

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
OCTOBER 2, 2014

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
W. O'Malley
J. Bacci
T. DeGeeter
S. Dumas
R. Stefanik

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

II. Approval of Minutes

MOTION – Mayor Bacci moved and Mr. Sulik seconded to approve the minutes of the September 18, 2014, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

Executive Director Ciaccia informed the Board that no one signed up to speak about a specific agenda topic but acknowledged the attendance of Ann Zoller and Deb Janik, both of whom planned to speak about Resolution No. 223-14. He recommended they speak when the resolution is under discussion.

IV. Executive Director's Report

Executive Director Ciaccia began his report by stating that staff continues to assess the green infrastructure program under Appendix 3 of the District's consent decree and determining how to move forward with the projects. Twelve (12) projects were associated with Appendix 3, which was a prescriptive appendix in terms of how to carry out green infrastructure in the combined sewer overflow (CSO) area.

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Some projects from a dollar-per-gallon CSO standpoint did not seem to garner community support. A meeting is scheduled on October 16 with the U.S. Environmental Protection Agency (EPA) in Chicago that will be attended by staff including Kellie Rotunno, Director of Engineering & Construction. They will look at retooling what is being done under Appendix 3 and Appendix 4 -- the green for gray infrastructure trade-off.

The green infrastructure steering committee convened again and this information was communicated to them; they saw it as a positive sign. The meeting went well and included a review of co-benefits that accrue through green infrastructure. Part of the Appendix 3 obligation was to develop a template of co-benefits; the District has hired the consulting firm of HDR to lead that endeavor.

Executive Director Ciaccia advised that The Cleveland Foundation has awarded the District three small grants and resolutions to approve their receipt will be presented during the next Board meeting. The three grants are for neighborhood revitalization projects: \$40,000 for the Good Neighbor Ambassador Program; \$20,000 towards the case study of the Good Neighbor Ambassador Program; and \$75,000 towards hiring consultants to work with the Cleveland Museum of Art (CMA) on the Doan Brook Stream Restoration Project.

Mr. Brown questioned the scope of the study with CMA. Ms. Rotunno advised that this is the section of Doan Brook where the City of Cleveland's maintenance facility was located, adjacent to the museum. The CMA acquired that property from the City and has plans to redevelop that parcel. They would partner with the District to design the stream stabilization project on the bank adjacent to the CMA parking garage. There is a lot of erosion on that bank and the Watershed Programs Department will work with Engineering & Construction to hire a designer to design the stream bank stabilization so it looks like what was done downstream.

Mr. Brown wondered how that connects with other development on the campus for Case Western Reserve University. A slope to the north had to be reconstructed because it slid about two years ago. Ms. Rotunno explained that it is part of the master plan facilitated by stakeholders in the area.

Mr. Brown stated that it seems like green infrastructure discussion is evolving into something different than when it began years ago. Integrated planning appears to be a shift in the scoping of projects for different benefits to ratepayers. He thinks the Board would benefit from understanding the internal dialogue. Executive Director Ciaccia stated that a presentation on integrated planning would be made to the Board following background work that includes the advanced facility plan study and internal presentations from consultants. Staff also intends to include plans for a grants program for communities to address their local sewage issues with inflow & infiltration and other things.

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Zoller of LAND studio and Deb Janik of The Greater Cleveland Partnership to present the plan for green infrastructure on the project and how the District plays a role in it.

Ms. Janik advised that the Group Plan Commission was created in June 2010 by Cleveland Mayor Frank Jackson as a civic organization of 15 volunteers from throughout the community. A report was filed in early 2011 that identified several factors in re-creating public space in the downtown district from Public Square to the lakefront.

The Group Plan Commission will focus on three primary factors from that report: staff support to the Commission and public partners, the pedestrian connector bridge to the lakefront, enhancing the mall experience, and the transformation of Public Square at the heart of the city.

Ms. Janik stated that there is \$18 billion of economic development in Northeast Ohio in the last five years with more to come. The District is at the heart of it with its \$3 billion investment that will transform the community over the next 25 to 30 years.

Ms. Janik advised that transforming public spaces into better uses will ultimately lead to revenue generation and productivity for the city of Cleveland and the region.

Ms. Zoller stated that public infrastructure is a different kind of investment; it is a catalyst to additional growth. The District's partnership will allow for input as discussions with sustainability and additional projects evolve.

The Group Planning Commission is built on collaboration and has appointees from Mayor Jackson and the Cuyahoga County Executive. The Greater Cleveland Partnership has made this project a priority. This week the largest grant ever from the KeyBank Foundation was announced for \$4 million, to go toward the transformation of Public Square.

Ms. Zoller advised that the philanthropic community has contributed \$15 million, including The Cleveland Foundation, The Gund Foundation, The Kent H. Smith Charitable Trust and others. Public partners include RTA, NOACA and ODOT.

Ms. Zoller stated that a directive from Mayor Jackson four years ago was for a complete transformation of Public Square, including the closure of Ontario Street and putting together a cohesive space that speaks to the future of the city and catalyzes additional development. They intend to invite people into the edges with perimeter gardens, a great lawn on the northern side and year-round programming of the space.

The Group will redefine urban infrastructure and invest in the urban core in a way that other cities have done successfully and driven additional investment. A civic destination will be created at the heart of downtown.

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Ms. Zoller advised that they intend to complete the project in time for the Republican National Convention in 2016, but it will be a place for all Greater Clevelanders. It will be an investment built on the premise of sustainability and the importance of greening and understanding what cities should value moving forward.

Public Square currently is 60% hardscape. Fifty thousand (50,000) square feet of pavement will be removed and 20% more green space will be added. Overall, green space will improve to 40%. Thirty-five percent of the design is stormwater-permeable and \$7 million will be invested in components related to green infrastructure.

