

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
SEPTEMBER 3, 2020

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 Darnell Brown.

President Brown opened the meeting by addressing the COVID-19 pandemic, and read the following statement:

Due to the COVID emergency, we are again conducting our Board meeting via live stream video conference using the Zoom Video Communications tool and pursuant to House Bill 197.

Members of the public may have access to the meeting using the Zoom login link found on the top of the District website, and those who wish to address the Board were able to make that request through the Zoom system prior to the start of the meeting.

I. Roll Call

PRESENT: Darnell Brown
Ronald Sulik
Samuel Alai
Terence Joyce
Jack Bacci
Timothy DeGeeter
Sharon Dumas

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

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to approve the Minutes of the August 20, 2020, 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, began her report by providing an update regarding the District's ongoing COVID-19 pandemic response. Ms. Dreyfuss-Wells informed the Board that as of September 2, the District has had a total of 10 employees with confirmed diagnoses. Of them, three are symptomatic, seven have recovered, five of whom have recovered and returned to

work with the remaining two continuing the return-to-work process. The District wishes these employees a complete and speedy recovery.

The District has begun a gradual reconstitution process across all facilities, recognizing that many staff have continued to work onsite throughout the pandemic, and safety protocols have been developed to enable employees, particularly those with their own offices, to begin to return. This process will continue through the fall with a focus on reaching 50% of office capacity by the end of the year, with each department constructing their own plan.

Clean Water Fest, the District's annual open house event that normally welcomes thousands of residents to see the District's work and meet its staff, will be held virtually this year due to the pandemic. It will be broadcast online at noon each day from September 7 through September 11 at www.cleanwaterfest.com. Ms. Dreyfuss-Wells encouraged all to attend.

Ms. Dreyfuss-Wells concluded her update by advising the Board that Jeff Jowett, Senior Watershed Team Leader, has been accepted into the Lead Diversity class of 2021. The District has participated in Lead Diversity, which brings together a broad cross-section of people from various types of institutions and businesses through the Diversity Center of Ohio, to address issues of diversity inclusion and equity.

Ms. Dreyfuss-Wells invited Ken Duplay, Chief Financial Officer, to provide an update on recent refinancing activities.

Mr. Duplay reminded the Board that on July 16 it approved Resolution No. 211-20 granting the District authorization to move forward with an escrow substitution transaction for its 2017 and 2020 refunding bonds. On August 19, working with its financial advisor Baker Tilly and bond counsel Squire Patton Boggs, the District was able to execute a transaction replacing the investments held in escrow to pay off its 2013 and 2014 bonds with new, higher yielding maturities. The net result of the transaction was a savings to the District of \$850,000, which went into its debt service accounts and was used to reduce the next debt service payment. This payment was made on September 1, 2020. The transaction's savings was above the District's minimum required threshold of \$500,000.

V. Action Items

Authorization to Advertise

Resolution No. 238-20	Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for snow plowing services at the District's GJM, EMSC, pump stations and outlying facilities with an anticipated expenditure of \$70,000.00.
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Resolution No. 239-20 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Pepper Luce Creek Stabilization Near Lander Road project with an anticipated expenditure of \$760,000.00.

MOTION – Mr. Sulik moved, and Mr. Joyce seconded to adopt Resolution Nos. 238-20 through 239-20. Without objection, the motion carried unanimously.

Authorization to Issue Request for Proposal (RFP)

Resolution No. 240-20 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for Environmental, Health, and Safety Consulting Services in support of the District’s Capital Improvement Program, Regional Stormwater Management Program, and Operation and Maintenance Department.

MOTION – Mayor Bacci moved, and Mayor Alai seconded to adopt Resolution No. 240-20. After the following discussion, without objection, the motion carried unanimously.

President Brown indicated that Resolution No. 240-20 appears to relate to an ongoing initiative and asked whether there are existing contracts for this service and if so, what the budget for these services has been in the past.

Frank Greenland, Director of Watershed Programs, explained that the District currently has one contract that has been in place for three to four years, at a cost of \$1 million.

The District currently holds three separate contracts. The first is to assist in capital improvements, specifically with property acquisition, the second is stormwater work, specifically ecological assessments, and wetland delineation. The third area was known as General Environment Consulting and the contract is currently held by Arcadis. This program is being renamed Environmental Health and Safety, with the goal of introducing more health and safety aspects into the analysis, including services such as safety, environmental health, permitting, sampling, remediation oversight, and hazardous materials. There will be one or more awards depending on the returned proposals.

President Brown asked whether the cumulative total of the current contract is \$1 million. Mr. Greenland explained that it is. The current contract period began in January 2017 and as of the end of July, 97.6% of the contract award has been spent.

It is anticipated that the District would receive three to four years of services from the contract, at a cost of \$1 million.

