

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
APRIL 6, 2023

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 Darnell Brown.

I. Roll Call

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

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to approve the Minutes of the March 16, 2023 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 March 25 NEORS celebrated World Water Day at the Watershed Stewardship Center at West Creek in partnership with the Cleveland Metroparks and the City of Parma's annual Water Summit and other partners. NEORS's Customer Service staff members greeted attendees and provided information on cost saving programs. Staff provided hands-on assistance at the stream table, which has running water, buildings, and infrastructure to demonstrate flooding and erosion. Staff also provided information regarding stormwater projects throughout Parma. There was a record 583 attendees at the Stewardship Center. Ms. Dreyfuss-Wells thanked NEORS staff and partners for their participation.

On March 27, Tracey Phelps, Deputy Director of Operation and Maintenance, Scott Broski, Superintendent of Environmental Services, and Angela Jones, Government Affairs Specialist,

visited Central State University to meet with the college administration, conduct interviews with interested students, and discuss the Louis Stokes Scholarship and Clean Water Fellowship Program. The Louis Stokes Scholarship has been in place at NEORSD for 25 years and provides scholarship assistance and summer internships at NEORSD for Central State students studying water resource management, environmental engineering, and related fields. The Clean Water Fellowship program is a new two-year rotational program developed to offer recent engineering and water resource management graduates the opportunity to rotate through NEORSD's Operation and Maintenance, Engineering and Construction, Watershed Programs, and Technical Services departments.

On March 31, Donna Friedman, Manager of Community Watershed Coordination, Nicole Velez, Watershed Team Leader, and Ms. Dreyfuss-Wells attended Mayor Gallo's groundbreaking for the Parma Heights Nathan Hale Stormwater project. The project area is in the Big Creek watershed west of Tri-C and floods with nearly every rain event. The City designed a six-acre stormwater retention basin to alleviate flooding in approximately 400 homes. NEORSD partnered with the City, as the Nathan Hale Basin is part of the local stormwater system. The City is providing the funding for the \$4 million project with \$1 million in Member Community Infrastructure Program funding and \$1 million from the City's Community Cost-Share funds. To further address capacity issues and basement flooding in the area, NEORSD will be constructing the Maplewood Basin along the regional stormwater system.

V. Action Items

Authorization to Advertise

Resolution No. 94-23 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a two-year requirement contract for the Westside Stream Sediment and Debris Removal project with an anticipated expenditure of \$1,500,000.00.

Resolution No. 95-23 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Easterly Stockroom Relocation project with an anticipated expenditure of \$13,000,000.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 94-23 through 95-23. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the project associated with Resolution No. 95-23. Devona Marshall, Director of Engineering and Construction, explained that under this project, NEORSD is repurposing a decommissioned process building in order to centralize the stockroom of the Easterly WWTP to better ensure effective and efficient inventory management, pursuant to an audit finding. Additionally, the project will address a facilities-plan

recommendation to provide dedicated space for maintenance staff and their equipment. The project will also provide upgrades to one of the operator control hubs and replace damaged windows throughout the plant.

The project has a total construction period of 850 days, and 730 days to achieve substantial completion.

Authorization to Issue Request for Proposal (RFP)

Resolution No. 96-23 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for janitorial services for the George J. McMonagle building, Environmental and Maintenance Services Center, and Fleet Services facilities, for a two-year term.

Resolution No. 97-23 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for professional design services for the Infrastructure Investment and Jobs Act-Funded Member Community Sewer Improvements projects for the cities of Parma Heights, Richmond Heights, and East Cleveland.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 96-23 through 97-23. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that Resolution No. 97-23 appears to have \$2.9 million in design funds for NEORSD to work with these communities at no cost to NEORSD and asked whether NEORSD will be assisting in pursuing capital funding to other communities in subsequent rounds.