Ms. Janik advised that Public Square comprises 10 acres -- 6 of which are concrete -- underscoring the level of transformation.

Ms. Zoller explained that the project will remove 3 million gallons of stormwater from the combined system every year through a tree perimeter infiltration system framing the Square, a drainage system to monument gardens and a below-grade harvesting system that collects and reuses stormwater on site.

Another important opportunity is using the project as a platform to talk to the community about the importance of green infrastructure. They are working with James Corner Field Operations -- a nationally-known firm that has done The High Line in New York. They can provide guidance on how to incorporate innovative, appropriate educational messaging in projects.

Ms. Zoller advised that in addition to the District's permanent presence, there will be a long-term platform for clean-water messaging through engagement in these programs. In addition to the capital dollars for construction, a fund can be used for ongoing programming and maintenance. They budgeted a year-round schedule of free community programming.

Programs could include educational, environmental weekly activity such as farmers markets, concerts, movies, dialogues and fitness activities. They will work with District staff to ensure that appropriate programs are matched with their message so there is permanent on-site programming that allows for variable activities to help shape the dialogue in Cleveland.

Mr. Brown stated that it is a great goal but getting to the outcome is a challenge. There are a lot of public and private utilities in that area and abandoning Ontario Street means that someone will do a good deal of work to reconstruct or relocate them. How these facilities are coordinated with this addition of green infrastructure will not be easily done. He was hoping to realize the benefits with the budget being set but there are always unexpected conditions through the process.

Ms. Zoller understood Mr. Brown's concerns and explained that the first utilities assessment occurred 18 months ago and they have been working closely with the City of Cleveland. They

property acquisitions go together. Under the green infrastructure program, staff has been actively acquiring property on which to construct green infrastructure projects for Appendix 3.

Capital program costs are advancing for traditional infrastructure projects when staff acquires properties and perform environmental assessments on them. Those two things resulted in these contracts exceeding the anticipated burn rate because of the addition of green infrastructure to traditional infrastructure, property acquisitions and environmental assessments. The amount of services was underestimated given the level of Capital program investment.

Executive Director Ciaccia advised that previously this work was embedded into Engineering projects. Staff pulled that out of the Engineering scope of work for proposals. The estimates were too low for the needs. This is how staff wants to procure these services rather than embedding them in every consulting contract.

Mr. Sulik stated that the District has been acquiring quite a bit of land over the last few years and should develop a plan on what to do with it. Executive Director Ciaccia agreed. Some of the land will be shaft sites with green leave-behinds. Staff is working with community groups to decide what they might want on the sites. Green infrastructure sites will have an amenity that will be maintained by the District. Other sites that are not yet defined will be repurposed in some fashion.

Ms. Rotunno advised that a team is working hard to develop a GIS application for managing the portfolio of properties. They keep an inventory of which properties will need maintenance because they will not leave eyesores in the community.

Mr. Brown was concerned that in the initial awarding of these contracts there were no goals set for small business. Ms. Rotunno advised that Partners Environmental is a small business and are the sole contract holder. The two right-of-way contracts are not registered small businesses and do not have subcontracting goals in the contracts. Staff will get back to the Board on that issue.

Authorization of Property-Related Transaction

Resolution No. 227-14

Authorize Acquisition Payment to Ruth E. Cox Associated with the District's Permanent Acquisition of Property in the City of Cleveland Necessary for Construction of the Dugway West Interceptor Relief Sewer Project. Consideration: \$24,000.00.

MOTION – Mr. O'Malley moved and Mayor Bacci seconded to adopt Resolution No. 227-14. After discussion and without objection, the motion carried unanimously.

Authorization to Adopt Resolution

Resolution No. 228-14

Adopt 2015 Compensation Resolution.

MOTION – Ms. Dumas moved and Mr. Sulik seconded to adopt Resolution No. 228-14. After discussion and without objection, the motion carried unanimously.

Douglas Dykes, Director of Human Resources, explained that every year the District shifts salary and wage ranges which allows them to keep up with the market. This year they are shifting that range 1.5%. Typically the ranges are shifted around 2%, but public entities since the economic downturn around 2009 have not shifted their ranges. The District has outpaced the shifting of salary and ranges for the last few years. Staff felt it was appropriate to shift it just 1.5%, which increases the minimum and maximum of the ranges.

Executive Director Ciaccia stated that the salary ranges are not what staff intends to raise wages next year for non-union employees -- it is strictly a change of the range. There are no employees at the top of the pay band and it does not affect anyone.

Mr. Brown stated that the secondary action would come to the Board when the packages for collective bargaining are as well. Executive Director Ciaccia affirmed and advised that they are currently in negotiations with the bargaining units. Staff will then assess what to do with non-unions when they resolve negotiations with union employees.

VI. Information Items

There were no items.

VII. Open Session

There were no matters for Open Session.

VIII. Public Session (any subject matter)

No members of the public registered to speak during Public Session.

IX. Executive Session

MOTION – Mayor Bacci moved and Mayor Stefanik seconded to go into Executive Session to discuss a personnel matter. Discussion of the matter in Executive Session is permitted as specific exemption to the public meeting act pursuant to Ohio Revised Code section 121.22(G)(1). He specifically designated matters discussed in Executive Session to be protected from public disclosure in accordance with Ohio law and the attorney-client privilege.

A roll call vote was taken and by the motion passed unanimously. The Board met in Executive Session from 1:15 p.m. to 1:43 p.m.

X. Approval of Items from Executive Session

There were no items for approval.

IX. Adjournment

MOTION – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mr. Sulik moved and Ms. Dumas seconded the motion to adjourn at 1:44 p.m. Without objection, the motion carried unanimously.

Mayor Tim DiBeets



Walter O'Malley, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District



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