

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
FEBRUARY 1, 2024

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

I. Roll Call

Present: Ronald Sulik
Timothy DeGeeter
Jack Bacci
Sharon Dumas
Samuel Alai

Absent: Darnell Brown
Marjorie Chambers

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Mayor Alai seconded to approve the Minutes of the January 18, 2024, 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, advised the Board that on January 23rd the Greater Cleveland Partnership held their second annual Sustainability Summit at the Huntington Convention Center. There were 600 people in attendance, with corporate and nonprofit sustainability leaders from around the country, including Ohio EPA Director Anne Vogel. Ms. Dreyfuss-Wells participated in a panel discussion focused on water as a driver of economic development, along with City of Cleveland Division of Water, the Ohio Lake Erie Commission, and the Cleveland Water Alliance. Four members of NEORS's Sustainability Employee Resource Group were also in attendance.

On January 24th NEORS, in partnership with Ohio Means Jobs, hosted its second job fair focused on the Good Neighbor Ambassador (GNA) Program. Staff interviewed 62 applicants for GNA

positions and NEORSD is in the process of following up with the top candidates. The two events have been successful and NEORSD will continue to partner with Ohio Means Jobs for future job fairs.

On January 25th NEORSD held its first of three winter employee tours of the Easterly Tunnel Dewatering Pump Station. NEORSD began hosting employee tours two summers ago and the response was so overwhelming that NEORSD decided to continue hosting the tours and added additional winter tours. The tour was attended by 25 employees and guided by Josh Dress, Assistant Manager of SSMO, along with SSMO Supervisors Josh Jeffi, Dave Glisic, and Mark Stieber. Ms. Dreyfuss-Wells thanked the tour guides and Southerly staff that provided a shuttle bus for the employees. The next tours will be held on February 29th and March 28th.

On February 3rd NEORSD's Customer Service Department will begin offering weekend office hours. NEORSD will open GJM the first Saturday of each month in 2024 from 8:00 a.m. to 11:00 a.m. and the phone lines will be open from 8:00 a.m. until 12:00 p.m. The City of Cleveland Division of Water will also be on hand to assist customers with their water bills and water cost savings programs. As NEORSD saw at the Utility Assistance Resource Fairs, customers need to be able to receive assistance outside of normal business hours. Customer Service will be supported by Security, who will open the building. Mr. Sulik asked for clarification that staff from City of Cleveland Division of Water will be in attendance and the Saturday hours will be at GJM. Ms. Dreyfuss-Wells answered affirmatively.

Action Items

Authorization to Advertise

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| Resolution No. 24-24 | Authorization to publish notice calling for bids for a two-year requirement contract for sludge cake removal services for the Southerly and Westerly Wastewater Treatment Centers, in accordance with Ohio Revised Code Section 6119.10, with an estimated probable cost of \$3,900,000.00. |
| Resolution No. 25-24 | Authorization to publish notice calling for bids for a public improvement contract to construct the Baldwin Creek Bonny Banks Basin Improvements project, in accordance with Ohio Revised Code Section 6119.10, with an estimated probable construction cost of \$2,666,425.00. |
| Resolution No. 26-24 | Authorization to publish notice calling for bids for up to two, 2-year requirement contracts for the Property Demolition Services 3 project, in accordance with Ohio Revised Code Section 6119.10, with an estimated probable cost of \$1,200,000.00. |

MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution Nos. 24-24 through 26-24. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested additional information regarding the services associated with Resolution No. 24-24. Frank Foley, Director of Operation and Maintenance, explained that this resolution relates to a contract for sludge cake hauling services.

NEORS D hauls sludge from the Westerly and Southerly WWTCs differently. Sludge cake is hauled daily from the Westerly WWTC by the current contractor, Quasar. It is ordinarily taken to their facility in Collinwood where it is processed to produce electricity. There are approximately two trailers of sludge removed per day. At the Southerly WWTC, other than the times that sludge pumps are being tested or calibrated, sludge cake is only hauled if there is a problem with an incinerator. There is a very large quantity of sludge produced at Southerly, approximately twenty trailers per day. Because of the different needs of the facilities, the contract will be split into two bid groups, in order to allow vendors to bid on either or both of the facilities.

Mr. Sulik requested additional information regarding the project associated with Resolution No. 25-24. Matt Scharver, Director of Watershed Programs, explained that this is a continuation of investment under the Regional Stormwater Management Program on an existing stormwater detention basin in the City of Parma next to Bonny Banks Park. NEORS D previously has completed some projects in the Baldwin Creek Watershed, including dredging this basin in 2019 to reduce public roadway flooding, and in 2021/2022, a storm relief culvert to better convey stormwater flows. This project will expand the Bonny Banks Basin in order to capture the 100-year level of service within the basin and bring further relief to residential and public roadway flooding.

