

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
April 18, 2019

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:35 p.m. by Darnell Brown.

I. Roll Call

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

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

II. Approval of Minutes

MOTION – Mayor Bacci moved and Mr. Sulik seconded to approve the Minutes of the April 4, 2019, 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 discussing the Watershed Advisory Committee meetings that took place in March. She explained that these meetings were established under Title V to provide an opportunity for District staff to discuss projects, the Community Cost-Share program, master planning, and other aspects of the Regional Stormwater Management Program (RSMP) with community engineers, service directors, and others appointed by their mayor or township trustees. CEO Dreyfuss-Wells presented the Board with a slide depicting Donna Friedman, Watershed Team Leader, at the Watershed Advisory Committee (WAC) meeting for the Cuyahoga River North, which took place at the Watershed Stewardship Center at West Creek in Parma. The WAC meetings were held from March 12th through the 21st and included over 100 attendees at the four WAC Meetings. CEO Dreyfuss-Wells noted that these meetings, which take place twice a year, are a great backstop on the communication between the District and its member communities regarding the RSMP.

Next, CEO Dreyfuss-Wells noted that Governor Mike DeWine has included the H2Ohio Water Quality Initiative as part of his biannual budget bill. The H2Ohio Water Quality Initiative is designed to allocate resources at targeted efforts to address water quality in the State, most notably the nutrient issue from the western basin in Lake Erie. The plan under the H2Ohio Water Quality Initiative is to fund the program at \$900 million over ten years. There is only conversation right now of around \$85 million for the first year of the program allocated as follows: \$30 million for the Ohio Department of Agriculture to support the implementation of best management practices in the western basin of Lake Erie; \$46 million to support the Ohio Department of Natural Resources for the creation of coastal wetlands, and also some grant funding for upland, wetland and headwater wetland preservation; and \$9 million to Ohio EPA to support additional watershed planning and some additional data collection.

CEO Dreyfuss-Wells noted that the District is very supportive of this additional funding to support agriculture best management practices in the western basin of Lake Erie and additional funding to the Ohio Department of Natural Resources to protect coastal wetlands as the sinks and filters for runoff is also excellent. It is also important that the water quality and public health issues of Northeast Ohio and our member communities are heard in these conversations. Ms. Dreyfuss-Wells discussed meeting with Joy Mulinex, Director of the Ohio Lake Erie Commission, who has been tasked by Governor DeWine to ensure that the money under the H2Ohio Water Quality Initiative is used properly. CEO Dreyfuss-Wells explained that the District spoke with Ms. Mulinex regarding the work with the local sewer system evaluation studies (SSES) and the issues facing our communities in terms of increasing rates and increasing issues with local infrastructure, and Ms. Mulinex is very receptive. She has familiarity with the District - Ms. Mulinex was with the Western Reserve Land Conservancy before she went to the Ohio Lake Erie Commission. CEO Dreyfuss-Wells explained that the District will be following up with Ms. Mulinex with the District's recommendations for Year Two of the H2Ohio Water Quality Initiative in terms of how it will move forward -- in terms of trying to influence the second year of the funding.

Moving on to the River Reborn initiative, which celebrates the 50th anniversary of the last time the Cuyahoga River caught fire, CEO Dreyfuss-Wells noted that Cleveland.com carried a story about American Rivers naming the Cuyahoga River as "River of the Year," which is a wonderful acknowledgement of the River's role in sparking the modern environmental movement. American Rivers is a national conservation organization. American Rivers was very supportive of the Sewer District during our RSMP litigation – having been supportive of the District during its early days. CEO Dreyfuss-Wells highlighted and invited the Board to the River Reborn press conference on June 22nd at Settlers Landing where President Brown will be speaking during the press conference.

