

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
September 19, 2019

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.

I. Roll Call

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

The Secretary informed the 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 September 5, 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 District-sponsored September 7<sup>th</sup> tour of the Woodland Central Green Infrastructure project located off Kinsman and Grant Avenue. Ms. Dreyfuss-Wells stated that in the past, Devona Marshall, Director of Engineering and Construction, has shown the Board slides of this project in its other phases. Ms. Dreyfuss-Wells presented a slide of what the site looks like now. The tour was presented as part of the Fresh Fest – a community event put on by the Environmental Health Watch and many others. It is centered at the Urban Agricultural Innovation Zone which is the location of another one of the District's projects. The District took Councilwoman Cleveland and about 20 others on a tour of the Woodland Central Green Infrastructure project site.

Ms. Dreyfuss-Wells next discussed the two EPA grants of about \$600,000 that were used to partially fund the clean-up at this Woodland site. This green infrastructure project will continue to be maintained by the District.

Next, Ms. Dreyfuss-Wells introduced Shola Ojo, Manager of Finance and Compliance, to discuss the details of the mid-year budget reviews held across departments.

Mr. Ojo referred to the monthly financial status report for the month ending August 31, 2019 included in the Board packet. He said the report provides a financial summary for both wastewater and stormwater and summarizes the District's projected end-of-year financial status. Finance has been working to improve this process and this year staff started providing monthly projection analyses which helped facilitate conversations with employees and managers regarding their budgets. This process also helped Finance with its financial projection process. Budget reviews were conducted with the CEO, CFO and all budget managers. Based on the feedback, Finance compiled the August financial status report. For wastewater, the operating revenue budget was \$326 million and it is projected to be \$329 million as of December 31, 2019. On the expense side, for operating expenses, \$143 million is budgeted and \$138 million is projected for year end. For stormwater, on the revenue side, \$43.6 million was budgeted and projection is at \$43.8 million. On the expense side, \$37.8 million was budgeted and projection is at \$36.5 million. Mr. Ojo stated that as the year goes on, Finance will keep meeting with the budget center managers and provide updates to the Board.

Ms. Dreyfuss-Wells stated that the deep tunnel construction as well as other infrastructure projects under Project Clean Lake are well underway. While these projects have significant public health and environmental benefits, the District is also charting new techniques and approaches to underground construction because it is difficult work that takes a lot of skill and innovation. She directed the Board members to an article by Bob Auber, Construction Manager, that was recently published in *Trenchless Today*. The article highlights the strides the District has made in underground construction across the Euclid Creek Tunnel, Dugway West Intercommunity Relief Sewer and the Kingsbury Run Culvert Repair Project. This illustrates the District's efforts and ability to use new approaches and stay current so that the District continues to deliver environmental and public health benefits at the lowest cost with the best possible construction.

Ms. Dreyfuss-Wells concluded her report by reminding everyone that September 21<sup>st</sup> is the District's Open House. She then introduced Jean Smith, Community and Media Relations Manager, to provide an update on the Open House activities.

Ms. Smith stated that the District's 11<sup>th</sup> Annual Clean Water Fest and Open House is on September 21<sup>st</sup> at EMSC beginning at 9:00 a.m. The fest culminates the celebration of the Cuyahoga River and provides a unique opportunity for the District to show the community the work that it does and the benefits of the work to the community. There will be about 75 exhibitors on site, 15 of those from various District departments. The new sewer trucks and the sewer simulator will also be on site. Bus tours as well as bike tours of the Southerly plant will be offered again this year. Tours of the laboratory will also be offered so that the community can see how the District tests for water quality. Ms. Smith encouraged everyone to attend the Open House.

V. Action Items

Authorization to Enter Into Agreement

- Resolution No. 248-19      Authorize the District to enter into a Joint Funding Agreement with the U.S. Geological Survey for the Operation and Maintenance of Stream Gages in the District Service Area in the amount of \$434,375.00.
- Resolution No. 235-19      Authorization to enter into agreements to fund the 13 Member Community Infrastructure Program projects presented for the 2020 round of funding, in the total amount not-to-exceed \$10,908,895.50.
- Resolution No. 249-19      Authorization to enter into a professional services agreement with Enel X North America, Inc. for the Curtailment Service Provider and Demand Response Services project at no cost to the District.