Mayor DeGeeter noted that significant progress has been made over the years and thanked NEORS D for the investment in the area to reduce flooding.

Authorization to Advertise and Enter Into Contract

Resolution No. 27-24

Authorization to publish notice calling for bids for a one-year, two-year, or three-year requirement contract for the purchase of natural gas supply for use at all wastewater treatment plants, the George J. McMonagle Building, the Environmental and Maintenance Service Center, and outlying facilities, in accordance with Ohio Revised Code Section 6119.10, and authorizing the Chief Executive Officer to enter into a one-year, two-year, or three-year contract with the lowest and best bidder and execute any documents necessary to secure bid pricing most favorable to the District without additional Board approval, with a total expenditure not-to-exceed \$3,400,000.00.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 27-24. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik noted that NEORSD has requested authorization to advertise and enter into a contract for utility services in the past due to market volatility and requested additional information. Ken Duplay, Chief Financial Officer, answered affirmatively and explained that the current two-year contract is expiring at the end of April. NEORSD is anticipating higher pricing in this contract than the last, though prices are currently decreasing. This authorization allows Jacqueline Williams, Manager of Procurement Services, and her team to monitor the market, find the most advantageous pricing, and enter into either a one, two or three-year contract.

Authorization to Enter Into Agreement

Resolution No. 28-24 Authorization to enter into a professional services agreement with OpenGov, Inc. for software, system implementation, and management of the Electronic Bidding Solution Evaluation and Implementation project in an amount not-to-exceed \$47,079.00.

MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution Nos. 14-24 through 16-24. Without objection, the motion carried unanimously.

Authorization to Amend Agreement

Resolution No. 29-24 Authorization to amend the Green Infrastructure Grant Agreement with the County of Cuyahoga to reallocate \$125,000.00 of County grant funds from Cleveland Neighborhood Progress and the City of Cleveland’s Office of Sustainability for the Neighborhood Green Infrastructure Investment Planning project to the 2024 Green Infrastructure Grant Program for the Combined Sewer Area.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 29-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 30-24 Authorization to enter into a one-year requirement contract with PVS Technologies, Inc. for the delivery of up to 826,000 dry pounds of ferric chloride solution to all wastewater treatment plants in an amount not-to-exceed \$511,294.00.

Resolution No. 31-24 Authorization to enter into a public improvement contract with Jadco Construction Services, Inc. for the George J. McMonagle

Administration Building Wing Wall Masonry Repairs project in an amount not-to-exceed \$59,424.75.

Resolution No. 32-24 Authorization to enter into a public improvement contract with Ram Construction Services of Cleveland, LLC for the George J. McMonagle Administration Building South Entrance Stairs Masonry Repairs project in an amount not-to-exceed \$87,065.55.

Resolution No. 33-24 Authorization to enter into a public improvement contract with McNally Tunneling Corporation for the Southerly Tunnel and Consolidation project in an amount not-to-exceed \$328,027,000.00.

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution Nos. 30-24 through 33-24. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested additional information regarding the project associated with Resolution No. 33-24. Devona Marshall, Director of Engineering and Construction, explained that the Southerly Tunnel is the sixth of seven tunnels to be completed under Project Clean Lake and is a part of the larger Southerly Tunnel System, also known as Control Measure 21. Under Control Measure 21, NEORSD will attain control of the three largest CSO discharges to the Cuyahoga River, controlling 760 billion gallons annually.

All of the bids received were under the engineer's estimate of \$347.5 million. The lowest bidder, McNally Tunneling Corporation is the contractor for the Shoreline Tunnel, which is the only other soft-ground tunnel, and they were also the contractor for the Euclid Creek and Doan Valley Tunnels.

As for the scope of the project, it is NEORSD's longest soft-ground tunnel. The length of the tunnel is over 18,000 linear feet with a finished diameter of 23 feet. There are four deep shafts from the depths of 125 feet to 200 feet. There will also be a smaller dewatering shaft tunnel that will take flows from the pump station to the Southerly WWTC via the existing Southerly Interceptor. There will also be diversion and gate structures, some open cut consolidation sewers, as well as modifications to existing regulators and sewers in the system.

Ms. Marshall provided a list of projects that comprise Control Measure 21 and explained that the tunnel and consolidation sewer is the largest project with a construction award of \$328 million. There is also the Kingsbury Run Consolidation Sewer, which is in the design phase and will bring the largest input into the tunnel and has an estimated construction cost of \$95.6 million. The Southerly Regulators and Relief Sewers project is a smaller project that is under design to get flows to the tunnel from upstream, with an estimated construction cost of \$10.5 million. The dewatering pump station associated with the tunnel is also in design, with an estimated construction cost of \$34.1 million.

