

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
MAY 17, 2018

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

I. Roll Call

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

ABSENT: S. Dumas

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

II. Approval of Minutes

MOTION – Mayor Bacci moved and Mr. Ciaccia seconded to approve the minutes of the May 3, 2018, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Dreyfuss-Wells began her report by stating that on April 18 she and District staff met with the U.S. Environmental Protection Agency (EPA) and Ohio EPA in Chicago to discuss the proposed consent decree modification.

Staff has been working very closely with Ohio EPA Director Craig Butler and his staff on the modification and they are aware of the District's proposal. The District presented an overview of its modification request, which was well received. Staff is now in the process of finalizing that modification request for submittal to the agencies.

Cleveland hosted the National Forum for Black Public Administrators (NFBPA) from April 18-22. The District partnered with the local NFBPA chapter. Angela Jones, Senior Government Affairs Specialist, leads that chapter. CEO Dreyfuss-Wells highlighted that Mr. Brown received

the NFBPA Marks of Excellence Award, which is their highest honor recognizing excellence in public administration.

The National Association of Clean Water Agencies (NACWA) hosted their Great Lakes Regional Utility Forum in Grand Rapids, Michigan from May 7-8. CEO Dreyfuss-Wells noted that NACWA hosts smaller forums on a regular basis to reach out to small utilities that are not able to attend the larger forums. She and District staff were in attendance as well as Ohio EPA Director Butler and Cathy Stepp, the Region 5 U.S. EPA Administrator.

The Greater Cleveland Partnership's (GCP) Annual Meeting took place on May 15. The District won the Best in Class from GCP's Commission on Economic Inclusion for Workforce Diversity. These awards recognize businesses and organizations that demonstrate a commitment to advancing equity within their organization and across Northeast Ohio.

Concluding the report, CEO Dreyfuss-Wells stated that the Westerly Storage Tunnel groundbreaking ceremony would take place tomorrow at 10:00 a.m. at the Soap Box Derby location. She recognized the Sewer System Maintenance & Operation crews that are preparing the site.

Mr. Brown stated that the District should be recognized as more than an entity that does large capital infrastructure projects; it should be part of the fabric of community and it does a good job of that. He thanked CEO Dreyfuss-Wells for her leadership and the senior staff and employees because it is hard work, but very worthwhile.

V. Action Items

Authorization to Advertise

Resolution No. 161-18

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for Sodium Hydroxide Solution at all Wastewater Treatment Plants with an anticipated cost of \$100,000.00.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 161-18. Without objection, the motion carried unanimously.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 162-18

Authorization to issue RFP, in accordance with Ohio Revised Code Chapter 6119, for the SharePoint Online Intranet Migration Project.

MOTION – Mayor Bacci moved and Mr. Ciaccia seconded to adopt Resolution No. 162-18. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 163-18

Authorize the purchase of laboratory chemicals and supplies from sole source vendor Idexx Laboratories, Inc. in an amount not-to-exceed \$130,000.00.

MOTION – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution No. 163-18. Without objection, the motion carried unanimously.

Authorization to Enter into Contract

Resolution No. 139-18

Authorization to enter into 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 the Mayor Frank G. Jackson's 2018 Youth Summer Employment Program in an amount not-to-exceed \$24,804.00.

Resolution No. 164-18

Authorization to enter into a contract with Black Box Corporation for the Wide Area Network (WAN) Migration Project in the amount not-to-exceed \$155,380.00.

MOTION – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution Nos. 139-18 and 164-18. Without objection, Resolution 139-18 was unanimously adopted and following a roll call vote, Resolution No. 139-18 was approved with all members voting yes and Mr. Brown abstaining.

Authorization to Amend Resolutions

Resolution No. 67a-18

Authorization to amend resolution 67-18 to enter into a contract with RobinsNest Landscape for Group 4 Grounds Maintenance Services in an amount not to exceed \$31,046.40.

Resolution No. 90a-18

Authorization to amend Resolution No. 90-18, to increase from \$68,949.00 to \$72,780.00 the consideration for two permanent sewer easements, three permanent subterranean easements and ten temporary easements from the City of Cleveland through its Land Reutilization Program and necessary for the Doan Valley Relief & Consolidation Sewer Project.