V. Action Items

Authorization to Advertise

Resolution No. 93-19

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for HVAC/R Maintenance and

Repair Services at all District facilities with an anticipated expenditure of \$2,600,000.00.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 93-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on Resolution No. 93-19. Frank Foley, Director of Operation & Maintenance, explained that the current contract is for about \$1.1 million and it is for two years. The new contract is for a period of three years. Mr. Foley noted that the District is currently spending about \$66,000.00 per month on HVAC maintenance. The difference between the contract and the proposed new contract is the contract duration, the spending rate and that additional preventative maintenance (PM) work has been added. Mr. Brown mentioned that it looks like the District is potentially adding \$1 million in PM and noted that if a third year is added, the District's expenditure will be at about \$1.5 million. Mr. Foley stated that the District is not adding \$1 million in PM. The current burn rate is \$66,000.00 per month.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 94-19

Authorization to issue an RFP, either jointly with the City of Cleveland or for the District only, for the procurement of electricity for a one, two or three year period, in accordance with Ohio Revised Code Chapter 6119, for the Southerly Wastewater Treatment Plant, GJM and outlying facilities and City accounts, if any, as determined necessary by the City, with the option to purchase electricity cooperatively with the City, and authorization for the Chief Executive Officer to enter into a contract with the highest-ranked supplier and execute any documents necessary to secure electricity pricing favorable to the District without additional Board approval.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 94-19. Without objection, by roll call vote, the motion carried with all present members voting yes and recusal from discussion and voting abstention by Mr. Brown and Ms. Dumas.

Authorization to Purchase

Resolution No. 95-19

Authorization to participate in the Ohio Department of Transportation's 2019-2020 Winter Contract for Road Salt and to purchase road salt from ODOT's selected vendor in an amount not-to-exceed \$50,000.00.

Resolution No. 96-19

Authorization to renew software subscription for Cloud Services for Planning and Budgeting Cloud Service (PBCS) with Oracle Corporation for the period from June 2019 to June 2022 in an amount not-to-exceed \$113,400.00.

MOTION – Mr. Sulik moved and Ms. Dumas seconded to adopt Resolution Nos. 95-15 and 96-19. Without objection, the motion carried unanimously.

Authorization to Enter into Contract

Resolution No. 97-19

Authorization to enter into a three-year contract with WEX Incorporated for a fuel credit card program to be utilized District-wide at no cost to the District.

Resolution No. 98-19

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 to be implemented during Mayor Frank G. Jackson's 2019 Youth Summer Employment Program.

MOTION – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution No. 97-19. Without objection, the motion carried unanimously.

MOTION – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution No. 98-19. Without objection, by roll call vote, the motion carried with all present members voting yes and refusal from discussion and voting abstention by Mr. Brown and Ms. Dumas.

Authorization of Contract Modification

Resolution No. 99-19

Authorizing the modification of Contract No. 17001463 with RiverReach Construction for the Beecher's Brook, Pepper Creek and Baldwin Creek Bank Stabilization project with an increase in the contract amount of \$527,297.42 bringing the revised contract amount to \$5,277,297.42.

MOTION – Mayor Bacci moved and Mayor Stefanik seconded to adopt Resolution No. 99-19.

Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 100-19

Authorization to adopt the findings of the Hearing Officer with regard to sewer charges on the account of Mr. James Lamvermeyer, Sewer District Hearing No. 19-009, that the customer's request be denied.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 100-19. Without objection, the motion carried unanimously.

Authorization to Accept Application to Add Territory

Resolution No. 101-19

Authorization to accept the application of the Olmsted Township Board of Trustees for inclusion of all remaining unincorporated territory of Olmsted Township not presently included within District territory and further authorization to amend the Regional Stormwater Management Program Service Agreement No. 3644 with Olmsted Township to add said territory to the stormwater service area.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 101-19. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 102-19

Authorize the District to acquire one parcel in fee simple located at 31879 Shaker Blvd. in the City of Pepper Pike, and known as PPN 871-39-015, owned by John K. Fitzgerald, necessary for the construction and maintenance of the Pepper Luce Creek Culvert Replacement at Shaker Blvd project and to enter into a lease agreement with John K. Fitzgerald with a total consideration of \$350,000.00 plus closing costs.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 102-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on Resolution No. 102-19. Matt Scharver, Deputy Director of Watershed Programs, explained the parcel requisition request is for the Pepper Luce Creek culvert replacement at Shaker Boulevard. Through the RSMP, the District evaluates and deploys a strategic approach in dealing with issues along the Regional Stormwater System. Mr. Scharver explained that on Shaker Boulevard during May 2017, Pepper Pike received a storm event which caused overtopping of Shaker Boulevard. In addition, a parcel experienced basement flooding and then the parcel the District is looking to acquire received overland flooding of the property. At that time, the City brought these issues to the District's attention. Typically, when the District is looking at remediation those projects are referred to master planning for further analysis to develop alternatives and recommendations. In 2017, the District had not yet developed the Stormwater Master Plan for the Chagrin/Lake Erie Direct Tributaries.

