

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
June 20, 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
J. Ciaccia
J. Bacci
S. Dumas

ABSENT: R. Stefanik
T. DeGeeter

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 June 6, 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 highlighting the ribbon cutting that took place on Sunday, June 9th at the Kamm's Corners Green Infrastructure Project. The project included the construction of five bio-retention cells and slides where presented to the Board to show one of the cells in the earlier days of its installation and growth. This project was implemented by the City of Cleveland's Office of Capital Projects in partnership with the Kamm's Corners Community Development Corporation. The District provided a \$250,000.00 Green Infrastructure grant to the City in 2018. It is a large parking lot on West 165th and Lorain Avenue and now a great location to see bio-retention. This project will remove a million gallons of stormwater each year from the combined sewer system.

The ribbon cutting for the Kamm's Corners project was followed by a groundbreaking at the Centennial Peace Plaza at the Cleveland Cultural Gardens on June 11th for another project implemented by the City's Office of Capital Projects on behalf of the Culture Gardens. The District

provided a \$100,00.00 Green Infrastructure Grant and will remove about 100,000 gallons of stormwater annually from the combined sewer system through pervious pavers and stone matrix.

On June 10th, several District employees attended the Greater Cleveland Partnership's annual meeting. The District was presented with an award from the Commission on Economic Inclusion, which is the Commission's "best in class" for workforce diversity. The criteria for this award included the District's total number of employees, the District's diverse sourcing efforts, outreach and recruitment efforts and internal promotions. CEO Dreyfuss-Wells congratulated the Human Resources team and all the District managers that work on staffing, promotions, and employee development.

On Friday, June 14th the District partnered with the Cleveland Foundation and Morning Star Baptist Church to hold a ribbon-cutting for the Buckeye Green Infrastructure Project, located at the intersection of Buckeye Road and Woodhill Road. This is a large Green Infrastructure project and one of nine Green Infrastructure projects under the Consent Decree. This is a great partnership with Morning Star Baptist Church which occupies the old car dealership between Shaker Boulevard and Buckeye Road. The unique part of this project is the public art components funded by the St. Luke's Foundation and the National Endowment for the Arts through LAND Studio. A slide was presented depicting Stephen Manka, a sculptor who worked on the project, Damien Ware and Dawn Arrington. Damien and Dawn wrote the poetry stamped into the components of this project and are both residents of the Buckeye neighborhood.

Turning to employee updates, Jalal Abuhamdeh, Human Resources Manager of Employee Branding and Talent Programs, completed the Lead Diversity program with the Diversity Center. Joan Lorenzo, Plant Utility Maintenance Person (PUMP), completed the Hispanic Alliance's Leadership Development Initiative. Both the Lead Diversity Program and the Hispanic Alliance's Leadership Development Initiative offer employees the opportunity to engage in diversity and inclusion efforts and develop professional networks.

Moving on to the Who's Who in Black Cleveland event of June 18th, Daryl Coats, Data Governance & Business Intelligence Manager; Angela Jones, Senior Government Affairs Specialist; Darryl Key, Fleet Services Manager; and Jacqueline Muhammad, Government Affairs Manager were all included in the Who's Who in Black Cleveland. CEO Dreyfuss-Wells recognized these District employees for their efforts.

CEO Dreyfuss-Wells concluded her report by introducing Constance Haqq, Director of Administration & External Affairs to speak about the upcoming River Reborn event.

Ms. Haqq pointed out that the Board members have been provided with parking passes and a revised agenda and noted that Mayor Jackson will kick off the event. There will be three commendations the District will be receiving, and the Board members will be asked to come up and receive those commendations as well as take a picture. There will be a dedication of the Tow Path near the end of the event. Ms. Haqq encouraged the Board members to join the District in celebrating the River Reborn.

V. Action Items

Authorization to Advertise

- | | |
|-----------------------|---|
| Resolution No. 152-19 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Combined Sewer Overflow (CSO) Bar Racks Maintenance Services project with an anticipated expenditure of \$98,500.00. |
| Resolution No. 153-19 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for Lift Equipment Preventative Maintenance and Repairs at all District facilities with an anticipated expenditure of \$70,000.00. |
| Resolution No. 154-19 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Abbey Road Basin Improvements project with an anticipated expenditure of \$634,400.00. |
| Withdrawn | |
| Resolution No. 155-19 | Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Site Restoration Services II project with an anticipated expenditure of \$495,000.00. |

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution Nos. 152-19, 153-19 and 155-19. After the follow discussion, without objection, the motion carried unanimously.

