

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
SEPTEMBER 1, 2022

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

I. Roll Call

Present: Darnell Brown
Timothy DeGeeter
Samuel Alai
Jack Bacci
Marjorie Chambers

Absent: Ronald Sulik
Sharon Dumas

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to approve the Minutes of the August 18, 2022 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

Ms. Dreyfuss-Wells provided an update regarding NEORSD's ongoing COVID-19 pandemic response and informed the Board that NEORSD staff has no active COVID-19 cases, and 4 employees with COVID-19-like symptoms. There has been a total of 227 employees with confirmed diagnoses since the beginning of the pandemic, all of whom have recovered and returned to work.

On August 26, NEORSD recognized the Good Neighbor Ambassadors as they completed Cuyahoga Community College's (Tri-C) Career Advancement Competitive Edge Program, which included 12

weeks of skilled training with over 130 hours of instruction and exposed them to all of Tri-C's offerings. Tri-C was one of NEORSD's earliest partners in the Good Neighbor Ambassador Program. Ms. Dreyfuss-Wells congratulated the participants for their accomplishment.

On August 27, NEORSD held its fourth Utility Assistance Resource Fair in the City of East Cleveland, with over 170 customers in attendance. The purpose of these on-going fairs is to remove the barriers to enrolling in cost saving programs by providing opportunities for face-to-face interactions to work through the process of signing up onsite. The remaining two resource fairs this year will be held on the west side of Cleveland on October 1, followed by Parma on October 29. There will also be six such events in 2023.

On August 25, NEORSD held a webinar with approximately 200 participants, discussing the Doan Brook Restoration Near Horseshoe Lake Park project and providing the history and planning process for the restoration project. This was followed by an in-person event at Horseshoe Lake Park on August 27, with hundreds of residents from across the region and staff members from Customer Service, District Administration, SSMO, Watershed Programs, and other departments in attendance. The goal was to inform residents about the project and its challenges, as well as allow residents to meet the design team and other NEORSD staff. Attendees were able to participate in different activities and share their suggestions regarding the transformation of the old lakebed. Additionally, there is a survey regarding the project which can be completed online at www.NEORSD.org/doanbrook.

Ms. Dreyfuss-Wells advised the Board that her 2023 Goals and Priorities were included in their meeting materials, and they build on the 2022 to 2024 Strategic Plan, which also incorporates NEORSD's Diversity, Equity and Inclusion Plan as well as the Sustainability Plan. Ms. Dreyfuss-Wells' focus continues to be on responding to the challenges and changes brought about by the pandemic, succession planning, assisting member communities in accessing federal infrastructure funding, and continuing to work with senior staff to increase leadership competencies across all levels of the organization.

Ms. Dreyfuss-Wells invited Ken Duplay, Chief Financial Officer, to discuss the results of the August 31 bond defeasance.

Mr. Duplay reminded the Board that at the prior meeting, they authorized the defeasance transaction of some of the 2014 and 2020 bonds. The transaction closed with very positive results. NEORSD utilized \$85.7 million of available cash to defease \$84.2 million in outstanding, older bonds with higher interest rates. The gross savings associated with the transaction is approximately \$81.2 million, which is 96.4% of the refunded par. That amount is the avoided debt service, positively impacting future rates. The transaction was better than projected, as the market conditions improved over the past few weeks. It was a successful transaction utilizing cash to have long-term impact on rates.

President Brown stated that he is pleased to see the outreach performed through the Utility Assistance Resource Fairs, particularly in the communities that they are being held, and it could provide opportunity for collaboration. For example, the Greater Cleveland Food Bank is in the midst of its strategic planning process and one of the elements they plan to incorporate is what they are calling “wrap-around services”. They have built a new facility and the existing facility will be retrofitted to allow for collaboration with other organizations, as there is overlap between food insecurity, inability to pay utilities, and meeting other needs. There could be opportunities to collaborate with the Greater Cleveland Food Bank and other utilities to aid the residents who most need it. There are thousands of cars going through the Greater Cleveland Food Bank’s food distribution line each week and these are the same residents that NEORSD is hoping to assist through its outreach efforts.

Constance Haqq, Chief Administrative Officer, stated that NEORSD is always searching for additional partners and collaborates with nonprofit organizations through the Utility Assistance Resource Fairs. NEORSD has a close relationship with the Greater Cleveland Food Bank. The Good Neighbor Ambassadors have been volunteering at the Food Bank during inclement weather for the past seven or eight years. NEORSD has spoken with their Director and is interested in including them in upcoming Utility Assistance Resource Fairs.