Resolution No. 165-18

Authorization to amend Resolution No. 183-15, to authorize the District to enter into a Right of Entry Agreement and to transfer ownership of two parcels located in the City of Cleveland, and no longer needed for District purposes, to the Collinwood & Nottingham Villages Development Corporation with a total consideration of \$2.00.

MOTION – Mr. Sulik moved and Mayor Stefanik seconded to adopt Resolution Nos. 67a-18, 90a-18 and 165-18. Without objection, Resolutions 67a-18 and 165-18 were unanimously adopted and by a roll call vote, Resolution No. 90-18 was approved with all members voting yes and Mr. Brown abstaining.

Authorization of Contract Modification

Resolution No. 146-18

Authorization to Amend the Green Infrastructure Grant Program Sub-Grant Agreement with Westown Community Development Corporation (WCDC) for the Variety Theater Green Parking Lot Project to include the City of Cleveland as signatory party with certain construction responsibilities.

Resolution No. 166-18

Modify Contract No, 16005113 with Ciuni & Panichi, Inc., Independent Public Account (IPA) for the annual audit of the District’s financial condition by increasing the agreement amount by \$5,560.00 for an adjusted total amount not-to-exceed \$226,480.00.

Resolution No. 167-18

Modify Contract No. 14003333 with Kokosing Construction Company, Inc. for the Southerly Wastewater Treatment Center First Stage Settling Improvements Project with a time extension of ninety-seven calendar days with no change in the contract price.

Resolution No. 168-18

Modify Contract No. 15002935 with Ohio Bulk Transfer Co. for the Sludge Cake and Ash Hauling Project by increasing the agreement amount by \$200,000.00 for an adjusted total amount not-to-exceed \$828,628.45.

MOTION – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution No. 146-18. Without objection, and by a roll call vote, the motion carried with all members voting yes and one abstention by Mr. Brown.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 167-18. Without objection, and by a roll call vote, the motion carried with all members voting yes and one abstention by Mr. Ciaccia.

MOTION – Mr. Ciaccia moved and Mayor Stefanik seconded to adopt Resolution No. 168-18. After the following discussion, without objection, the motion carried unanimously.

Referencing Resolution No. 168-18, Mr. Ciaccia questioned whether staff anticipated spending all the additional funds. Frank Foley, Director of Operations & Maintenance, explained that he did not expect to spend the full amount, but the intent is to have a back-up in case there are problems with incineration.

Recently, one incinerator at Southerly was being serviced and another failed a mercury test by an extremely small amount and was immediately shut down, leaving just one remaining incinerator operational. Anticipating that situation, the contract amount is more than they expect to need out of an abundance of caution.

CEO Dreyfuss-Wells stated that a mercury test was failed at this incinerator and it is a very tight limit; staff wants to avoid potential hauling issues if an incinerator is offline again.

Authorization to Participate

Resolution No. 169-18	Authorize the District to participate in the Ohio Department of Transportation’s Winter Contract for road salt in an amount not-to-exceed \$16,000.00.
-----------------------	--

MOTION – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 169-18. Without objection, the motion carried unanimously.

Property-Related Transactions

Resolution No. 148-18	Authorize the District to acquire one permanent stormwater easement located on Linden Lane in the City of Parma, known as part of PPN 457-10-070, and owned by the City of Parma in its Land Reutilization Program, necessary for the construction and maintenance of the Baldwin Creek Bank Stabilization Project with a consideration of \$0.00.
-----------------------	--

Resolution No. 170-18	Authorize the District to appropriate one permanent subterranean easement located at 2900 Detroit Avenue in the City of Cleveland, owned by Hingetown Holdings, LLC., necessary for the construction of the Westerly Storage Tunnel Project
-----------------------	---

with a consideration of \$300.00.

Resolution No. 171-18

Authorize the District to appropriate one permanent subterranean easement located at 1820 Torbenson Drive in the City of Cleveland, owned by Leroy Gregory Henderson, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 172-18

Authorize the District to appropriate one permanent subterranean easement located at 882 Wayside Road in the City of Cleveland, owned by Patrick Buckner, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 173-18

Authorize the District to appropriate one permanent subterranean easement located at 813 Wayside Road in the City of Cleveland, owned by Angelina Cristofaro, otherwise Angie Cristofaro (deceased), necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 174-18

Authorize the District to appropriate one permanent subterranean easement located at 793 Wayside Road in the City of Cleveland, owned by Hadas Tal, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 175-18

Authorize the District to appropriate one permanent subterranean easement located at 801 Wayside Road in the City of Cleveland, owned by Michael J. Sivo and Maria Sivo, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 176-18

Authorize the District to enter into a License and Permit Agreement with the Board of Park Commissioners of the Cleveland Metropolitan Park District necessary for additional parking for the District's EMSC Facility at no cost to the District.