Resolution No. 154-19 was withdrawn.

Mr. Brown requested further explanation on Resolution No. 155-19 regarding the bids for site restoration services and questioned what the District is doing to restore the various sites that have been occupied by the District for long periods of time.

Devona Marshall, Director of Engineering & Construction, introduced Charles Huse, Project Engineer and Project Manager for this project to walk through the sites for which the District is going to be performing on-site restoration to give an idea of what is planned for those sites, and to discuss the coordination up to this point for community input on those sites. Mr. Huse noted that this is an in-house design project by Trust for Public Land and DERU Landscape Architecture

with an estimated construction cost of \$495,000.00, and including a 10 percent Minority-Owned Business Enterprise, Women-Owned Business Enterprise (MBE/WBE) goal, and a 5 percent Small Business Enterprise (SBE) goal. Mr. Huse stated that the goals of the projects are to landscape four of the District's post-construction sites - including three along the Dugway Storage Tunnel and one along East 140th. This is the second phase of the restoration program which will also follow the District's guide to restoration. It is a Tier 1 restoration project where the District both owns and maintains the sites.

The project will include landscaping nearly three acres of property with 80 trees, 450 shrubs, and mulched beds. Based on a community input, the District will include walkway paths, gathering areas and bicycle racks to create a better product in the end. These projects all follow the District's Guide to Construction Site Restoration which was developed with the Cleveland Planning Commission. The District worked with Councilman Conwell of Ward 9 and Councilman Hairston of Ward 10, St. Martin De Porres, St. Aloysius, Famicos and the Cleveland Planning Commission. A community bus tour was organized, and input was received for these outdoor gathering areas like boulder seating, park benches, and areas for residents to eat at with picnic tables. Based on another community request, the District will try to increase the bird population and provide bird habitats. The project will also include incorporating community colors in the planting of certain plants that change their colors with the seasons.

Mr. Huse provided an overview of the three sites along the Dugway Storage Tunnel and the one along East 140th. Mr. Huse displayed three renderings that will begin this fall, one at Lakeview Avenue and St. Clair Avenue, which includes a walking path and a gathering area. Community residents asked the District to try to reduce the asphalt footprint. The District has incorporated grassed-porous pavers so that members of the community have areas to play. There is also another site at Primrose Avenue and Lakeview Avenue for members to gather and play. It features a stormwater management feature for the reduction of site runoff. Mr. Huse concluded by discussing the East 123rd and Superior Avenue site, which features a gathering area, a large stormwater management feature to help reduce site runoff, and park benches and picnic tables. Mr. Brown stated he found the planned site restorations to be exceptional.

Resolution No. 156-19

Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for Internal Audit professional services to fulfill audit planning.

MOTION – Mr. Sulik moved and Ms. Dumas seconded to adopt Resolution No. 156-19. Without objection, the motion carried unanimously.

Authorization to Purchase

Resolution No. 157-19

Authorization to purchase replacement parts, as needed, used in Moyno Pipe liners repair at all Wastewater Treatment Plants from sole source vendor Schultz Handling Equipment in a total

amount not-to-exceed \$150,000.00.

Resolution No. 158-19

Authorization to purchase laboratory chemicals and supplies from sole source vendor IDEXX Laboratories, Inc. in an amount not-to-exceed \$150,000.00.

MOTION – Mr. Ciaccia moved and Mayor Bacchi seconded to adopt Resolution Nos. 157-19 and 158-19. Without objection, the motion carried unanimously.

Authorization to Enter into Contract

Resolution No. 159-19

Authorization to enter into a three-year contract with The Smith & Oby Service Co. for HVAC/R Maintenance and Repair Services at all District facilities in an amount not-to-exceed \$2,658,220.60.

Resolution No. 160-19

Authorization to enter into a design-build contract with Nerone & Sons, Inc. for the Dille Road/Barberton Creek Pump Stations Upgrades project in an amount not-to-exceed \$337,198.00.

Resolution No. 161-19

Authorization to enter into a design-build contract with Cold Harbor Building Company for the Southerly Miscellaneous Disinfection and Solids Handling Improvements project in an amount not-to-exceed \$414,208.00.