In August 2017, Pepper Pike received another storm event with the same type of flooding. The City came to the District again and asked how this project could be expedited. The District entered into a project agreement with the City of Pepper Pike for the City to perform the project. The District will fund the project, and the City will develop the design and procure the construction. The initial approach was to upsize the culvert. The District approached the owner of the parcel for easements and entered discussions about acquisitions, but the owner was not interested in selling the property. The District was also in discussions with easements for the Fitzgerald property. The property owner became aware of the District's desire to acquire properties so the owner did entertain the option to be acquired, which benefited the project because now, instead of replacing the culvert, the District can remove the culvert and daylight that tributary on the Regional Stormwater System all the way to Pepper Luce Creek. So not only is the culvert being removed from the system, but the District can address a residential property that is experiencing basement flooding, another property that was threatened with receiving overland flooding and eliminate the Shaker Boulevard flooding in Pepper Pike. In addition to that, the District can achieve better water quality because by daylighting the stream, removing that 350-foot length of culvert, the District is able to incorporate water quality features and floodplain expansion. That improves the water quality that flows from this tributary to Pepper Luce to the Chagrin and ultimately to Lake Erie, accomplishing many things by just being able to acquire this residential property.

Mr. Brown questioned if mitigating one problem will create another erosion or capacity problem downstream. Mr. Scharver noted that this is all part of the analysis to ensure that the problems are not transported downstream creating erosion or flooding issues for other properties, which is what is being done with the master plans –including modeling analysis to make sure that the District is not transporting problems downstream.

Frank Greenland, Director of Watershed Programs, explained that the goal of this program is to get beyond the community borders when looking at these issues. Mr. Brown noted that this is somewhat isolated to these two properties and that by acquiring this property, the District is gaining some floodplains and some capacity.

CEO Dreyfuss-Wells added that these are historic constrictions that have been put in that have not worked and in terms of having this small culvert it results in basement flooding and overland

flooding of the road. By removing the culvert and performing floodplain restoration the District can help restore water quality and address the problem.

Mr. Brown noted that upstream developments have created some of these issues and the District should continue to work together with member communities to consider cost effective solutions that do not affect more of the watershed so that the funding for this program is spent wisely.

Mr. Ciaccia asked if the City is going to procure the engineering and the construction, will the District have any input, and is there an estimate cost on the project. Mr. Scharver responded that the District will have input. Mr. Brown asked if this is one of those projects that will be eligible for stormwater reimbursement. CEO Dreyfuss-Wells stated that this is a project on the regional system as opposed to the local stormwater system. Mr. Scharver explained that this is a regional project - the District will pay for the design, construction, procurement and acquisition through the RSMP. Mr. Scharver noted that the District is also looking at other projects in the Pepper Pike/Pepper Luce area to fix as a watershed approach.

VI. Information Items

1. Certification of Delinquent Sewer Accounts Cuyahoga County- First Half Certification
2. Certification of Direct Bill Sewer Accounts Cuyahoga and Lorain County
3. Regional Stormwater Management Program Update

Mr. Greenland provided the Board with an overview of the 2018 RSMP and where the District has landed for 2018 – including where the District needs to focus and what new initiatives are going on in 2019. He stated the revenue in terms of percent spend of the stormwater revenue is on the right track, with an effort to increase it, but the numbers are trending in the right direction. Mr. Greenland briefly noted that the acquisition dollars, easements and actual acquisitions to help facilitate projects are rising and will continue to rise overtime – an attribute to great staff that are running these programs.