Ms. Marshall answered affirmatively and explained that this is part of NEORSD's continued efforts to support communities in implementing the recommendations that came out of the local sewer system evaluation studies. In this instance, NEORSD is helping the communities to leverage Infrastructure Investment and Jobs Act (IIJA) funding, after having assisted with the application process.

The City of Richmond Heights was awarded \$500,000, the City of East Cleveland was awarded \$1 million, and the City of Parma Heights was awarded \$1.4 million for their projects. These award amounts will cover the full design of these projects. If the communities choose, NEORSD will manage the design contracts, so there will be use of staff time, but NEORSD will not be paying for the design of the projects.

The estimated cost of construction for the three projects is \$13.6 million. The NEORSD team led by Watershed Team Leaders with support from the Engineering and Construction, Legal, and Finance Departments will continue to work closely with the communities to access funding for the

construction portion of the contracts, whether through future IJA funding, MCIP, or other avenues.

Authorization to Purchase

Resolution No. 98-23 Authorization to purchase synthetic lubricants, as-needed, from sole source vendor Amsoil, Inc., necessary for the maintenance of various wastewater treatment equipment and systems at all wastewater treatment plants in a total amount not-to-exceed \$90,000.00.

Resolution No. 99-23 Authorization to purchase annual software maintenance and support services from sole source vendor UKG, Inc. for the Integrated Human Resources Information System, for the period July 2, 2023 through July 1, 2025, in an amount not-to-exceed \$851,854.16.

MOTION – Ms. Chambers moved, and Mayor Bacci seconded to adopt Resolution Nos. 98-23 through 99-23. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that Resolution No. 99-23 is for proprietary software which NEORS uses for payroll, taxes, performance evaluations, and compensation study. The current two-year contract is expiring, and this contract is for an additional two years. President Brown asked if the software would address some concerns about performance evaluation and compensation.

Mohan Kurup, Director of Information Technology, explained that the subscription system is capable of addressing most of the Human Resource Department's needs. NEORS currently has eight modules that are live and fully utilized including the core system, time management, benefits administration, payroll, onboarding, recruiting, learning, and the time clock for hourly employees. Four more modules will be implemented in the coming year, including document management and people assist which includes personnel requisitions, performance management, and compensation management.

President Brown noted that it is a developing process and added that he would like to understand how this will facilitate some of the discussions that the Board and NEORS has been having regarding these issues.

Authorization to Enter Into Contract

Resolution No. 100-23 Authorization to enter into a construction contract with Marks Construction, Inc. for the Big Creek Streambank Stabilization at Pecan Drive in Parma project in an amount not-to-exceed \$108,770.00, and to authorize a general allowance in excess of ten percent of the base contract price bid, excluding specific allowances.

Resolution No. 101-23 Authorization to enter into a construction contract with Mark Haynes Construction, Inc. for the West Creek Stabilization in Brooklyn Heights project in an amount not-to-exceed \$14,878,993.50.

Resolution No. 102-23 Authorization to enter into a construction contract with Coordinated Systems Consulting, Inc. for the Southerly FST 7-11 Launder Support Concrete Repair project in an amount not-to-exceed \$449,886.00.

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution Nos. 100-23 through 102-23. After the following discussion, without objection, the motion carried unanimously.

President Brown inquired about NEORSD only receiving one bid for the project. Mr. Greenland explained that there was interest in the project, which is the largest Watershed Programs project. There is inherent risk in the project. It is a long stream restoration project on a stream that is in poor condition. It will involve 6,500 linear feet of stream restoration.

NEORSD has previously worked with this contractor and is confident in their ability to successfully complete the project as much of their work is performed along streams and shorelines.

The engineer's estimate for the project was \$19 million, so this is a favorable bid. The funding is distributed between the Regional Stormwater Management Program dollars and a GLRI grant of \$7 million, and ODNR is providing an additional \$2 million.

Mr. Greenland provided photos of the project area and explained that the project will also remove barriers to allow fish to travel in the waterway.