**MOTION** – Mayor Stefanik moved and Mr. Sulik seconded to adopt Resolution Nos. 248-19, and 249-19. Without objection, the motion carried unanimously.

**MOTION** – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 235-19. Without objection, by roll call vote, the motion carried with all present members voting yes and refusal from discussion and voting abstention by Mayor DeGeeter, Ms. Dumas and Mr. Brown.

Authorization to Enter Into Contract

- Resolution No. 250-19      Authorization to enter into six-month requirement contracts for snow plowing services with Robins Nest Landscape for 51 outlying sites in an amount not-to-exceed \$27,916.28 and Henderson Contracting for the GJM and EMSC locations in an amount not-to-exceed \$31,214.60, for a total amount not-to-exceed \$59,130.88.
- Resolution No. 251-19      Authorization to enter into a construction contract with Sterling Professional Group for the Southerly Wastewater Treatment Center Fire Safety, Code and Building Improvements project in an amount not-to-exceed \$704,374.00.

**MOTION** – Mr. Sulik moved and Mr. Ciaccia seconded to adopt Resolution Nos. 250-19 and 251-19. Without objection, the motion carried unanimously.

Authorization of Contract Modification

- Resolution No. 252-19      Authorization to modify Contract No. 17005823 with Quasar Energy Group, LLC for the Skimmings Hauling and Disposal at all Wastewater Treatment Plants project for a one-year time extension with no change in the contract amount.
- Resolution No. 253-19      Authorizing final adjusting change order for Contract No. 18003201 with Tucson, Inc. for the Doan Brook Streambank Stabilization project by decreasing the contract amount by \$229,691.05, thereby bringing the total contract amount to \$2,429,162.15
- Resolution No. 254-19      Authorizing final adjusting change order for Contract No. 17003013 with DiGioia-Suburban Excavating for the Union Buckeye Green Infrastructure project by decreasing the contract amount by \$811,055.07, thereby bringing the total contract amount to \$4,039,217.93.

**MOTION** – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution No. 252-19 through 254-19. After the following discussion, without objection, the motion carried unanimously.

Ms. Marshall stated that in addition to the general allowance and some of the specific allowances there was a deduct on this project. Once construction started on the storm sewers as planned, there were some unforeseen site conditions encountered. The District explored other alignment options but those were not able to be performed so the decision was made not to perform the construction of those storm sewers. This resulted in about 1.5 million gallons less of stormwater capture, bringing the total down from 8 million gallons to 6.5 million gallons, resulting in about .2 million gallons less of CSO control.

Mr. Brown asked whether the District will have to make an adjustment for this later. Ms. Marshall stated that the only adjustment will be at the end when the District has to show compliance with Appendix 3 requirements of capturing 44 million gallons of additional CSO control through green infrastructure. At that point, if the District is below the 44 million gallons, the District will have to go to corrective action. It is expected that the District will be under the 44 million gallons and plans are being made to address that issue with additional grey infrastructure. The District is looking at upsizing some of the tunnel systems because the cost to capturing the additional flow is low. The District has started these discussions with the EPA and the Department of Justice. Mr. Brown said that this creates an opportunity to mitigate some of the additional costs because it is expansion of an existing structure as opposed to a new one. Ms. Marshall agreed and said that is why the District is having early discussions with the EPA.

Ms. Dreyfuss-Wells added that this highlights a very expensive way to do green infrastructure which is why the District has made the decision to go with upsizing some of the grey infrastructure.

The green infrastructure projects under the green infrastructure grants program are much more cost effective.

Property Related Transaction

Resolution No. 255-19            Authorizing the District to acquire one permanent stormwater easement known as part of PPN 562-22-030, located at 6624 Josephine Drive in the City of Independence, owned by Hanna Harb, aka Henid Harb, necessary for the construction and maintenance of the Hemlock at Josephine Stream Bank Stabilization project with total consideration of \$1.00.