Some work has already been completed upstream of the Southerly Tunnel, including the Morgana Burke System Improvements, Burke Open Channel Improvements, and Miscellaneous CSO Improvements projects, with a final construction value of \$12.6 million. The total estimated construction cost of Control Measure 21 is just over \$480 million to achieve 760 million gallons of CSO control annually.

Mr. Sulik asked which communities will be impacted by the construction of the tunnel. Ms. Marshall explained that the project will affect Cleveland, Newburgh Heights, and Cuyahoga Heights.

Property Related Transaction

- Resolution No. 34-24 Authorization to acquire one parcel in fee simple, known as PPN 487-24-022, located at 5079 Akins Road, in the City of North Royalton, owned by Tina Chernow, now known as Tina Janus, necessary for the construction and maintenance of the Rocky River East Branch Problem Area 14 project, to enter into a six-month no-cost lease agreement with Ms. Chernow, and to allow for the entirety of payment to be disbursed to Black Tie Title Company with total consideration of \$228,500.00 plus closing costs.
- Resolution No. 35-24 Authorization to acquire one parcel in fee simple, known as PPN 457-33-009, located at 11105 West Pleasant Valley Road in the City of Parma, owned by Joseph Misock, Jr., necessary for the construction and maintenance of the SWMP Project Area 6 - Flood and Erosion Reduction Near York and Pleasant Valley Roads project, to enter into a six-month no-cost lease agreement with Mr. Misock, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$220,000.00 plus closing costs.
- Resolution No. 36-24 Authorization to acquire one parcel in fee simple, known as PPN 457-29-013, located at 11821 West Pleasant Valley Road in the City of Parma, owned by Russell A. and Donna M. Kurpik, necessary for the construction and maintenance of the SWMP Project Area 6 - Flood and Erosion Reduction Near York and Pleasant Valley Roads project, to enter into a six-month no-cost lease agreement with the Kurpiks, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$190,000.00 plus closing costs.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 34-24 through 36-24. Without objection, the motion carried unanimously.

V. Information Items

Mr. Foley provided the quarterly Operation and Maintenance (O&M) update for the fourth quarter of 2023, beginning with safety. There were five events that led to lost or restricted workdays, three of those events were within O&M and two in other departments. Mr. Foley provided a graph demonstrating that the number of lost or restricted workdays has generally been declining since 2019.

All of the lost workdays for Q4 were in O&M, as were most of the restricted days with others being in WQIS and the stockroom personnel. The internal threshold for the DART rate is 2.0 and NEORSD is below that in O&M and all other departments.

Regarding effluent quality, all permit requirements were met at all WWTPs in Q4 for total suspended solids, CBOD, and phosphorous. In November, the Westerly WWTC was close to the limit of 1.0 mg/L for phosphorus, with an average of 0.95 for the month. Based on those levels, staff adjusted the ferric chloride feed, and the levels improved in December and are expected to continue going forward. *E. coli* levels were within acceptable limits in November, and monitoring will begin again on May 1, 2024.

In 2023, NEORSD treated a total of almost 87 billion gallons of wastewater across the three WWTPs, for an average of approximately 241 million gallons per day. Effluent quality is monitored 24 hours per day, 7 days per week, 365 days per year, with a total of almost 5,000 data permit compliance points. Those are points in time when what is being discharged is compared to an effluent limit and reported. For the entire year, there was one excursion at the Southerly WWTC for mercury. There were no excursions at the Easterly WWTP or the Westerly WWTC for an overall compliance rate of approximately 99.98%. The Westerly WWTC will receive a NACWA peak performance award of gold for the year; the Southerly WWTC will receive a silver award; and a platinum award is anticipated for the Easterly WWTP, for five consecutive years with zero permit excursions. Mr. Foley congratulated staff on a job well done.

Mr. Foley provided a slide depicting the total maintenance cost at each facility and explained that approximately 56% of all maintenance costs were spent at the Southerly WWTC. In the collection system, a much higher percentage of the cost was for preventative maintenance than for corrective maintenance. On average, approximately 60% of maintenance costs at all WWTPs was for corrective maintenance, and approximately 32% was spent on preventive maintenance.