Authorization to Amend Resolution

Resolution No. 103-23 Authorization to amend Resolution No. 360-22, adopted November 3, 2022, which authorized the District to acquire two parcels in fee simple known as PPNs 456-12-003 and 456-12-004, and to acquire a temporary easement on the property known as PPN 456-12-003, both located on Pleasant Valley Road, in the City of Parma, owned by the Board of Education of the Parma City School District, necessary for the construction and maintenance of the Baldwin Creek Dell Haven Basin Near York Road project, with total consideration of \$381,000.00 plus closing costs, and to allow for the entirety of the payment to be disbursed to Northstar Title Services, LLC, to add Guardian Title & Guaranty Agency, Inc as an escrow agent to the transaction.

MOTION – Mr. Sulik moved, and Mayor Bacci seconded to adopt Resolution No. 103-23. Without objection, the motion carried unanimously.

Property Related Transactions

Resolution No. 104-23 Authorization to acquire a portion of one parcel in fee simple known as PPN 125-11-001, located on East 68th Street, in the City of Cleveland, owned by Halmarnie, Inc., and to acquire a permanent subterranean easement and a temporary easement on the remaining portion of the same parcel, necessary for the construction and maintenance of the Southerly Tunnel and Consolidation project, and to allow for a portion of the consideration to be disbursed to Ohio Real Title Services, LLC, and the remainder to CNS Construction, with total consideration of \$260,000.00 plus closing costs.

Resolution No. 105-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 761-16-010, located at 4248 Cricket Lane, in the City of Warrensville Heights, owned by Rosia Foster, necessary for the construction and maintenance of the Mill Creek Restoration near Cricket Lane in Warrensville Heights project with total consideration of \$5,500.00.

Resolution No. 106-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 552-04-017, located at 6704 Cheryl Ann Drive, in the City of Seven Hills, owned by Bishouy B. Saad, now known as Bishoy Isaac, necessary for the construction and maintenance of the Hemlock Creek Bank Stabilization in Seven Hills Phase 1 project with total consideration of \$14,553.00.

Resolution No. 107-23 Authorization to acquire one permanent stormwater easement at the property known as PPN 473-25-029, located on Pearl Road, in the City of Parma Heights, owned by Picnic Place Development, LLC, necessary for the construction and maintenance of the Maplewood Stormwater Detention Basin project with total consideration of \$1.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 104-23 through 107-23. After the following discussion, without objection, the motion carried unanimously.

Regarding Resolution No. 107-23, Mayor DeGeeter asked specifically where the Maplewood Detention Basin is located.

Mr. Greenland explained that NEORSD is in the property acquisition phase, working towards design and construction of the basin and invited Matt Scharver, Deputy Director of Watershed Programs, to provide additional information.

Mr. Scharver provided a map of the area and explained that the basin will eventually be located on the Wells Fargo parcel in Parma Heights. The Nathan Hale Basin that was discussed earlier in the meeting is directly south of the basin and they will work in conjunction to pick up the stormwater drainage out of the local system and take it west to provide relief for that area of Parma Heights.

Hearing Officer Findings and Recommendations

Resolution No. 108-23 Authorization to adopt the findings and recommendations of the Hearing Officer with regard to the sewer account of Elke M. Quade ending in 8501, Sewer District Hearing No. 23-001, that no further adjustments be made.

MOTION – Ms. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 108-23. Without objection, the motion carried unanimously.

Authorization to Assign Agreement

Resolution No. 109-23 Authorization to assign professional services Agreement No. 21004312 with ACL Services, doing business as Galvanize, to Diligent Corporation for maintenance and support of the HighBond audit software, with all current terms and conditions of the agreement to remain unchanged under the assignment.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 109-23. Without objection, the motion carried unanimously.