**MOTION** – Mr. Sulik moved and Mayor Bacci seconded to adopt Resolution No. 255-19. Without objection, the motion carried unanimously.

Authorization to Assign

Resolution No. 256-19            Authorizing the assignment of District Agreement No. 19000150 with Consumers Life Insurance Company to MedMutual Life Insurance Company due to a company name change, with all current terms and conditions of the agreement to remain unchanged under the assignment.

**MOTION** – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution No. 256-19. Without objection, the motion carried unanimously.

Authorization to Enter into Settlement Agreement

Resolution No. 257-19            Authorization to enter into a settlement agreement with Barr Engineering, Inc., dba National Engineering and Architectural Service, Inc. and Westfield Insurance Company in relation to damage to the District's Cuyahoga Valley Interceptor in the amount of \$203,403.96 to be paid to the District.

**MOTION** – Mayor Bacci moved and Ms. Dumas seconded to adopt Resolution No. 257-19. After discussion, without objection, the motion carried unanimously.

Ms. Dreyfuss-Wells introduced Tom Madej, Deputy Director of Operation and Maintenance, to briefly explain the situation. Mr. Madej provided an overview map of the Cuyahoga Valley Interceptor and explained that the Walton Hills trunk line ties into the main branch in Independence near Pleasant Valley Road. Initially, the District received an OUPS (Ohio Utilities Protection Service) ticket in January 2018 submitted by Barr Engineering, Inc. dba National Engineering and Architectural Service, Inc. (NEAS) for a project related to the County. The Project was for “up to 20 feet off the road (Pleasant Valley Road) in both directions.” The OUPS ticket was just on

Pleasant Valley Road and then 20 feet on either side of it. When District staff looked at the OUPS ticket, it was determined that there was not a conflict because the District's interceptor was not in the general area.

On March 13<sup>th</sup>, NEAS was doing soil boring drills and their drill penetrated our interceptor. The interceptor is about 32 to 33 feet below grade.

On March 20<sup>th</sup>, a video inspection confirmed damage to the trunk sewer line. NEAS attempted several different methods to repair the pipe. Two of the methods were to internally repair the hole with a sleeve that would be grouted into place and another was to patch the pipe from inside with grout. All of the actions failed mostly because of the flow in the sewer. NEAS would have to bypass pump that area to make the repairs. There were also restrictions in the manhole in that area so they were unable to get the bypass pumps or sleeves in there. NEAS temporarily grouted the 9" opening to prevent the sink hole from getting bigger. NEAS backfilled the hole with bentonite and gravel to stabilize it.

A video inspection was done in September 2018 to verify the grout was holding and the infiltration was being minimized. In a meeting with NEAS, Marra Services, Inc., Burgess and Niple and the Cuyahoga County Public Works Department, the District discussed options for the best alternative for a successful repair because internal repair was not going to work. One of the ideas was to put a collar around the pipe and work from that standpoint.

On December 20, 2018, the District was contacted by Westfield Insurance Company, insurance company for NEAS, and NEAS ceased all work. At that point the District's Legal Department became involved and negotiated a settlement with NEAS and Westfield. The next step is to move forward with a contractor and fix using the settlement funds.

## VI. Information Items

### 1. Program Management Status Report and Update – August 2019

Ms. Marshall provided an update on the Capital Improvement Program for the month of August 2019. She stated that cash flow ended the month of August at 85 percent of planned. Actual dollars paid out was approximately \$18 million in August and year-to-date was \$133 million.

Moving to planning level key performance indicators (KPIs), staff completed the development of the guaranteed maximum price (GMP) for the Easterly Bar Screen Conveyor Belt Rehabilitation project. This is a \$3.3 million design/build contract and the District did complete that GMP within 45 days of plan, meeting the KPI. Also, the Easterly Grease Handling Improvements project - an \$1.8 million construction project - was closed within 95 percent of the original contract amount, meeting the KPI but falling short on the Business Opportunity Program (BOP) goals. The overall BOP goal was set at 20 percent and the projected actual was just over 16 percent. Total work orders on this project came in at 4.18 percent, for a total dollar amount of approximately \$65,000.00. Most of the work orders were owner requested changes at just over 4 percent.