Mr. Greenland provided an update on Stormwater Inspection and Maintenance (SWIM), stating the District has caught up with legacy debris in the streams. An inspection of most of the system is done. Some of these inspections were performed by District staff and some inspections were performed by consultants during the master plans. Mr. Greenland explained that the scores are a little higher than the Ds seen in sanitary, this is being done system-wide and soon staff will have 100 percent of the system inspected and will be able to determine where are the good stretches and where are the bad ones. Mr. Greenland stated that even though there are some Bs, B minuses and Cs there are a lot of assets, including 475 miles of stream segment on the regional system, and there are over 360 assets that are getting grades of D and F. An F can be a very costly endeavor. Staff will continue to work on these inspections and refine this over time.

Mr. Greenland explained the District is doing more small-scale projects in 2019 and working between design and construction and the SWIM group. There are many smaller projects that should be addressed --typically there are issues that threaten structures or threaten the stream's ability of convey flow. Mr. Greenland provided an example of a small-scale project performed at Bluejay Trail on Indian Creek in Macedonia where there are tons of sediment, and in terms of carrying capacity during a storm event, it is compromised. The stream was cleaned up, it was re-meandered which created some floodplain and stabilized banks.

Moving into Watershed Technical Support, Mr. Greenland highlighted that the master plans all got underway in the first three years of the program- a great project for the region. Mr. Greenland stated that the Cuyahoga South is almost completed, while the Cuyahoga North and Rocky River are well under way. The Chagrin and Lake Erie Direct tributaries master plan are just getting started. On the South, this project is scheduled to be completed in 2019, with recommendations for projects to alleviate stormwater quantity issues, erosions, flooding, and to improve water quality in that network. Mr. Greenland presented a slide to show the estimated project cost coming out of the Cuyahoga South master plan and explained that these costs are not prioritized costs. He illustrated total costs based on all the observations and problems -- including certain areas that have limited conveyance capacity, maybe two-year storm or one-year storm, which are flooding all the time and others have a high level of service, around 25 or 50 years, but District staff is looking to get a 100-year level of service protection from flooding. Mr. Greenland explained that project cost on the Cuyahoga South area exceed \$200 Million Dollars. Staff will use this number to prioritize the need and get the worst looked at first and incorporate projects from the Cuyahoga South area into future design and construction programs. Those projects are already in the District's 2019 design and construction program.

Mr. Ciaccia inquired as to the regional networks with less than 300 acres, the impacts of those tributaries that are not taken care of, and how is the District considering and evaluation the conditions of those tributaries that are feeding into these regional networks. Mr. Greenland explained that during the master plan, discussions with the member communities regarding the nature of their problems and the location of their problems, were factored in to the master plan. District modeled the system down to 150, 100, and 75 acres at times, to evaluate certain community situations. District staff will be meeting with member communities to discuss the reports that have been developed concerning these issues. The District wants to work with member communities to continue to evaluate their problems through use of their Community Cost-Share funds, and the District will keep the models available which is a good use of their cost share funds to continue to drive these solutions into the local level.

Mr. Ciaccia noted that with the funds being spent on these projects, it is important that the community network support these projects and is not detrimental to the projects. Mr. Greenland stated that sometimes opening the regional system is the key issue, however, at times member communities are unable to get to the regional system.

Mr. Brown stated that this relates to some of the locations for the Cuyahoga River, like the Harvard area, that at some point in time, depending on the timing of the storm, eventually will be a significant problem. Mr. Greenland noted that although the District seeks lofty goals on flood

protection, projects are not going to get to a 100-year level of protection, everywhere and sometimes it depends on the lay of the land – Jennings, Wal-Mart, and Chevy branch of Big Creek are great examples of these. These streams are small, and the drainage area is huge. The District must evaluate alternatives to get to the highest level of service possible – including looking at acquisition and other alternatives. Mr. Greenland noted that the District is studying Jennings where there is a culvert before Big Creek goes into the Cuyahoga and it is a railroad culvert. Dealing with a culvert can be difficult, but staff is still analyzing alternatives to get the best out of the system that we can.