Authorization to Accept Application and Enter Into Agreement

Resolution No. 110-23 Authorization to accept the application of the Council of the Village of Hunting Valley for inclusion of certain territory of Hunting Valley, within the territory of the Northeast Ohio Regional Sewer District, pursuant to Section 6119.05 of the Ohio Revised Code, and for further authorization to enter into a “*Sanitary Sewer Service Agreement By and Between the Northeast Ohio Regional Sewer District and the Village of Hunting Valley Providing for the Inclusion into the Northeast Ohio Regional Sewer District*”, and for further authorization to enter into a “*Regional Stormwater Management Program Service Agreement By and Between the Northeast Ohio Regional Sewer District and the Village of Hunting Valley*” to add the same territory to the Stormwater Service Area.

MOTION – Mayor Bacci moved, and Mr. Sulik seconded to adopt Resolution No. 110-23. After the following discussion, without objection, the motion carried unanimously.

Mayor Alai asked to see a map of the service area. Mr. Greenland provided a map and explained that it is a very small area, consisting of four parcels. One of the parcels is already connected to the sanitary sewer, and another is included within NEORSD’s planning area as designated by NOACA. Two of the parcels are under construction and will soon be attached to the sanitary sewer. Because the territory is being accepted for sanitary service, they will also be included for stormwater service.

Ms. Dreyfuss-Wells added that Mr. Greenland and his team had a productive discussion with the Village of Hunting Valley about the benefits of joining the Regional Stormwater Management Program.

VI. Information Items

Mr. Greenland provided an update regarding the Regional Stormwater Management Program, beginning with a map of the 483 miles of regional streams where inspections were performed in the first quarter and where those inspections led to maintenance projects. Typically, maintenance is removing woody timber, but can also include removing sediment from culverts to ensure that streams convey flows during wet weather.

While the team is performing inspections in the field, they often receive tips from the community or notice other issues during inspections such as ponding in a detention basin due to a property owner restricting a culvert, and a culvert failure due to a corrugated metal pipe failing and creating a sink hole and necessitating emergency repair.

Mr. Greenland provided a list of the top 25 stormwater project nominations and explained that it changes every year. The master planning process is complete and now the projects are being prioritized for either construction, design and construction, or advanced planning. Many of the projects are in the Cuyahoga North and Lake Erie Tributaries areas, as those are the highly urbanized sections of the study area.

Advanced stormwater planning is ongoing with advanced planning underway to provide flood relief to the Puritas Basin area and the Chevy Branch of Brook Park. Flow monitoring modeling is underway to determine opportunities for improvement and will eventually move into design and construction.

NEORSD regularly partners with communities wherein they will lead the design and/or construction and NEORSD will oversee the work. NEORSD has partnered with the Army Corps of Engineers for a Euclid Creek project, and sometimes partners with the Cleveland Metroparks.

Similarly, NEORSD partners with water and soil conservation districts and watershed groups to obtain Ohio 319 Grant Program funding. NEORSD funds approximately half of the local match projects. Mr. Greenland provided photographs from the Sowinski Park along Doan Brook project area as an example of an Ohio 319 Grant Program project.

Mr. Greenland explained that these projects require multiple property acquisitions and easements. In 2022 there were 18 fee simple acquisitions, 57 permanent easements, and several temporary easements.

Mr. Greenland provided graphics demonstrating population growth across Northeast Ohio and when regulations regarding stormwater management were enacted and explained that there has been much catching up to do because of the lack of stormwater management practices over time. In areas such as Brook Park, there was significant development between the 1950s and 1970s, increasing the amount of impervious surface area and stormwater runoff locally.

In terms of climate change and rainfall patterns, there are more frequent significant rain events than in the past. Previously, a one-inch rainfall would occur five times per year, now it is eight; a two-inch rainfall that would occur every two years is now an annual occurrence. Annual rainfall totals are also increasing annually and predicted to continue to increase over time. NEORSD is well positioned with its stormwater program to understand this challenge. There are 110 stream monitors in place as well as United States Geological Survey (USGS) gauges, level centers and cameras to monitor wet weather events. Additionally, NEORSD has 66 rain gauges that are collecting data across the region.