For construction highlights, the Doan Valley Tunnel project is one of seven tunnel projects required under the CSO Consent Decree. The construction award amount on this project is \$142.3 million. The project includes about 10,000 feet of 18-foot diameter mainline tunnel and two smaller conveyance tunnels totaling about 9,400 feet, six shafts, five diversion structures and four gate structures. This project is scheduled to achieve substantial completion in January of 2022. This project is part of the CSO control in our Easterly district. The main mining site is located at Ambler Park which is at MLK and Stokes Boulevard in the City of Cleveland. All three of the tunnels on this project will be mined out of that location. The Doan Valley Mainline starts at Ambler Park going about 10,000 feet north to where it ends at Superior and East 115<sup>th</sup>. At this location it will outlet to the recently completed Dugway South Consolidation and Relief Sewer and then also at this point there is an emergency overflow structure that the District is constructing which will tie to the existing Dugway culvert. On September 7<sup>th</sup>, the mining of the mainline tunnel was completed and construction was also recently completed on the emergency overflow structure. Ms. Marshall shared photographs of the tunnel boring machine hole-through at the shaft location as well as photographs of the construction of the overflow structure.

Next, Ms. Marshall discussed the Woodhill Conveyance Tunnel, starting at Ambler Park and going south along Baldwin Road to Woodhill Road. There are two shaft locations picking up flow and diverting it to the Doan Valley Mainline Tunnel. Construction of this tunnel is complete and the focus is now on the construction of the diversion structures at the two shaft locations as well as the consolidation sewers that will send flow to those locations.

The final leg is the MLK conveyance tunnel, starting at Ambler Park heading up Stearns Road toward Euclid Avenue. There are two locations of pick up. One of those sites has been idled since the end of last year. The District recently did some road restoration at MLK-1 on Stearns Road and removed some of the maintenance of traffic (MOT) there for purposes of the restoration and at the request of the School of Arts. The focus is the work at the MLK-2 shaft. The District is in the process of constructing a gate control vault there. Ms. Marshall showed slides of the active construction. Mining operation is scheduled to commence in the next month or so.

Ms. Marshall wrapped up the Doan Valley Tunnel discussion by highlighting the environmental and community benefits. The main purpose is the CSO control. With this project, the District is controlling 10 outfalls that are tributary to the Doan Brook. The District will control about 350 million gallons of annual CSO and reduce the number of overflow events from 50 plus activations in any year to two or less. Under this project, capacity relief will be provided to the existing Doan Valley interceptor. Also, the District is partnering with UCI and some other stakeholders including the City of Cleveland on a final restoration of one of the shaft sites.

Next, Ms. Marshall discussed the Westerly Tunnel project which is also one of seven tunnels the District is constructing as part of the CSO Consent Decree. This is a \$135 million construction contract and includes about 9,600 feet of 25-foot diameter tunnel, three shaft locations and two-gate structures.

The environmental benefits include an annual CSO reduction of 300 million gallons including control of the Walworth Run overflow which is one of the largest regarding overall volume. This is scheduled for substantial completion in January 2021.

Ms. Marshall provided a slide of a map looking at the overall alignment and where the focus is. There are three shaft locations starting at the most downstream location which is the WST-1 location shown on the map near the City of Cleveland's Garrett Morgan water treatment plant. The focus is the final lining of the shaft at that location. Moving to the WST-2 site, the contractor is in the process of excavating the diversion structure. This work required closing down the Route 2 ramp at West 45<sup>th</sup> as well as a lane closure. That work is scheduled to be completed at the end of November.

Going further upstream, construction of the shaft and starter tunnel is complete at the main mining site at Scranton Road. The contractor is focusing right now on installing the tunnel-boring machine (TBM) conveyor and grout plant because the TBM did arrive on site September 7<sup>th</sup> and the District plans to commence mining by the end of the year. Ms. Marshall displayed pictures of the TBM arriving via the Cuyahoga River to the site.