V. Action Items

Authorization to issue Request for Proposals (RFP)

Resolution No. 275-22	Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for a Compensation Study to assist in the review of the existing Compensation Structure for the District’s union and non-union employee population.
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MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 275-22. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 276-22	Authorization to enter into an agreement with the U.S. EPA and the Ohio EPA wherein the District performs habitat restoration projects under the Regional Stormwater Management Program in an amount up to \$1,000,000.00 as in-kind credit towards the estimated total cost of \$5,279,281.00 for the Remedial Design of the Cuyahoga River Gorge Dam Great Lakes Legacy Act Contaminated Sediment project.
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Resolution No. 277-22 Authorization to enter into four professional services agreements with Smith & Nedjedlik, Inc.; Charles P. Braman & Co., Inc.; Kirk Appraisal & Consulting, LLC.; and Feasibility Research Group Ohio, LLC. for task-order based appraisal and appraisal review services for property acquisition for District projects and to provide expert testimony during appropriation litigation in a total amount not-to-exceed \$400,000.00 for all agreements combined.

MOTION – Ms. Chambers moved, and Mayor Bacci seconded to adopt Resolution Nos. 276-22 through 277-22. After the following discussion, without objection, the motion carried unanimously.

President Brown noted, regarding Resolution No. 276-22, that the project area has been a matter of discussion for quite a while and the \$5 million is for remedial design. President Brown requested additional information.

Frank Greenland, Director of Watershed Programs, explained that the Gorge Dam is the last standing dam along the Cuyahoga River. There have been multiple dams removed with NEORSD involved in the removal of the Station Road dam, as well as others in Monroe Falls, Kent, and Cuyahoga Falls. Dams are an impediment to fish passage and impact the aquatic biology of stream segments. The removal of dams along the Cuyahoga River has dramatically improved water quality, habitat, and fish population. Previously, there were only 23 species of fish in the river and now there are 72. The removal of the Gorge Dam represents the last major impediment along the Cuyahoga River. It is a significant project for the Cuyahoga River Area of Concern and will involve federal funding.

This is the second time that NEORSD has entered into an agreement with U.S. EPA and Ohio EPA. Because NEORSD is performing habitat restoration projects and erosion control projects which will improve the aquatic biology of streams in the Cuyahoga basin, District stormwater program projects will help satisfy the federal funding requirement of a 35% match of local funds. There is no additional cost to NEORSD, and this is a benefit to first move through the design then ultimately, there will be a modification for construction and NEORSD will likely be a partner on that as well.

Mr. Greenland provided a photograph of the project area and explained that behind the Gorge Dam is 900,000 cubic yards of contaminated sediment, which will be costly to move, as will be removing the dam. There is an area where some of the sediment will be moved on the site, which will negate some sediment hauling costs. The project is still under design. NEORSD will assist with the local match for this agreement.

Removal of the Gorge Dam and the old river channel sediment are the last two legacy issues which will hopefully remove the Cuyahoga River from an area of concern nationally.

President Brown asked whether the removal of the dam will impact the hydraulics of the area. Mr. Greenland explained that while he has not seen the final modeling results, it is not anticipated that it will change much because there is not active storage behind the dam. The removal and reestablishment of a natural corridor allows the stream to access floodplains when needed and is much better for the Cuyahoga River as a whole.

Authorization to Amend Agreement and Ratify Expenditures

Resolution No. 278-22 REVISED	Authorization to amend Agreement No. 22001543 with Staffing Solutions Enterprises, Inc. to revise the scope to provide temporary staffing support to the Customer Service Department in the amount of \$63,000.00, as well as District-wide temporary staffing support in the amount of \$32,000.00, and to ratify expenditures in the amount of \$68,000.00 in excess of the existing Agreement amount of \$29,000.00, thereby bringing the total agreement amount not-to-exceed \$192,000.00
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MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution No. 278-22. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that beyond the original authority, there was additional money spent to add staff in the Customer Service Department and asked if this was due to the general tendency of customer service to have high turnover.

Denise Rice-Ali, Director of Human Resources, answered affirmatively and explained that NEORS D had an agreement with the vendor, then experienced some turnover in the Customer Service and Human Resources Departments. The request is to combine the staffing services for the various departments into one agreement and allow all of the temporary staffing to come through the Human Resources Department for proper oversight. The amount is what is expected to be required for the remainder of the year and to ratify certain related past expenditures.

Authorization to Enter Into Contract

Resolution No. 279-22	Authorization to enter into a one-year requirement contract with Polydyne, Inc. for the delivery of up to 758,330 pounds of liquid emulsion polymer solution to all District wastewater treatment plants in a total amount not-to-exceed \$2,498,697.35.
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Resolution No. 280-22	Authorization to enter into a three-year requirement contract with Razor Lake Materials, Inc., doing business as Jordan Services, Inc., for industrial cleaning services at all wastewater treatment plants in a total amount not-to-exceed \$356,171.20.
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MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 279-22 through 280-22. Without objection, the motion carried unanimously.