As for the collection system, there were only three dry weather overflows in all of 2023, which is the least there has ever been, and all of which were due to debris in the system. Mr. Foley provided a chart of historical dry weather overflow data going back to 2009 and offered kudos to NEORSD staff for their work in getting the facilities built and keeping them maintained. The automated

collection system equipment had almost 100% availability, except for one instance in August when a pump failed at the Jennings Road Pump Station during a wet weather event.

The total operating budget across the 10 O&M budget centers for 2023 was \$66.1 million and so far, the actual spending recorded is \$64.3 million, which is much closer than prior years, at 97% of budget. It was the intention to narrow the margin between actual spending and the operating budget. Total expenses for 2022 totaled \$57.9 million, meaning that O&M spent \$6.4 million more in 2023 than in 2022. The primary contributors to the increased spending were salaries, wages and benefits, electricity costs, and equipment instrumentation and parts.

Vehicle procurement has been a problem since the pandemic. There is one outstanding vehicle purchase from 2022 for a Jet Vac costing approximately \$500,000. That is scheduled to be delivered by the end of the month. There are 12 outstanding vehicle purchases that were approved by the Board in 2023 that NEORSD has not yet received and are anticipated to be delivered by the end of the year. The types of vehicles seeing the greatest delay are fairly standard vehicles that are manufactured by the big three automakers including sedans, pickup trucks, heavier duty pickup trucks, and SUVs.

Mr. Foley invited Tracey Phelps, Deputy Director of Operation and Maintenance, to provide the Diversity, Equity, and Inclusion (DEI) update for O&M.

Mr. Phelps explained that, regarding hiring and recruitment practices, the first step was to educate managers about DEI and what can be done to eliminate barriers for full participation for customers, employees, and vendors.

Inclusion means leveraging differences to create a better organization. Currently, there is a future need for skilled trade workers including electricians, mechanics, wastewater plant operators, and instrument technicians. NEORSD has a full-time maintenance training program that is a four-year program and a three-year operator training program. The strategy is to first post those positions internally for union members, per union contracts, and any remaining positions are posted externally and also consider diversity. The last time the maintenance positions were posted, NEORSD hired 10 people with varying ages, genders, backgrounds, and education levels, starting at the same time, with the same job and salary.

NEORSD has begun an initiative to recruit from high schools. NEORSD has formed relationships with the Effective Leadership Academy thanks to Mayor DeGeeter, and John F. Kennedy High School, thanks to Ms. Chambers, wherein the students come to NEORSD facilities for tours and to introduce them to positions that they can apply for right out of high school and into a training program for maintenance worker, operator, electrician, or mechanic, starting at close to \$59,000 per year, plus benefits. They will also discuss opportunities that could lead to future leadership positions wherein they could make upwards of \$100,000 per year with a high school diploma. Students have an opportunity to talk to staff about opportunities, salaries, NEORSD's core values, and what is expected of employees before they apply for any positions.

There is also a need for midlevel managers, and this is an opportunity for innovation in removing barriers. There is the position of Process Specialist, which was designed specifically for someone who has a bachelor's degree in engineering, chemistry, biology, environmental, or any type of science, who does not have work experience, to learn about wastewater processes and mentor them for future leadership roles. The last time the position was posted, there were 21 applicants from 14 different colleges. The candidate chosen, C'yona Edwards, is a graduate of Hiram College and is supervised and mentored by Kelly Valek, Unit Process Manager. Mr. Phelps offered kudos to Ms. Edwards and Ms. Valek for their good work and Ms. Edwards' growth in that position.

In order for NEORSD's DEI program to be successful, continued education is necessary. In 2024, all managers and supervisors will undergo training for unconscious bias, crucial conversations, and NEORSD's DEI 101 computer-based training program.

Mr. Sulik asked if there is an annual goal for the number of new trainees hired. Mr. Phelps answered affirmatively and explained that, with the expiration of the training programs, an evaluation of how many trainees will be hired and how many future retirees there are performed to determine the number of trainees needed. Mr. Foley added that NEORSD is able to bring in a new training group every two years and when performing budget planning, staffing needs are assessed.

Ms. Dumas asked about legislative efforts to thwart or amend these types of hiring efforts. Eric Luckage, Chief Legal Officer, explained that Ms. Dumas was likely describing the recent Supreme Court Harvard University decision, which limits the ability to use race as a determinant of hiring. The case did not go as far as to say that DEI training type programs are improper. There are some groups trying to extend the decision to those types of training, however, the Supreme Court has not made that ruling. Ms. Dreyfuss-Wells added that NEORSD has made it very clear that this idea of resiliency at NEORSD as an organization requires having a diverse workforce at all levels across the organization.

VI. Open Session

There were no items.

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 – Vice President Sulik stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 1:14 p.m. Without objection, the motion carried unanimously.



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



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