

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
MAY 19, 2022

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

I. Roll Call

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

Absent: Darnell Brown

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to approve the Minutes of the May 5, 2022 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer’s Report

Kyle Dreyfuss-Wells, Chief Executive Officer, provided an update regarding NEORS’s ongoing COVID-19 pandemic response and informed the Board that NEORS staff has 2 active COVID-19 cases, and 4 employees with COVID-19-like symptoms awaiting test results. There has been a total of 215 employees with confirmed diagnoses since the beginning of the pandemic, 213 of whom have recovered and returned to work.

On May 10, Constance Haqq, Chief Administrative Officer, Devona Marshall, Director of Engineering and Construction, Tiffany Jordan, Manager of Contract Compliance, and Jacqueline Muhammad, Senior Manager of Government and Customer Relations, presented at the Greater Cleveland Partnerships’ Construction, Utilities, Building, and Equity Initiative. The focus of the

event was diversity, equity, and inclusion in the construction industry in Northeast Ohio, as it relates to minority business inclusion and workforce inclusion. NEORSD staff participated in a panel discussion titled “Strategies on Advancing Equitable Outcomes”. NEORSD was asked to discuss its major building projects and how the District leverages its equity driven strategies. Staff discussed the Capital Improvement Program, Project Clean Lake, the Business Opportunity Program, and the Good Neighbor Ambassador Program. The audience was comprised of municipal employees, construction company owners, minority business owners, and staff from Cuyahoga Metropolitan Housing Authority and Ohio Department of Transportation.

On May 11, NEORSD held an outreach event for the Chippewa Creek Flood Reduction near Echo Lane project in Broadview Heights and North Royalton. The project will retrofit a basin, upsize areas of culverted stream, and restore an open channel to protect the floodplain. Broadview Heights is also doing a project on the local stormwater system to further reduce flooding. There are approximately 300 parcels in the immediate neighborhood. There were 75 residents in attendance over a period of five hours, wherein they were able to speak with members of the Watershed Programs and Customer Service Departments.

NEORSD was awarded the gold designation from the League of American Bicyclists as a bicycle friendly business. The award recognized NEORSD’s efforts to be bike friendly to employees and visitors through enhancements to its bike infrastructure, such as the fix-it station to repair flat tires and bike racks. This is a five-year designation that NEORSD will proudly display at its facilities.

Mr. Sulik asked whether there are many employees that bike to work. Ms. Dreyfuss-Wells explained that there are some staff members who bike to work consistently, regardless of weather.

V. Action Items

Authorization to Advertise

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| Resolution No. 163-22 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a three-month requirement contract for the Eastland/Holland Odor Control Facility Stone and Media Replacement project with an anticipated expenditure of \$150,000.00. |
| Resolution No. 164-22 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Stafford Basin Inlet Modifications project with an anticipated expenditure of \$331,854.00. |

Resolution No. 165-22 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Southerly Chemically Enhanced High Rate Treatment Upgrades project with an anticipated expenditure of \$10,900,000.00.

Resolution No. 166-22 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the District-Wide Roof Improvements Phase 2 project with an anticipated expenditure of \$2,300,000.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 163-22 through 166-22. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested additional information regarding Resolution Nos. 165-22 and 166-22.

Ms. Marshall explained that the Southerly Chemically Enhanced High Rate Treatment Upgrades project will increase the capacity of the chemically enhanced high rate treatment process at the Southerly Wastewater Treatment Plant (WWTP) from 125 million gallons per day (MGD) to 255 MGD. This is part of the recent modification of the Consent Decree of Control Measure 5. With this modification, NEORSD is no longer required to build the more expensive parallel treatment and instead is increasing the overall secondary capacity from 400 to 480 MGD. The overall capital savings is an estimated \$50 million.

The District-Wide Roof Improvements Phase 2 project is in follow-up for the 2018 full assessment of all roofs across NEORSD facilities. The Phase 1 project is nearing completion. Phase 2 will address nine roofs across three WWTPs. Four critical projects were pulled from Phase 2 and added to the Phase 1 contract, and the Phase 2 contract has a longer duration, to account for long lead times for roofing materials.