Mr. Greenland briefly explained Cuyahoga North, which is a general urbanized area, with a combined sewer area and a more densely-populated area. The \$8 million-dollar study began last year and is scheduled to end towards the end of this year. Mr. Greenland explained that staff will study the Chevy branch, Jennings, and other areas. The field work is essentially done, and the modeling of the system is about three-quarters of the way done – including now entering the alternatives evaluation.

Mr. Greenland moved the discussion to the culvert issue mentioned during the last Board meeting. One of the big aspects of the master plans are detailed culvert inspections along the regional network. Mr. Greenland explained that the Cuyahoga North and Cuyahoga South has next to nothing in terms of culverted stream, Rocky River has a few, and the North has more. Mr. Greenland provided the Board with a snapshot on the District's responsibilities versus others' responsibilities, and in the North the District is looking at about \$29 million to \$30 million in rehabilitation needs.

Mr. Greenland noted that staff estimates the Lake Erie Direct tributaries to be similar in costs or potentially higher. There are a lot of tributaries – including Dugway, Doan, 9-Mile, and others which are big and there are a lot of corrugated metal pipes that are failing. The other aspect to it is the ownership issue. Most of the culverts and the problems with the culverts are on private property, and culverts do not run up and down the street but meander through private property. The balance of the problems is on the private side, but there are issues on the public side as well, including Ohio Department of Transportation (ODOT) issues. Mr. Greenland noted that because many culverts are on private property, the District must research the details of the culvert.

Mr. Ciaccia questioned if the member communities could afford to deal with this issue. Mr. Greenland noted that these are large intercommunity conduits and streams. Mr. Ciaccia was concerned with the time and effort District staff was going to put into this issue. Mr. Greenland explained that the goal was to get this information together and present it to the Board. The District's business is conveyance and mitigating erosion, flooding and improving water quality in the stream network and the success with private property is difficult – including large pipe ownership, whether it is with combined sewers, outfalls, storm sewers, or culverted streams. It is difficult to find an owner that will step up. Mr. Brown noted that there are a lot of unknowns and the District views this as an asset, but these culverts are everywhere, and staff has no idea what condition they may be in. Mr. Greenland explained that staff does know the condition of the pipes in the North, and this allows for a snapshot since this is the first time the District has done detailed culvert and stream inspections in this region.

CEO Dreyfuss-Wells noted that the update is to inform the Board that the District does have this information and to show that this is what is being done with the stormwater master planning. The \$30 million is an interesting number given all the concern the District has had up to this point. She stated that there will be more discussion about how to address these issues.

Mr. Greenland explained that going forward, the District will get the condition assessment up in the Lake Erie Direct Tributaries put together by the third quarter. One of the aspects that influences the District's decision on culverts is their structural condition and what should be done about it. Then there are functional condition and operational condition issues, including what kind of storm can they pass. The culverted streams will be modeled to see what kind of storm they pass and there may be ancillary projects to increase conveyance capacity. Mr. Greenland noted this will come together towards the end of this year and first quarter of next year.

Mr. Greenland discussed Rocky River and noted it is about 59 percent complete. Moving on to Olmsted Township, the north half that was brought into the District's territory and Stormwater Service Area is in that master plan, Mr. Greenland explained that the field work is about 87 percent complete, the modeling is underway, and the alternatives evaluations are starting.

In the Lake Erie Direct Tributaries area, the District is focusing on condition assessment in culverts and inspection activities. With such a big study area, there are many communities with a lot of work going on through 2019 and most of it is background information, discussions with communities, inspection, and data collection. The District will start building the models and alternatives evaluation will come later. Next, Mr. Greenland introduced Janet Popielski, Stormwater Program Manager, to discuss the design and construction.

Ms. Popielski stated she will provide the Board with a brief overview of what the District has accomplished in 2018 and discuss what the District has planned for 2019. Mr. Popielski explained that the District established the Key Performance Indicators (KPI) for the design and construction program, the first to achieve 85 percent of cash flow. Falling just under at \$19.9 million which was 76 percent was –due to delay on a couple of projects due to acquisition of easements as well as the need to rebid the Shaker Lakes Dam.