MOTION – Ms. Dumas moved and Mr. Ciaccia seconded to adopt Resolution Nos. 159-19 through 161-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested an explanation on Resolution No. 159-19 as to why there were so few bids received and what was spent on the last HVAC/R Maintenance and Repair Services contract. Frank Foley, Director of Operation & Maintenance, explained that when potential contractors were polled for their reasons for not submitting bids, two of the companies stated they did not feel they had enough manpower for the job, two felt they could not be competitive in the work, one simply overlooked the opportunity, and three did not return the calls. This current contract amount is a little over \$2.6 million. The old contract was around \$1.1 million. The previous contract was for two (2) years, but this one is for three (3) years. There are three (3) main reasons for the increase in the dollar amount. The biggest reason is that the District is expending contract funds for repairs at a quicker rate than anticipated and that makes up almost \$700,000.00 of the increase; the contract duration went from two (2) to three (3) years, which makes up about \$555,000.00 of the increase;

and additional preventative maintenance work included is around \$320,000.00 or about 20 percent of the difference.

Mr. Brown also requested further explanation on Resolution Nos. 160-19 and 161-19 regarding the authorization for the funding being only for the design portion of the projects and confirmed that Board approval will be required for the construction costs, which are estimated to be \$2 million and \$3 million respectively. Mr. Brown noted that pump stations are routine designs with basic functions and elements. Devona Marshall, Director of Engineering & Construction explained that the reason the District choose the design/build delivery methodology was due to the limited engineering or design that is necessary for these projects. Ms. Marshall explained that, with regard to the pump station project, it is mainly replacing existing equipment. Ms. Marshall stated that the same is true with the Southerly Miscellaneous Disinfection and Solids Handling Improvements project –minimal engineering is needed but some field verification is needed which is more effectively served by the contractor performing the work and allows for better coordination. These are both progressive design/build projects which involve a two-step process. The initial portion is approval of the funds to bring the contractors to a 60 percent design. At that point, Board approval is required for the guaranteed maximum price (GMP). Ms. Marshall explained that before coming to the Board with this request, a third-party will review the GMP to make sure the District is getting a good price from the contractors since this not being publicly bid.

Mr. Ciaccia stated he was attempting to understand with both of these projects and Resolution 163-19 wherein the District will negotiate guaranteed maximum price, how do the general allowances come into play. He noted that on both contracts there are general allowances for unforeseen conditions, and he questioned whether this allowance would also be used for errors or omissions or owner-requested changes. He also questioned how a general allowance for unforeseen conditions would come into play if a price is guaranteed and the contractor is designing it, and whether it is typical to consider unforeseen conditions in a contract like this.

Ms. Marshall stated that the general allowance is being treated like a design-bid-build, so the general allowance (GA) would be used in the same way. If something changed, if unforeseen conditions came up, the GA would be used to address those. Ms. Marshall stated that the GA is part of the GMP so that is part of that total.

Mr. Ciaccia asked if the general allowance for unforeseen conditions precludes compensation for errors and omissions. James Bunsey, Chief Operation Officer, responded that if an error is made, that is an engineering mistake by the contractor and would not be paid for from the District. That would be on the contractor's or engineer's costs - that is not included in any kind of allowance. If the omissions are something in the field that would exceed the scope of service, that would a District mistake and we would be responsible for those costs. If the contractor omits something that is required to give us the agreed scope of services, those costs would be on the contractor and not covered by the District. Mr. Ciaccia stated that he received clarification that the GA is not just for unforeseen conditions and had no further questions.

Authorization of Contract Modification

Resolution No. 162-19

Authorization to modify Contract No. 18004557 with JCI Jones Chemicals, Inc. for Sodium Hydroxide Solution at all Wastewater Treatment Plants for a twelve-month time extension with no change in the contract amount.

MOTION – Mayor Bacci moved and Ms. Dumas seconded to adopt Resolution No. 162-19. Without objection, the motion carried unanimously.

Authorization to Amend

Resolution No. 163-19

Authorization to amend design-build Contract No. 18004634 with Lake Erie Electric, Inc. for the Easterly/Westerly Low Voltage Equipment Replacement project to incorporate a Guaranteed Maximum Price of \$9,633,272.12 for construction, thereby bringing the revised total contract amount to \$11,094,242.12.

MOTION – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution No. 163-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown asked for the original engineer's estimate for Resolution No. 163-19. Ms. Marshall explained that the engineer's estimate was more of a capital planning number and going into the project, the capital plan was at \$10.4 million. The District is asking for the total price to be just over \$11 million so there is an increase of almost \$600,000.00 to \$700,000.00 and looking back at the comparison, the difference is in the engineering professional services fee, not the construction. After the District examined the project further, it was discovered that there is more field verification that was required during the design phase. Regarding the overall GMP, a third party reviewed the GMP to make sure that the bid made sense and the District was getting the best value.