Mr. Sulik asked if there have been any problems with contractors obtaining needed materials to perform work. Ms. Marshall explained that currently, the way that NEORSD contracts are written, NEORSD does not pay for escalation, whether an increase or decrease; however, there are potential claims coming in on projects related to escalation.

Authorization to Purchase

Resolution No. 167-22 Authorization to purchase one sewer jet/vacuum truck through the State of Ohio Cooperative Purchasing Program for routine maintenance conducted by the Sewer System Maintenance and Operation (SSMO) staff, in an amount not-to-exceed \$535,000.00.

MOTION –Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 167-22. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 168-22 Authorization to enter into a construction contract with Tucson, Inc. for the Pepper Luce Creek Culvert Replacement/Rehabilitation at Gates Mills Blvd project in an amount not-to-exceed \$2,058,367.00.

Resolution No. 169-22 Authorization to enter into a construction contract with Mark Haynes Construction, Inc. for the Picha Lake Dredging project in an amount not-to-exceed \$640,540.00.

MOTION –Ms. Dumas moved, and Ms. Chambers seconded to adopt Resolution Nos. 168-22 through 169-22. Without objection, the motion carried unanimously.

Property Related Transactions

Resolution No. 170-22 Authorization to extinguish and release eight District-owned permanent easements at the property known as PPN 522-25-020, located on East 71st Street, in the Village of Cuyahoga Heights and owned by the Village of Cuyahoga Heights, which are no longer necessary for this abandoned portion of the Mill Creek Interceptor nor other District purposes.

Resolution No. 171-22 Authorization to acquire one permanent stormwater easement and one temporary easement at the property known as PPN 783-09-045, located on Watercrest Avenue, in the City of Maple Heights, owned by the City of Maple Heights, necessary for the construction and maintenance of the Stafford Basin Inlet Modifications project with total consideration of \$1.00.

Resolution No. 172-22 Authorization to acquire one parcel in fee simple known as PPN 456-12-001, located on Dell Haven Drive, in the City of Parma, owned by Gregory J. Yurosko and Marjorie A. Yurosko, necessary for the construction and maintenance of the BDPA-06 York Pleasant Valley project and to allow for the entirety of the payment to be disbursed to Northstar Title Services, LLC, with total consideration of \$105,000.00 plus closing costs.

Resolution No. 173-22 Authorization to acquire one permanent stormwater easement at the property known as PPN 454-31-021, located at 5940 Kelley Lane, in the City of Parma, owned by Thomas J. Kolba and Patricia L. Kolba, necessary for the construction and maintenance of the Big Creek Stream Restoration Upstream and Downstream of Ridge Road in Parma project with total consideration of \$14,620.00.

Resolution No. 174-22 Authorization to acquire one permanent stormwater easement and three temporary easements at the property known as PPNs 531-23-019 and 531-22-065, located on West Resource Drive, in the Village of Brooklyn Heights, owned by Six Point Investments, LLC, necessary for the construction and maintenance of the West Creek Stabilization in Brooklyn Heights project with total consideration of \$126,600.00.

MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution No. 170-22. Without objection, by roll call vote, the motion carried with all present members voting yes and recusal from discussion and abstention from voting by Mayor Bacci.

MOTION – Ms. Chambers moved, and Ms. Dumas seconded to adopt Resolution Nos. 171-22 through 174-22. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 175-22 Adopting the findings of the Hearing Officer with regard to the stormwater account of The Opal Industrial Group, Inc., Sewer District Hearing No. 21-005, that no further adjustments to the account are necessary.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 175-22. Without objection, the motion carried unanimously.

Authorization to Assign Agreement

Resolution No. 176-22 Authorization to assign professional services Agreement No. 21003138 for software licenses, hosting services, maintenance, and support of the Cherwell Information Technology Service Management System with Cherwell Software, LLC to Ivanti, Inc., with all current terms and conditions of the agreement to remain unchanged under the assignment.

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 176-22. Without objection, the motion carried unanimously.

VI. Information Items

Ms. Marshall provided the Capital Improvement Program monthly update for April 2022, beginning with cashflow, which closed at 78% of planned, an increase from March at 68% of planned. Spending is on track to reach the goal of delivering at least 85% of planned, as the heavy construction season is beginning. There was \$21 million paid out in April, for a year-to-date total of \$62 million.