Moving on to spending, Ms. Popielski stated that in 2017 the District finished the year at \$14.5 million, last year at \$19.9 million, and this year the District is hoping to finish the year at \$24 million in cash flow for the design and construction projects – continuing to increase that spending trend and watching it carefully. Ms. Popielski also noted the District finished the first quarter at 89.6 percent, watching that carefully to make sure that this number continues to rise. A large part of the cash flow for this year is the four stormwater master plans which are now all under way, a projected \$9 million project with some allowance built into the project that will hopefully not need to be spent. Ms. Popielski stated that one of the other largest portions of the budget is the construction, which is anticipated to be \$15 million. She noted that all the projects that are being counted have already been awarded, so if these proceed as planned, the District should be close to meeting that \$15 million. The District intends to begin construction on more projects this year as

well but working through easements acquisition issues and the permitting process needs to be taken into consideration as well.

Ms. Popielski noted that the District did not meet the Business Opportunity Program (BOP) goal because the District modified the Green Lake Dredging project contract, which closed out in 2018. She explained that this BOP goal was lower because of the specialized nature of the work which included hydraulic dredging.

The District did meet the planning goal of the prioritization of projects in support of 2019 budget but missed the KPI for completion of the Cuyahoga River South Stormwater Master Plan that is scheduled to close this month. The District met its design KPIs, as well as the District's first construction KPI of substantial completion within 120 days of planned but missed the KPI for construction contracts closing at 95 percent due to the Green Lake Dredging project. Ms. Popielski explained the District realigned the KPI goals for 2019. Most goals remained the same from 2018 but there was one to the second planning goal which is to complete two stormwater master plans by the end of this year. Staff has already started to track them for the quarter. The District has achieved all the KPI goals for the quarter and tracking on the two-planning goal, except for the average of bids coming in within 10 percent of the engineer's estimate which was not achieved due to Shaker Lakes Dam Project. All the other projects came in within the 10 percent goal and the District is working with its consultants closely to make sure everything is being done to produce better estimates.

Moving on to design projects, the largest being the West Creek Stabilization Project in the Village of Brooklyn Heights. This project starts at the outlet of the culvert underneath I-480 and goes underneath the Lancaster Road bridge. Ms. Popielski explains that there is light industrial development by the stream along the entire length of the project as well as a noncompliant landfill, the I-480 embankment and a hydraulic flume that was put in when I-480 was built, and there are eroding stream banks and scoured stream bed throughout the entire project reach. Ms. Popielski explained that the District was looking at the full 6,000 lineal feet of stream but the original goal was targeted stream bank repairs. They are now considering an approach to raise the grade of the stream up and reconnect it to its floodplain to dissipate those energies along the full length. Ms. Popielski stated this has already been brought up to ODOT and they are pleased with the project, so the District is excited to move into the design phase on this project.

Mr. Ciaccia asked who the design consultant was on this project. Ms. Popielski stated the design consultant for this project was GPD. She also stated most of the designs being done are under General Engineering Services (GES) contracts. She explained that back in November of 2017 the District awarded six GES contracts for a total of \$8 million to a variety of firms. 60 percent of the overall authorized budget for these contracts has been used and there are 38 task orders underway with an average task order amount of \$99,000.00. The smallest task order is \$1,000.00 for some survey work and the largest task order is \$400,000.00 for a larger design project.

Mr. Ciaccia questioned whether the contracts are categorized by some sort of specialty and how the District distributes the work. Ms. Popielski stated that the contracts are categorized and explained that some of the firms are chosen because of a specialty, such as Bio habitats because

they are very good with stream restoration. Stantec and Jacobs were chosen because of their larger capacity. The District looks at balancing those firms out and looks at each project carefully. The District has used some of these firms more for pre-design services which tends to be a smaller task order amount, but then moves into design services. Ms. Popielski stated that the types of task orders the District is looking for are pre-design services, survey services for easements design services related to stream bank restorations, bank stabilizations, culverted repairs, basin modifications, and installation of debris racks. The construction services are also being included in these task orders. The GES contracts have also been useful for those SWIM small-scale projects. Ms. Popielski noted that this is the consultant selection approval process in a nutshell beginning with the project being identified for the GES contracts, then authorized by Ms. Popielski and handed over to the stormwater design manager who keeps track of all authorized budgets and all of these contracts to look over the qualification and the current capacity. The project manager assigned to the project negotiates the scope and the fee and then it goes through the Project Controls Professional Services Authorization, established under the Engineering & Construction Department's Program. The final approval comes from the Deputy Director of Watersheds. Ms. Popielski noted that there are a lot of review steps and authorizations that must happen and at any time a red flag can be raised if anyone feels like a different consultant should be chosen on a project.