Authorization to Adopt Budget

Resolution No. 164-19

Authorization to adopt the District's 2020 Operating and Capital Budgets for the year ending December 31, 2020, as presented.

MOTION – Ms. Dumas moved and Mayor Bacci seconded to adopt Resolution No. 164-19. Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 165-19

Adopting the findings of the Hearing Officer with regard to sewer charges on the account of Ms. Shu Hua Chen, Sewer District Hearing No. 19-013, that the customer's request be denied.

MOTION – Mr. Ciaccia moved and Ms. Dumas seconded to adopt Resolution No. 165-19. Without objection, the motion carried unanimously.

Authorization to Bond Issuance

Resolution No. 166-19

Providing for the authorization, issuance and sale of not to exceed \$270,000,000 Northeast Ohio Regional Sewer District Wastewater Improvement Refunding Revenue Bonds, Series 2019, for the purpose of refunding some or all of certain obligations previously issued for the purpose of acquiring, constructing and improving water resource projects, all as authorized by the Trust Agreement; authorizing the execution of a Ninth Supplemental Trust Agreement to extend the pledge of Net Revenues and Special Funds to secure such Series 2019 Bonds, to provide covenants appropriate to the protection and disposition of such Net Revenues and Special Funds, and to secure the payment of the principal of and interest on the Series 2019 Bonds at their respective maturities on a parity with the Series 2005 Bonds, the Series 2007 Bonds, the Series 2010 Bonds, the Series 2014 Bonds, the Series 2016 Bonds, the Series 2017 Bonds and Additional Bonds that may be issued in the future; authorizing the execution of an Escrow Agreement for the purpose of effecting the refunding of the Refunded Bonds; authorizing the preparation and distribution of a preliminary and final Official Statement; authorizing the execution of a Bond Purchase Agreement, a Certificate of Award, and a Continuing Disclosure Agreement; and authorizing such other

actions as are necessary and appropriate to accomplish the transactions hereby authorized.

MOTION – Ms. Dumas moved and Mayor Bacci seconded to adopt Resolution No. 166-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on Resolution No. 166-19. He asked for details of the transaction since under the District's requirements, there is a minimum of about four percent that is expected to be gained as a result of this issuance.

Ken Duplay, Chief Financial Officer, explained that the District's debt policy authorizes executing, or at least exploring, refunding transactions at the four percent net present value savings level. The Finance Department has been working with our financial advisor, Baker Tilly, to look at the callable portions of the 2010 bond issue. Potential savings are in the seven to eight percent range on the outstanding \$250 million par on that issue that is callable. The related debt service potential savings is in the \$18-\$20 million range. This is similar to the 2017 refunding that was done both in terms of dollar size and percentage savings.

Ms. Dumas asked if this authority is brought against the entire portfolio including new issuances or are you sunseting a piece. Mr. Duplay explained that the only refundable bonds outstanding are these maturities of the 2010 bonds. The outstanding 2013 and 2014 bonds are no longer advance refundable because those are tax-exempt bonds. The 2010 bonds were Build America Bonds which were taxable with a federal rebate. Ms. Dumas asked if this gives the authority to continue to monitor the portfolio and then refund any that fit the criteria of the four percent that would allow for savings. Mr. Duplay noted that the Board would be notified if another transaction was to be done.

Authorization to Reject and Rebid

Resolution No. 167-19

Authorization to reject bids and re-bid the West 3rd Quigley/Westerly Miscellaneous CSO Control project, with an anticipated expenditure of \$12,600,000.00.

MOTION – Mayor Bacci moved and Ms. Dumas seconded to adopt Resolution No. 167-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Brown requested further explanation on Resolution No. 167-19.

Ms. Marshall noted that the District received one bid for this contract which came in greater than 10 percent over the engineer's estimate and therefore, under Ohio law, the District cannot award this project. Based on that, as well as some comments received from the contracting community during the bidding phase, the risks and complexities of this project were re-examined, and the engineer's estimate is being increased from \$10.9 million to \$12.6 million. The Board was

presented with slides to show some of the risks and constraints. Ms. Marshall explained that it is a tight site working in a residential area, so there is additional maintenance of traffic that must be implemented for site access. There are also some challenging subsurface conditions with the ground water in this area. There will also be extensive utility coordination that will have to take place. The project is limiting the means and methods in some cases because it is in a residential and business area. Specifically, prohibiting technology that uses vibration methods as it relates to the shaft construction. There are several schedule constraints and required coordination with other construction going on in the area.