Resolution No. 177-18

Authorize the District to appropriate the fee simple interests in PPNs 117-21-002 and 117-21-020, temporary easements located on PPN 117-21-021 and 117-21-022, permanent sewer, permanent subterranean and temporary easements on PPN 117-27-005, permanent sewer and temporary easements on PPN 116-20-066, permanent sewer and temporary easements on PPN 116-20-044, and permanent subterranean easement on PPN 116-21-012, from City of Cleveland, Land Reutilization Program, necessary for the construction of the London Road Relief Sewer Project and to deposit \$132,050.00 with the Probate Court as a consideration for the same.

Resolution No. 178-18

Authorize the District to acquire one temporary easement, located on Linden Lane in the City of Parma, known as PPN 457-17-023, owned by Randall G. and Cara W. Pollock, necessary for the construction of the Baldwin Creek Bank Stabilization Project with a consideration of \$1,800.00.

Resolution No. 179-18

Authorize the District to enter into a Right of Entry Agreement with the Cleveland Business League Development for use of its property located on Superior Avenue in the City of Cleveland, known as PPNs 107-23-002, 107-23-003, 107-23-004, 107-23-005, and 107-23-040, necessary for the construction of the Doan Valley Relief & Consolidation Sewer Project with a consideration of \$1.00.

Resolution No. 180-18

Authorize the District to acquire two permanent subterranean easements located at 18314 Euclid Avenue in the City of Cleveland, owned by Sultaan Properties, LLC., necessary for the construction London Road Relief Sewer Project with a consideration of \$10,000.00.

Resolution No. 181-18

Authorize the District to acquire one permanent stormwater easement and two temporary easements located at 4287 Bradley Road in the City of Cleveland, owned by 4287 Bradley, LLC, necessary for the construction and maintenance of the Spring

Creek Culvert Rehabilitation Project with a consideration of \$1,000.00.

Resolution No. 182-18

Authorize the District to acquire one temporary easement located at 7725 Linden Lane in the City of Parma, owned by Joshua D. and Melissa M. Groleau, necessary for the construction of the Baldwin Creek Bank Stabilization Project with a consideration of \$650.00.

Resolution No. 183-18

Authorize the District to enter into a license agreement for use of property located at the intersection of West 45th Street and Tillman Avenue, known as PPNs 003-11-056, 003-11-013, 003-11-014, and 003-11-015, owned by the Cleveland Metropolitan School District, necessary for the construction of the Westerly Storage Tunnel Project with a total consideration of \$1.00.

MOTION – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution No. 148-18. Without objection, and by a roll call vote, the motion carried with all members voting yes and one abstention by Mayor DeGeeter.

MOTION – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 177-18. Without objection, and by a roll call vote, the motion carried with all members voting yes and one abstention by Mr. Brown.

MOTION – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution Nos. 170-18 through 176-18 and 179-18 through 183-18. Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 184-18

Authorization to adopt the findings of the Hearing Officer in the Sewer District Case No. 18-010 to approve a credit of \$586.17 on the sewer charge account of Ms. Yael Cik.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 184-18. Without objection, the motion carried unanimously.

VI. Information Items

1. Program Management Status Report and Update – April 2018

Devona Marshall, Director of Engineering & Construction, stated that cash flow ended April at 80% of planned, which is below the Key Performance Indicator (KPI) of 85%. That figure has increased from 68% in January and is on the right path to meeting KPI by year's end.

Staff completed the designs of the London Road Relief Sewer Project, which has an estimated construction cost of \$51.5 million, and Dugway Regulators and Relief Sewer Project, which has an estimated cost of \$5.4 million. Both were within the KPI of 60 days of planned.

The construction of the Westerly Storage Tunnel was awarded in the amount of \$135 million. This project met all of its KPIs as well.

The District also awarded the construction of the Easterly Grease Handling Improvement Project for \$1.97 million. While it met the KPI for awarding the construction contract within 60 days of planned, the average of the three lowest bids came in higher than 10% of the engineer's estimate of \$1.85 million.