Authorization to Enter Into Agreement

Resolution No. 241-20 Authorization to enter into a professional services agreement, including the purchase of software, with Blue Technologies Smart Solutions, LLC for implementation of the Hyland Software OnBase Enterprise Content Management Solution to support Legal Matter Management and Accounts Payable for Invoice Processing in an amount not-to-exceed \$160,908.08.

Resolution No. 242-20 Authorization to enter into a professional services agreement with Stantec Consulting Services, Inc. for the Westerly Sludge Pump Station and Force Main project in an amount not-to-exceed \$4,722,951.00.

MOTION – Mr. Joyce moved, and Ms. Dumas seconded to adopt Resolution Nos. 241-20 and 242-20. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that, regarding Resolution No. 242-20, it is a significant sum for just the design cost and asked for additional information regarding the anticipated construction costs and how the District is managing the challenge of moving sludge for proper disposal.

Devona Marshall, Director of Engineering and Construction, explained that the total estimated construction cost for this project is \$22.73 million, which equates to approximately 20% of the total construction costs for design services, including both the design portion of the contract and some assistance for construction administration and resident engineering. The 20% of total construction costs for design services is standard for a project of this size.

The project is the result of the District-wide solids study that was undertaken last year, the results of which showed the cost-benefit and increased efficiency in decommissioning the multiple hearth incinerators at the Westerly WWTP that are old and have met their useful life. Additionally, there is available capacity at the Southerly WWTP in the newer fluidized bed incinerators. This project will allow the District to decommission the multiple hearth incinerators and pump sludge from the Westerly WWTP to the Southerly WWTP for processing, as is already done with Easterly WWTP sludge.

President Brown asked what the overall timeline is for the project. Ms. Marshall explained that the timeline for the design and construction of this project is four years, which is a fast pace. It is necessary to complete the project in a shorter timeframe, as there are other projects that will be performed at the Westerly WWTP that will require a lot of space to complete the work in a size-restrained area. The District anticipates dividing the project into two separate construction contracts to ensure completion of the work at the plant ahead of the other upcoming plant construction projects. The force main work which is outside the plant footprint will be completed separately. Furthermore, the project elements including work at the plant and the force main work in the collection system favors two different types of contractors.

Authorization to Assign Agreement

Resolution No. 243-20 Authorization to assign Agreement No. 19006915 with Experis to Jefferson Wells for general and construction audit professional services with all current terms and conditions of the Agreement to remain unchanged under the assignment.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 243-20. Without objection, the motion carried unanimously.

Authorization of Contract Modification

Resolution No. 244-20 Authorization to Modify Contract No. 18006081 with Great Lakes Petroleum Company for fuel management services at all District facilities with a time extension of one year through October 23, 2021 with no change in the total contract amount.

Resolution No. 245-20 Authorizing final adjusting change order for Contract No. 20001893 with Shook Construction for the Westerly PST Drive Replacement project by decreasing the contract amount by \$33,150.00, thereby bringing the total contract amount to \$335,146.50.

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution Nos. 244-20 through 245-20. Without objection, the motion carried unanimously.

Property Related Transaction

Resolution No. 246-20 Authorizing the District to acquire one temporary easement on property known as part of PPN 511-14-012, located at 4071 East 49th Street, in the Village of Newburgh Heights, owned by Crossrock, LLC, necessary for the construction and maintenance of the Burke Open Channel Improvement project with total consideration of \$69,168.00.

Resolution No. 247-20 Authorization to acquire one parcel in fee simple on property known as PPN 581-01-052, located at 8070 West Ridge Drive, in the City of Broadview Heights, owned by Kelly Ann and James C. Dillinger, necessary for the construction and maintenance of the Chippewa Creek Flood Reduction Project Near Echo Lane, to enter into an Assignment and Assumption Agreement with the Western Reserve Land Conservancy, and to allow for the entirety of the payment plus closing costs to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$280,000.00 plus closing costs.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 246-20 through 247-20. Without objection, the motion carried unanimously.

VI. Information Items

There were no items.

Open Session

There were no items.

VII. Public Session (any subject matter)

There were no items.

VIII. Executive Session

Mayor Bacci moved, pursuant to Ohio Revised Code section 121.22(G)(1) and (G)(4), to enter into executive session to consider compensation for public employees and to prepare for negotiations and bargaining sessions with District employees concerning their compensation and other terms and conditions of employment. By roll call vote, the Board voted unanimously to enter into executive session at 12:52 p.m.

IX. Approval of Items from Executive Session

N/A

X. Adjournment

The Board returned to open session at 1:27 p.m.

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mr. Joyce moved, and Mr. Sulik seconded the motion to adjourn at 1:29 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