Mr. Brown stated that since the constraints are things that would have been known and should have been discussed in any pre-construction, pre-proposal meeting so there was an understanding of the specific requirements of the project and adjustments could have been made to submittals, his concern was that none of these are tremendous or specifically unique that would result in the District only receiving one bid. Ms. Marshall noted that knowing the concerns and that the contractors believe they cannot do the work for \$10.9 million or 10 percent above that, the District was surprised to even receive the one bid. Ms. Marshall stated that a big portion of the increase is due to a specific allowance (SA). There is a lot of coordination at one of the sites. USEPA is in the process of capping around Clark Field due to the contaminated soil. Right now, under the base contract, the District is planning on leaving the soil on site and the USEPA would use that as part of the capping process. The District does not know if the timing is going to work out so the SA was increased to \$400,000.00 just in case the District would have to remove all that soil.

Authorization to Retain Legal Counsel

Resolution No. 168-19

Authorization to retain Squire Patton Boggs, LLP and Forbes, Fields & Associates Co., LPA to serve as Bond Counsel and Co-Bond Counsel respectively for the Series 2019 Wastewater Improvement Revenue Refunding Bonds in a total amount not-to-exceed \$150,000.00.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 168-19. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 169-19

Authorizing the District to enter into a Right of Entry Agreement with Kurt Houston dba Kurt's Getaway Bar and Grill on PPN 541-16-005, located at 8908 Garfield Boulevard in the City of Garfield Heights, owned by the District, to provide overflow parking for the Peoples' Choice Bike Show on August 24, 2019 with total consideration of \$1.00.

Resolution No. 170-19

Authorizing the District to acquire one permanent subterranean easement on a portion of PPNs 003-21-006, 003-22-001, and 003-22-002, located at 1605 W. 25th Street in the City of Cleveland, owned by The Cuyahoga Metropolitan Housing Authority, necessary for the construction of the Westerly Storage Tunnel project with total consideration of \$26,100.00.

MOTION – Ms. Dumas moved and Mayor Bacchi seconded to adopt Resolution Nos. 169-19 and 170-19. Without objection, the motion carried unanimously.

VI. Information Items

1. Chief Legal Officer & General Counsel Claims Report to Northeast Ohio Regional Sewer District Board of Trustees

Mr. Brown stated that any questions relating to the Claims Report should be addressed with Eric Luckage, Chief Legal Officer.

2. Program Management Status Report and Update – May 2019

Ms. Marshall presented the capital improvement update for the month of May 2019. She stated that for the end of May, cash flow was at 74 percent of planned, which is up from last month at 71 percent. The goal of delivering 85 percent is still behind due to some invoices and payouts that continue to come in a little late and if those were done on time, the cash flow would be over 90 percent of planned. For the month of May, \$18 million was paid out in actual dollars.

Moving on to design level Key Performance Indicators (KPI)s, the District completed the design of the Site Restorations Services Phase II Project, which was highlighted earlier, within 60 days of plan, meeting the KPI. For construction level KPIs, substantial completion was achieved on the Union/Buckeye Appendix 3 Green Infrastructure Project, a \$4.9 million construction contract. This is the project that CEO Dreyfuss-Wells highlighted in her executive update. The KPI was not met due to the schedule and the maintenance on this project being extended to do reseeding this past spring.

The construction of the GJM Building Interior Renovations Project was completed in May, which was \$1 million design/build project. The KPI was not met due to the contract not being closed within 95 percent of the original contract amount. The KPI was met as it relates to the Business Opportunity Programs (BOP) goals. No goal was set on this project due to majority of the cost being materials or in this case furniture, but the projected actual BOP participation is over 36 percent. The total work orders on this project were 5.6 percent which were all under the category

of owner-requested changes for additional office spaces that were requested after the contract was already defined and the construction had already started.

Next, Ms. Marshall stated that, also in the month of May, the District closed the construction contract on the Westerly Fire Safety & Code Upgrades Project, a \$2.9 million construction contract. This was closed out within 95 percent, meeting the KPI. KPIs were also met on the BOP. The goals were set at 10 percent and the projected actual being over 44.5 percent. The total work orders on this project came in extremely low, at 0.58 percent. The Board was presented with a graph to show that most of the work orders fell under the category of emergency work. There was a broken waterline on the Westerly site that was repaired as an emergency repair under the GA on this project.

