.00.

Resolution No. 187-22      Authorization to enter into a requirement contract with Unistrut Service Company for the purchase of rooftop fall prevention equipment in an amount not-to-exceed \$200,000.00.

**MOTION** – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 186-22 through 187-22. Without objection, the motion carried unanimously.

Authorization to Amend Agreement

Resolution No. 188-22      Authorization to amend 2022 Watershed Partners Service Agreement No. 22001410 with the Rocky River Watershed Council, to add the Cuyahoga Soil and Water Conservation District as the fiscal agent under the Agreement.

Resolution No. 189-22      Authorization to amend Agreement No. 19004055 for Office 365 and Windows/SQL Server licenses under the State of Ohio Cooperative Purchasing Program, necessary for a licensing true-up, by increasing the agreement amount by \$422,029.36, thereby bringing the total agreement amount not-to-exceed \$1,232,029.36.

Resolution No. 190-22      Authorizing final adjusting change order for design-build Agreement No. 19005267 with Cold Harbor Building Company for the Southerly Miscellaneous Disinfection and Solids Handling Improvements project by decreasing the agreement amount by \$1,192,682.21, thereby bringing the total agreement amount to \$4,209,767.92.

**MOTION** – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 188-22 through 190-22. Without objection, the motion carried unanimously.

Property Related Transactions

Resolution No. 191-22      Authorization to acquire one parcel in fee simple known as PPN 761-16-012, located at 4238 Cricket Lane, in the City of Warrensville Heights, owned by Reven W. Gunn, necessary for the construction and maintenance of the Mill Creek Restoration Near Cricket Lane in Warrensville Heights project, to enter into a lease agreement with Reven W. Gunn, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC, with total consideration of \$100,000.00 plus closing costs.

**MOTION** – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution No. 191-22. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 192-22                      Adopting the findings of the Hearing Officer with regard to the sewer account of Omobolajiadeola Delu, Sewer District Hearing No. 22-006, that the customer's request be denied.

**MOTION** – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution No. 192-22. Without objection, the motion carried unanimously.

VI.     Information Items

Mohan Kurup, Director of Information Technology (IT), provided the June 2022 IT Update beginning with the Oracle EBS Upgrade project. NEORSD currently has version 12.1, which was implemented in 2013 and patched in 2016. The upgrade will be to version 12.2 which is guaranteed to be supported through 2031. Additionally, since the licensing was purchased for version 12.2, NEORSD has product support for 12.1 as the project runs through the end of 2022.

The new enhancements and benefits of the Oracle EBS Upgrade include a new suite of enterprise command centers, which are essentially built-in dashboards that are pre-configured and allow significantly detailed document views. The upgrade will also eliminate some manual interfaces, enhance file automation thereby reducing the risk of human error, as well as provide improved functionality of iProcurement, iSupplier, Accounts Payable, and other modules. The IT Department has been working with the Finance Department to define what those new capabilities are and what Finance needs from the upgraded tools. The upgrade includes a new online patching feature which will enable the IT Department to apply patches to the system without making it unavailable, which will reduce downtime. Additionally, it has a diagnostic feature that allows at-a-glance configuration checks that can prevent vulnerabilities. The new version also includes iPad support, which will be helpful to iPad users throughout NEORSD.

The IT Department has implemented several updates to the Gauge Adjusted Rainfall Radar (GARR) system, to improve data collection. The GARR is managed by George Remias, Manager of Stormwater Strategic Support to monitor monthly rainfall data. Improvements include increased querying capabilities and additional filter attributes such as communities, sub-watersheds, and watersheds, as well as the ability to create new reports and improve existing summary reports.

Mr. Kurup displayed a graphic that demonstrated a sample of data during a rain event and explained that NEORSD's Service Area is split into 3,410 one-by-one-kilometer grids. The data is sourced from 51 total rain gauges, 30 of which are owned by NEORSD, and the remainder are owned by

other municipalities and Cleveland Hopkins International Airport. The weather radar is used to extrapolate each of the one-by-one-kilometer grids to provide useful weather pattern information.

Mr. Kurup continued with a summary of infrastructure upgrade projects. The Network Infrastructure Upgrade project has been impacted by supply chain issues; however, much of the network equipment has been received and installation is being implemented.

The Storage Area Network (SAN) Replacement project which aims to replace the two SANs that house District files at GJM and EMSC after a 13-year lifespan, is being implemented and the vendor has been selected for that replacement. The GJM SAN holds about 200 terabytes, which is equivalent to approximately 6.5 million printed pages worth of information, meaning that there are significant amounts of data to move and back up.

Other infrastructure upgrades include VMware, which is the virtual software environment, virtual servers, and selected small conference room upgrades to improve connectivity, put cameras in the conference rooms, and Honeywell systems to allow conversations across remote locations.

IT has been building applications for several departments to track overtime and has completed proof of concept for an application being utilized by Maintenance Services, Fleet Services, and Sewer System Maintenance and Operation (SSMO). IT is working to improve the application based on suggestions from staff.

Regarding future projects, IT is working with Denise Rice-Ali, Director of Human Resources, on case management and performance management implementation within the UKG system. IT is also working to implement an electronic bidding system to replace the manual process.

Information security is an ongoing activity and the Information Security (InfoSec) group, which is interdepartmental and has representation from across NEORSD, continues to draft policies, refine processes, and make recommendations for staff training that occurs annually. Mr. Kurup explained each department has targeted training dependent upon their levels of exposure and access to sensitive data. The deadline for staff to complete 2022 training is June 30.

The IT Incidents and Response and Disaster Recovery Plan continues to be updated. Significant progress has been made in documenting data and conducting business impact analysis. IT is ensuring that business expectations of what is recoverable and how fast it can be recovered meets the IT Department's capabilities.

As for incidents and service requests, IT has seen a year over year increase in the number of annual cases that the HelpDesk is handling. It appears that 2022 volume is on track to meet the trend. Additionally, Mr. Kurup discussed the change control dashboard, which illustrates process improvements and explained that one of the major improvements implemented this year is the sub-task that was added to every change control item, which calls for the manager of the group

that made the change to go back and review the change after it has been completed. The IT managers and Mr. Kurup review the changes that occur quarterly and sign off on them, pursuant to an audit recommendation that was implemented.

Mr. Kurup added that in addition to tracking ticket volumes the Cherwell system also sends out customer service satisfaction surveys. The IT Department's target is to remain above 4.85 out of 5 for customer satisfaction. The Department's current score is 4.97, exceeding the goal.

VII. Public Session (any subject matter)

There were no items.

VIII. Executive Session


There were no items.

IX. Approval of Items from Executive Session

There were no items.

X. Adjournment

**MOTION** – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 1:34 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