Robin Rupe, Project Manager, provided an update on the automation program management (APM) status. She stated that the four leading up to replacing the programmable logic controllers (PLC) included fiber, hardware, software and standards have been completed. This helped build a foundation for the improvements being done not only at Westerly but that are about to begin at Easterly and Southerly. Standards were established and implemented; hardware was purchased to replace some of the aging equipment in order to help transmit the data faster; the fiber network was replaced; and reporting software predominantly used to report to the EPA, was upgraded. Improvements have also been made to the screens that the operators look at on a daily basis. Quite a bit of time and effort has been expended cleaning up things that were in place from the old system as it transitioned to the newer system in 2014/2015. The changes allow for the operators to understand more clearly the alarms they may see and the actions needed following those alarms.

Ms. Rupe displayed a slide showing the schedule of current activities of the APM. The PLC replacement project is set to wrap up in 2020. At the end of next month, there are only two tasks left out of the 38 that were taken on in this program. Those include the replacement and oversight of the PLCs at Westerly and the reporting software which will hopefully roll out this year into early next year. The hardware and software purchases are nearly complete. The fiber at Westerly was installed and completed and currently in the warranty phase. UPSs (back up batteries) for the PLCs were replaced in July and are now in the one-year warranty period. Lastly, the Westerly plant should be fully up to date in 2020.

The second phase of the program is broken up into five different projects instead of one encompassing program. Fiber is being laid and replaced at Easterly and Southerly and the basis of design work for the design/build contract is in process.

Mr. Ciaccia asked about the schedule and the components of the project. He asked if there would be a Phase II to the AMP Phase I and where does the service stop as far as Phase I. Ms. Rupe



referred to the black dash line on the presentation slide depicting that everything above the dash line is all of Phase I work and everything below is Phase II. Ms. Rupe stated that the District did use the services of the professional services consultant to help develop the criteria package for the fiber. The District has a separate team working on that and will have some consulting services provided as an additional add-on to the professional services contract for fiber.

Mr. Ciaccia then asked if the Easterly/Southerly fiber is really getting into Phase II and if there will be some additional hardware/software purchases for Phase II. Ms. Rupe agreed.

Also included in Phase II is the actual replacements of the PLCs at Easterly, Southerly and throughout the collection system. They looked at separating the contracts to not include everything as one encompassing program so an RFP was issued for Easterly and Southerly collections and three different teams were selected to negotiate with. For Easterly, they are hoping to come to the Board next month for approval on the design services. After that, construction will begin and then the one-year warranty period will take them into 2024 before everything is upgraded at Easterly. Currently, negotiations are with HDR for that contract. At Southerly, staff is looking to come to the Board in November for an award as negotiations have been ongoing with CDM Smith. Obviously, a lot more equipment has to be evaluated and designed and upgraded which will take until the end of 2024 before construction is complete.

On the collection system, the District will negotiate with CDM Smith on the collections PLC replacement project. This project has a rather large investigation time frame due to the many sites in the collection system. That will take until nearly the end of 2022 before the invitation to bid is issued. From there, construction will take the project out nearly 3 years, until 2025 to implement all of the equipment under the second phase and that would then wrap up the PLC replacement portion.

Some UPSs have been replaced at the plants. Some remain for replacement that will not be included in these projects PLC replacement projects and an RFP is anticipated early next year for approval to begin the design/build of those UPSs. Also, there will be some various hardware and software equipment purchases. Funds are being set aside in the capital improvement projects budget for that but until investigations are started, it is uncertain what those purchases equate to.

Mr. Ciaccia asked where the Phase 2 program management falls in this. Ms. Rupe stated that management falls into each of the individual projects.

Ms. Dreyfuss-Wells stated that this highlights the strength of the District staff.

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

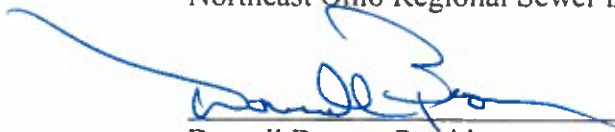
There were no items.

XI. Adjournment

**MOTION** – Mayor Bacci moved and Mr. Ciaccia seconded the motion to adjourn at 1:21 p.m. Without objection, the motion carried unanimously.



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



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