Ms. Marshall continued with her report by presenting the Board with a picture of the Southerly plant which is in Cuyahoga Heights and covers about 273 acres. Southerly is the largest of the District's treatment plants and services 45 communities including communities within the Counties of Cuyahoga and Summit, as well as some of Lorain County. There are six large tributary interceptors that feed the plant by bringing flow from those 45 communities and in a typical day the flow is about 100 MGD. The current primary capacity of Southerly is 735 MGD and the current secondary capacity is 400 MGD. There are currently eight active construction projects at the plant totaling \$90 million. The first is the First Stage Aeration Tank Improvements Project which is wrapping up and this project involves the rehab of aging infrastructure within that process both from the tank itself as well as the associated equipment. Next is the District-Wide UPS Replacement Project which is part of the larger automation program management upgrades and under this project, the backup batteries that supply the PLCs are being replaced to ensure reliability.

Next is the District-Wide Energy Conservation Improvements Project and two of the buildings being addressed by this project are located at the Southerly plant. Under this project, the District is updating lighting, heating and cooling to make those buildings more energy efficient. The next project is the Building Heat Boiler System Upgrades Project and under this project, two older but very large inefficient steam boilers are being replaced with eight more efficient but smaller hot water boilers. Then there is the Electrical Infrastructure Improvements Project and under this project, the aging infrastructure as it relates to the power supply equipment feeding the Southerly plant is being replaced and upgraded. Finally, the Renewable Energy Facility Improvements Project, a \$1 million construction project with a focus on making some improvements to the air scrubber system that will allow for better removal of the mercury from the air coming off the incinerators and improvements as it relates to the heat recovery system. The benefits from all these projects fall under four main categories, the first being increased energy efficiency and sustainability, the category of improved operational reliability, the category of increased treatment capacity and efficiency, and finally capital and operation cost savings including those associated with the pending consent decree modification request.

Moving on, Ms. Marshall discussed the Second Stage Lift Station Improvements Project, a \$10.5 million construction project which is the first major rehab of the lift station since it went online in 1977. This project includes replacing the outdated pump motors and electrical equipment as well

as making some major building restorations. She noted that as a result of this project, the sustainable capacity coming out of the pump station will be increased from 450 MGD to 480 MGD and improvements will be made to help with the removal of phosphorus within the wet stream. This project is almost completed, all the exterior building improvements are done, and staff is in the process of pump startup and testing and some HVAC and electrical work to be completed by October of this year remains. Ms. Marshall concluded her report by discussing the Second Stage Settling Improvements Project, a \$38.4 million contract. This is also a full rehaul of the units and the original equipment that was installed back in the 1980s most notably is the replacement of the sludge and skimmings collection equipment. This equipment is very old and breaks down a lot, impacting the ability to treat to the current 400 MGD capacity and the future 480 MGD capacity. As part of this project, the District will also do some structural rehab of the tanks as well as the buildings associated with this process. This project is about six months in. Two tanks are being taken down at a time so as to limit the impact on the overall capacity during construction– there are ten tanks in total. The District has also started some of the structural repairs of the buildings and overall substantial completion on this job is scheduled for May of 2022.

VII. Open Session

Mr. Brown noted that it is time again to elect officers for the 2019/2020 period and appointed a committee to be led by Mr. Sulik and to include Ms. Dumas and Mayor Bacci.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

MOTION - Mayor Bacci moved pursuant to Ohio Revised Code Section 121.22(G)(3), to enter into Executive Session to consult with District's legal counsel concerning disputes involving the District that are subject to pending and imminent court action. Roll call vote: all yes, entered into executive session at 1:31 p.m.

Following executive session, the Board returned to regular session at 1:53 p.m.

X. Approval of Items from Executive Session

Resolution No. 151-19

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Jennings and Old Denison Combined Sewer Cleaning 2019 Project with an anticipated expenditure of \$860,000.00

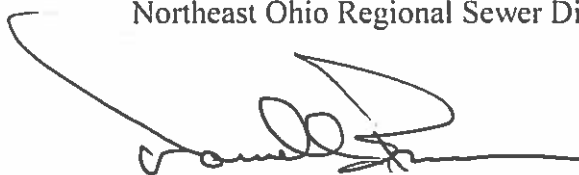
MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 151-19. Without objection, the motion carried unanimously.

XI. Adjournment

MOTION – Mr. 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 1:54 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