Regarding key performance indicators (KPIs), design was completed for the Southerly Chemically Enhanced High Rate Treatment Upgrades and the District-Wide Roofs Improvements Phase 2 projects in April, both within 60 days of planned, meeting that KPI.

The construction contract for the Easterly Aeration Tank Rehabilitation Improvements project was closed in April. The final contract amount was \$9.7 million, which was within 95% of the original contract amount, meeting that KPI. The Business Opportunity Program goals for the project were set at 12% MBE/WBE and 6% SBE. That KPI was exceeded, as the projected actuals are 16.99% and 6.77%, respectively. Work orders by change categories as a percent of construction were 5.72% of the total amount, equating to \$555,000, the majority of which fell under the categories of owner requested changes and differing or unforeseen site conditions.

Ms. Marshall provided a construction update regarding the Westerly Storage Tunnel (WST) project. The project is part of Control Measure 14 under the Consent Decree and will achieve control of 285 million gallons of annual combined sewer overflow (CSO) from two outfalls, one of them being CSO-080, which is one of the largest by annual volume, and both are tributary to the Cuyahoga River.

The WST will be dewatered by the Westerly Tunnel Dewatering Pump Station, which is being constructed under a separate contract. The pump station will dewater the tunnel to the Westerly Interceptor, and to the Westerly WWTP for full treatment.

The WST is a \$135 million construction contract and includes 9,600 linear feet of 25-foot diameter storage tunnel. Ms. Marshall provided images demonstrating the alignment and features of the tunnel and explained that the tunnel will provide 36 million gallons of storage capacity.

The completed work includes the full tunnel mining and lining, and the work at the WST-1 shaft site, which has been handed off to the contractor handling the Tunnel Dewatering Pump Station. Work at the WST-2 site has been completed, including the enhanced site restoration and the installation of a support system within the starter tunnel.

Ongoing work includes the final lining of the starter tunnel and the large gate structure at the WST-3 site. The project is anticipated to achieve substantial completion in October 2022.

Ms. Marshall thanked Ron Maichle, Industrial Compliance Specialist, and the WQIS drone team for flying over and taking photos of the WST-3 site, and Rick Vincent, Manager of Design, for coordinating those efforts. Ms. Marshall provided the photos and explained that WST-3 is located at Scranton and University Roads on the banks of the Cuyahoga River where CSO-080 discharges. Ms. Marshall described the area where flows will be diverted from the culvert into the tunnel system.

There will be a 45-foot diameter baffle drop shaft and two gate structures through which flows will enter the shaft and drop 160 feet into the WST. The baffle design will dissipate energy as the flows come into the tunnel.

Ms. Marshall provided additional photographs of the site and demonstrated where flows will come in, what areas will be for maintenance staff, various features of the structure, and some of the completed construction.

The starter tunnel is approximately 200 feet long, 25-foot diameter, and serves as the launching area for the tunnel boring machine (TBM). The starter tunnel is also used for staging and work area during the construction process.

There was a rock fallout within the starter tunnel. Fortunately, no one was in the tunnel when it occurred. NEORSD worked closely with its design consultant and the contractor to stabilize the tunnel safely, which included installing 52 ribs which will remain in place and will be encased in the final concrete lining. The concrete lining process is approximately 70% complete.

Ms. Marshall thanked Steve Janosko, Project Manager Engineering & Construction, for his assistance with the presentation.

Mr. Sulik thanked Ms. Marshall for the presentation.

Mayor DeGeeter expressed appreciation to NEORSD staff for working with a Parma resident to move trees and added that the resident sent a thank you email for the efforts.

VII. Public Session (any subject matter)

There were no items.

VIII. Executive Session

There were no items.

IX. Approval of Items from Executive Session

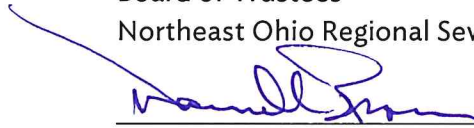
There were no items.

X. Adjournment

MOTION – Mr. Sulik stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 12:59 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