Moving to construction KPIs, Ms. Marshall advised that the District achieved substantial completion on the EMSC Building Interior Renovation Project, which is a \$700,000 project and was completed within 90 days of planned.

Ms. Marshall stated that the construction of the Mary Street Pump Station Project was completed, which was a \$9.9 million contract. Its KPIs were met with the exception of closing within 95% of the contract amount, which was due to an owner-requested change necessitating upsizing the sewer needed to abandon a regulator. The Business Opportunity Program (BOP) goal was 17% and closed at 20%.

The total work orders on the project closed at 10.3% of the total contract amount. The owner-requested change for the upsizing was the big driver at 5.6%. Staff also encountered different site conditions due to the underground work on this project.

Ms. Marshall highlighted the Woodland Central Green Infrastructure Project, which is one of nine Green Infrastructure projects under the consent decree. The construction value is \$9.3 million and will construct two large green infrastructure basins and 5,000 feet of new storm sewer. The project will capture approximately 30 million gallons of stormwater, which will result in 4.2 million gallons of CSO control.

The west basin has a lot of solid waste from illegal dumping that was removed from the site. Solid waste contamination has been found at depths to 25 feet. Under this project staff will fill in an existing wetland area and put wetland on top of the fill. The green infrastructure basin will be located adjacent to this location. The main purpose of this job is CSO control, but a significant co-benefit is the environmental cleanup. Substantial completion is scheduled for September 2019.

The Dugway Storage Tunnel Project is \$153 million construction contract that will control 376 million gallons of annual CSO. The flow will be dewatered by the Tunnel Dewatering Pump Station where the flows will be pumped to the Easterly Plant for treatment.

Ms. Marshall stated that she highlighted this project because on March 21 the tunneling operation was completed. The tunneling operation was a success and came in ahead of schedule. The focus moving forward will be on the shafts and gate structures with substantial completion scheduled for September 2019. However, the project is currently 115 days ahead of schedule.

Moving to the Doan Valley Tunnel, Ms. Marshall explained that it is a \$142.3 million project. Two main components of the project were being operated out of Ambler Park. When the flooding occurred at Ambler, crews were in the process of excavating the main mining shaft for the tunnel. That shaft was not impacted by the flooding and excavation continues. Excavation has also commenced on the shaft located at Superior and East 115th St. related to the mainline tunnel.

The second operation at Ambler Park was the construction of the Woodhill Conveyance Tunnel. This tunnel is one of two conveyance tunnels that will be constructed as part of the project. The shaft was completely flooded up to the tunnel boring machine. The contractor removed the tunnel boring machine and sent it to Canada for evaluation. Staff will likely know whether it is possible to repair the machine in four to six weeks.

Ms. Marshall advised that there had been undermining of the road on Martin Luther King, Jr. Boulevard from the floodwaters off the site. Since then ample rain has further undermined the road, so staff is working with the contractor to begin repairs as soon as possible. The contractor continues to inspect the bar rack, which was blocked during the flooding to make sure a similar occurrence does not transpire.

The contractor is considering resequencing the work to minimize impact on the schedule. The original schedule was to reach substantial completion by July 2021 and that date will not be met. Per the consent decree, the District has until the end of 2021 to have it fully operational.

Ms. Marshall concluded her report by stating that the vibration fix is being implemented on pumps one to three of the Tunnel Dewatering Pump Station, which is a \$73.25 million project. Operator training is to be completed by early June, at which point pump testing for those three pumps will commence. Activation of the pump station may occur as early as July. The Lakeshore Boulevard Relief Sewer will be activated in early July to provide relief to that location by the end of July. The pump station will ultimately be operated remotely from Easterly.

Mr. Brown noted the west basin site with significant tire dumping and stated that putting new infrastructure there would not stop further illegal dumping. He suggested engaging the Environmental Task Force with the City of Cleveland which will begin an initiative over the next 18 months in collaboration with a citywide street LED streetlight program to strategically install cameras in different locations. This might be a good location for camera infrastructure to monitor that site.

Mr. Brown referenced the bar rack on Doan Brook at Ambler Park and stated that if another significant storm occurs there would be more material. Ms. Marshall stated that the contractor has increased inspection of the bar rack at Ambler Park. Staff has also worked to utilize a stormwater

consultant to clean upstream to help eliminate buildup of debris that would be washed down through a large storm event.