NEORSD's models are very sophisticated and allow staff to perform modelling to determine where the most significant flooding and damage has occurred during a rain event to guide the stationing of inspection and maintenance crews to best address the most critical needs.

NEORSD is partnering with three universities to understand the future of climate change and determine what measures are needed to address the problems. Ohio Department of Transportation (ODOT) and USGS are creating new equations for waterflow through culverts and are always looking for partnerships to address rainfall.

As for design and construction highlights, the Doan Brook Restoration near Horseshoe Lake Park is a large project that is currently in the design phase and will soon have a recommendation as to how to bring together two branches of Doan Brook and restore the streams while potentially creating community amenities in the Horseshoe Lake Basin. There has been extensive public involvement with two public forums to date, as well as an online survey and an opportunity for residents to provide their thoughts on what the park might look like in the future. There will be another public forum in May, wherein NEORSD will make its recommendations. Then the project will proceed to the detailed design phase which will take approximately one year before the project enters the construction phase. Mr. Greenland explained that the public input will help to frame the recommendations for the project.

Mr. Greenland provided images of the project area and explained that the project will require several issues to be addressed including the existing dam, sediment, and stream restoration to ensure that the stream is stable. There are three alternatives that NEORSD is assessing, which each provide varying pros and cons in terms of sediment, amenities, and stream stabilization.

As for Lower Horseshoe Lake, the Board has authorized NEORSD to request proposals for the pre-design activities. The dam will be kept in place, as it provides downstream flood control benefits, but will need to be modified or rebuilt in order to meet the current OD&R standards. It is anticipated that NEORSD will request to award the pre-design contract in June, which will take a year to complete, followed by a year for detailed design, before construction.

Mr. Greenland provided photographs of the Echo Lane along Chippewa project and explained that the project will include repairs to a basin and replacing culverted stretches for a more natural stream corridor. The goal is to reduce regional and local flooding. NEORSD has been working with Broadview Heights to devise solutions for local flooding. The project requires significant permanent and temporary property acquisitions, 27 parcels with 36 different interests, and the engineer's estimate for design and construction is approximately \$9 million.

There is currently \$17.5 million across 15 active Watershed Programs construction projects, not including the additional \$15 million approved by the Board today.

Illicit discharges are any discharge improperly tied into a storm sewer that enters into a stream. They can be industrial or residential and are illegal. Communities are under permits with the state to identify and correct them. NEORSD does significant work to identify the source and correct these discharges. In 2022, NEORSD eliminated 16 illicit discharges, equating to 180,000 gallons of polluted water being kept out of local waterways. Mr. Greenland acknowledged WQIS, the lab, and watersheds team members for their efforts.

The current balance of the Community Cost-Share account is \$37.8 million. There are 96 projects under agreement, and 48 projects with agreements in process. There are some funds currently unassigned to an active project agreement but much of that is intended for allocation agreements where communities are performing large projects and spreading out the costs over time. NEORSD has changed its policies to allow for easier and faster reimbursement to the communities. To date, the program has provided a total of \$41.5 million in local regional stormwater repairs.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

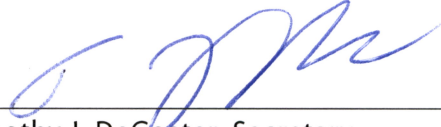
There were no items.

X. Approval of Items from Executive Session

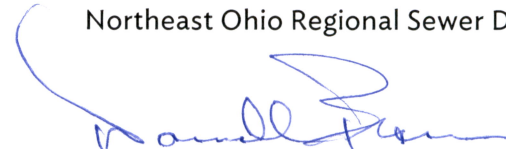
There were no items.

XI. 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 1:25. 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