Authorization of Contract Modification

Resolution No. 281-22 Authorizing final adjusting change order for Contract No. 20003771 with DiGioia-Suburban Excavating, LLC for the Miscellaneous CSO Improvements project with an increase in the total contract amount of \$25,760.19, and including an increased General Allowance in excess of ten percent of the base contract price bid, excluding specific allowances, thereby bringing the total contract amount to \$2,566,243.22.

MOTION – Mayor Bacci moved, and Mayor Alai seconded to adopt Resolution No. 281-22. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 282-22 Authorization to acquire two permanent stormwater easements and two temporary easements at the property known as PPN 531-30-007, located at 1329 East Schaaf Road, in the Village of Brooklyn Heights, owned by Brooklyn Landfill, Inc. necessary for the construction and maintenance of the West Creek Stabilization in Brooklyn Heights project with total consideration of \$175,000.00.

Resolution No. 283-22 Authorization to enter into an agreement with CDF, Inc. for use of the property known as PPN 521-19-001, located on East 49th Street, in the Village of Cuyahoga Heights, owned by CDF, Inc., necessary for the installation of a water quality monitoring station with total consideration of \$1.00.

Resolution No. 284-22 Authorization to acquire one permanent stormwater easement at the property known as PPN 531-28-008, located on Resource Drive, in the Village of Brooklyn Heights, owned by Summit Buildings, LLC, necessary for the construction and maintenance of the West Creek Stabilization in Brooklyn Heights project with total consideration of \$12,635.00.

- Resolution No. 285-22 Authorization to acquire one parcel in fee simple known as PPN 022-23-013 (including PPNs 022-23-014 and 022-23-015, consolidated), located at 4256 West 130th Street, in the City of Cleveland, owned by the Cuyahoga County Land Reutilization Corporation, necessary for the construction and maintenance of the Big Creek West Branch Stream Realignment Downstream of Harold Avenue in Cleveland project with total consideration of \$500.00.
- Resolution No. 286-22 Authorization to acquire one permanent sewer easement at the property known as PPN 130-02-014, located at 11621 Kinsman Road, in the City of Cleveland, owned by Eric Warren, necessary for the construction and maintenance of the Kingsbury Run Preliminary Engineering project with total consideration of \$1,800.00.
- Resolution No. 287-22 Authorization to acquire a temporary easement at the property known as PPN 455-27-002, located at 8110 Sierra Oval, in the City of Parma, owned by Danielle M. Wooten, formerly known as Danielle M. Vidal-Engaurran, necessary for the construction of the Big Creek Stream Restoration Upstream and Downstream of Ridge Road in Parma project with total consideration of \$1,365.00.

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution Nos. 282-22 through 287-22. Without objection, the motion carried unanimously.

Authorization to Grant Credit

- Resolution No. 288-22 Authorizing the District to issue a credit adjustment in the total amount of \$43,211.28 against sewer charges on the NEORSD account ending in 4489 for the Ameritech Bill Payment Center at 15915 Libby Road, Maple Heights.
- Resolution No. 289-22 Authorizing the District to issue a credit adjustment in the total amount of \$31,473.96 against sewer charges on the NEORSD account ending in 4981 for the City of Richmond Heights at 264 Richmond Road, Richmond Heights.
- Resolution No. 290-22 Authorizing the District to issue a credit adjustment in the total amount of \$31,098.00 against sewer charges on the NEORSD account ending in 0001 for Calvary Congregational Church at 4424 Lee Road, Cleveland.

Resolution No. 291-22 Authorizing the District to issue a credit adjustment in the total amount of \$62,986.31 against sewer charges on the NEORS account ending in 9394 for Rafi and Danielle Israeli at 4441 University Parkway, University Heights.

Resolution No. 292-22 Authorizing the District to issue a credit adjustment in the total amount of \$62,213.13 against sewer charges on the NEORS account ending in 2998 for Steven and Avigail Malcmacher at 4451 University Parkway, University Heights.

MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 288-22 through 292-22. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that there are quite a few accounts receiving credits and asked if there was a particular reason. Additionally, President Brown asked whether City of Cleveland Division of Water also granted a credit to the customers.

Mr. Duplay answered affirmatively and explained that there is some backlog as NEORS was implementing a new workflow internally, leading to an accumulation of these requests. As to the second question, these were all outlet meter leaks, necessitating water bill adjustments as well.

VI. Information Items

There were no items.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

There were no items.

X. Approval of Items from Executive Session

There were no items.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Chambers seconded the motion to adjourn at 1:00 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