Ms. Marshall stated that staff shares the Board's concern and that to this point the contractor is waiting to hear from their insurance company and have taken minimal action to do anything differently. CEO Dreyfuss-Wells explained that staff is working on this issue on a regular basis. Watershed programs staff look upstream because on the trash rack that was a lot of small debris.

Mr. Brown stated that there had been discussion about adding another trash rack upstream and that may be a good opportunity to provide another level of protection.

CEO Dreyfuss-Wells took a moment to congratulate staff for their work on the Tunnel Dewatering Pump Station because it has been an ordeal in terms of figuring out and working the solution.

Mr. Brown also recognized the staff's work on the project and stated that it coming online is a great thing and historic. That northern section adjacent to Lakeshore will get a tremendous benefit and it should be celebrated.

Robin Rupe, Project Manager, began the quarterly Automation Program Management (APM) update. Staff is through 44.7% of the professional services portion of the contract and has authorized 23.5% of the specific allowances. She estimated that APM Phase One would be completed by September 2020.

Ms. Rupe stated that one of the key elements is the replacement of the Operational Data Management System, which is the tool utilized to gather information from lab and plant data and collection sites into one location to produce various reports. The current system was put in place in early the 2000s and has become antiquated.

Operations and Maintenance staff will be able to easily log onto the software program and have the function of reporting and a dashboard component. Staff will be able to see the health of the system and react to any situations that may occur. The design will begin soon and staff is conducting contract negotiations with different vendors to provide the software. The old software will be decommissioned when staff is comfortable that the new software is providing adequate information.

Ms. Rupe stated that this summer staff will request to issue a request for bids for PLC replacement. This will be the focus of next quarter's update on this program.

Mr. Ciaccia stated that there are many aspects of this major subprogram and it is difficult to grasp the full scope. CEO Dreyfuss-Wells advised that staff can put together a guide and incorporate it into the presentations.

2. Sustainability Update

Jenita Warner, Sustainability Program Manager, stated that the sustainability program has three goals: increase efficiency and responsibility in terms of how the District uses natural material resources to find the nexus between sustainability and social responsibility and to protect and enhance the natural environment.

Ms. Warner explained that sustainability baseline metrics are utilized to track performance and improve over time.

The District's comprehensive carbon footprint includes emissions produced on site, such as vehicle emissions, emissions from wastewater treatment, purchased electricity and contracted services, such as waste hauling or landscape services.

The top three sources of carbon emissions are purchased electric, incineration and biogenic emissions. Incineration includes the emissions from burning natural gas and biosolids at the wastewater treatment plants.

The District's carbon footprint has decreased by 11% over three years due to changes in operations, investments in new incineration at Southerly, leading to a significant decrease in natural gas usage. The District's contributions to landfill has also decreased and she anticipated further decline with the Beneficial Ash Reuse Project.

Ms. Warner explained that a sustainability snapshot would be a public document about recent projects that increase the District's sustainability to communicate the progress, share baseline metrics and set the stage for sustainability planning.

The purpose of a plan is to define what sustainability means to the District, to communicate those baseline metrics, make the case for why it is important for operations and the communities it serves, to commit and formalize goals, strategies and key progress indicators, to help integrate sustainability enterprise-wide and track and share progress as the plan is implemented.

Recent projects of the Sustainability Program include completing implementation of the Energy CAP Software, which allows for the production of the carbon footprint and track baseline metrics.

Staff has worked with Operations & Maintenance on improving bid specs and increasing sustainability, as well as to increase the payback of recent energy efficiency projects by applying for riders and rebates through energy efficiency programs.

Ms. Warner stated that the Program is also working to reduce the waste from the annual District Open House as a public-facing way to enhance the District's sustainability. She also hosts a monthly sustainability series open to District staff and the general public.

VII. Open Session

Mr. Brown appointed Mayor Bacci to lead the Nominating Committee for officers for 2018, supported by Mayor Stefanik and Ms. Dumas. The Committee goal is to recommend nominations for an election and installment by the first Board Meeting in July.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session


There were no items.

X. Approval of Items from Executive Session

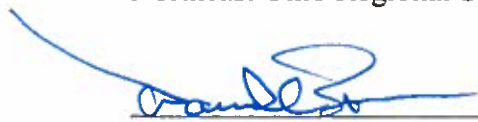
There were no items.

XI. Adjournment

MOTION – 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 1:35 p.m. Without objection, the motion carried unanimously.



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



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