Mr. Ciaccia noted that having the controls in place to run this program is important and making sure that the process is well followed and documented is critical.

CEO Dreyfuss-Wells stated she appreciated the comments coming from the Board and mentioned that this team has done a great job with this process. Ms. Popielski agreed and stated that staff is working with Project Controls every step of the way to ensure a smooth process.

Ms. Popielski concluded her report by updating the Board on a few construction projects, starting with the Doan Brook Bank Stabilization Project that is nearing completion. This project has eight different stakeholders involved in different ways and has been a great collaboration with a lot of different groups. The project is along MLK Boulevard by the Art Museum driveway. The District is finishing up the planting and then the Art Museum will be coming in to finish up their landscaping plan. District staff is working on the Big Creek spillway along I-71 in Brookside Reservation where they filled the 30-foot drop structure and brought in type X rock to raise the grade and get the flow through the channel. Ms. Popielski explained that there is a lot of granular fill and staff was concerned that the stream could disappear, so a membrane for a low-flow channel was installed. As a result, there is a flow going through there and they are hoping to get some fish passage. This area is one of the richest in the world for prehistoric shark fossils associated with the Devonian age and the District has partnered with the Cleveland Museum of Natural History (CMNH). CMNH will visit this site throughout construction to look for fossils. The District has found some branches from ancient trees and a small fish scale.

Moving on, Mr. Greenland provided the Board with an update on Community Cost-Share and increasing community engagement. There is a balance of almost \$24 million in the community cost-share funds. There is about \$8 million in those executed agreements and there is \$2.6 million in agreements currently being processed. The allocation agreement form, under which community

members can use their Community Cost-Share in ongoing years to support a larger project, has allowed communities to be able to execute much larger projects that provide greater benefit in their specific areas. Mr. Greenland noted that the untapped funds in the community cost-share account is about \$5 million at this time with 37 out of 55 member communities currently participating in the program.

Mr. Ciaccia questioned whether the District has reached out to the member communities that are not participating in the program. Mr. Greenland explained that staff is always reaching out to member communities during the WAC meetings and in any other ways – some of the member communities are saving their money for a larger project and some of them only get a small Community Cost-Share amount so they want to build it up over time. Mr. Ciaccia asked whether Brecksville was participating in the program. Mr. Greenland noted that Brecksville is a fine partner of the Sewer District.

Mr. Greenland concluded his report by pointing out that the District does support the member communities in their effort to meet minimum controls for their Phase II permits, one of them being the illicit discharge detection and elimination program. This program involves the District's Water Quality and Industrial Surveillance (WQIS) staff who samples and tracks for illicit discharge, which is when a house tied to a storm sewer. The lab analyzes those, and Watershed Program staff works with the member communities. The pace of this effort has really improved. Mr. Greenland explained that in 2018 there were a ton of investigations initiated. There is an estimated 60 million gallons of illicit discharge remediated which is a big number but part of that is true sanitary sewage mixed with something, and it could be a water leak, ground water, or anything else, getting a lot of 24/7 of sources of bacteria eliminated from the system. Mr. Greenland recognized and thanked the staff that makes this possible.

CEO Dreyfuss-Wells noted that a handout on the Capital Improvement Plan was provided to the Board but Devona Marshall, Director of Engineering and Construction, will not be giving a presentation.

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. Adjournment

BOARD OF TRUSTEES

Regular Meeting

April 18, 2019

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MOTION – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved and Mr. Ciaccia seconded the motion to adjourn at 1:40 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