

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
October 3, 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 Ronald Sulik.

I. Roll Call

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

The Secretary informed the Vice 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 September 19, 2019, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Kyle Dreyfuss-Wells began by introducing Constance Haqq, Director of Administration and External Affairs and Interim Director of Human Resources, to provide a recap of the September 21st Clean Water Fest event.

Ms. Haqq stated that 2,360 guests attended the event. There were 70 exhibitors, including “touch the trucks” exhibits, lab tours, plant tours, children’s activities and the premier of the mad scientist “Atom Beaker” and his assistant “Mag Netic.” The event could not have been complete without all of the District’s partners, volunteers and staff. She gave a special thank you to Mayor Bacci and his staff for helping with the parking for the event. The next Clean Water Fest is September 19, 2020. Some special attendees at the event included the Ginn Academy students who are part of the District’s Wastewater 101 class, the STEP (Student Technical Enrichment Program) students, and St. Martin de Porres brought a bus of senior citizens to this event.

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Ms. Dreyfuss-Wells noted that managers and staff are going through 2019 performance reviews and the goal setting process begins for 2020. This will be the second year of the District's 3-year Strategic Plan and the theme *Doing great work for a Great Lake*. The plan guides the leadership team and cascades through each department as they focus on the District's mission, which is to provide progressive management of sewage and stormwater through fiscal responsibility, innovation and community partnerships.

To further help with the goal setting, Ms. Dreyfuss-Wells provided senior staff with her 2020 priorities which include: (1) complete efforts to modify the consent decree governing project Clean Lake, (2) begin 2021 rate study with the RFP development and consultant selection including ongoing focus on affordability and equity, (3) continue to improve the human resources department to meet employees' needs, (4) continue operational readiness efforts, (5) continue refining Regional Stormwater Management Program, (6) maintain focus on cybersecurity and enhancements and policies, (7) manage reputational and external relationships, (8) bring complete revision and adoption of Titles I-IV to the Board, (9) focus on continual improvement of labor/management communication, and (10) begin collective bargaining negotiations in advance of contract expiration.

Mr. Ciaccia asked about the rate study and the summer sprinkling program. He said the formula for that program should be looked at if it not already part of the RFP. Ken Duplay, Chief Financial Officer, said the RFP has not been developed. The Finance Department has had discussions about the summer sprinkling program. Cleveland is going through an upgrade to its billing system and the District is working through testing the current formula and it is something that will be looked at in further detail. Mr. Ciaccia added that while the sprinkling that goes on is extraordinary, the normal usage also goes up during the summer as well.

Ms. Dreyfuss-Wells noted that on September 18th District staff from Legislative Affairs and Watersheds had a tour with the Auditor of State, Keith Faber, to see green infrastructure sites. The tour went through Ohio City - a focal point of onsite stormwater management including the Steinbrenner Block living wall, the Westside Market permeable pavement parking lot and Mitchell's Ice Cream's onsite 10,000-gallon cistern for non-potable reuse. These are all projects the District has funded through the Green Infrastructure Grants Program.

On September 23rd District staff from Legislative Affairs, Communications and Community Relations, Regulatory Compliance, and SSMO took 10 State and Federal aides on a tour of the Superior Avenue Pump Station. Representatives from the Treasurer's Office, Governor, Lieutenant Governor, Attorney General and Auditor's Office attended the tour. Congressmen Joyce, Gonzales and Gibbs offices joined as well.

The Business Opportunity Program will host "How to do Business with Us" on October 16th at 4:30 p.m. at the GJM Building. All of the departments will be in attendance to talk with businesses that are interested in doing business with the District. Mr. Sulik stated that this is always a well-attended event and encourages minority contractors to participate in the event.

V. Action Items

Authorization to Issue Request for Proposals (RFP)

Resolution No. 258-19 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for General Engineering Services (GES) – Treatment Collections (GES-7), GES – Mechanical/Electrical/Plumbing (GES-8), and GES – Architectural/Civil/Structural (GES-9) projects.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 258-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested explanation on Resolution 258-19. Devona Marshall, Director of Engineering and Construction, stated that this is a request for authorization to procure three (3) separate contracts under one RFP. They are all general engineering services (GES) contracts in three (3) distinct areas: wastewater treatment and collections; mechanical, electrical and plumbing; and civil structure and architectural. This format worked well last time these services were procured. GES contracts are task-based contracts so as tasks are identified - usually smaller miscellaneous engineering-type evaluations and designs, they are then vetted through the system of approval both on the scope side and the budget side.

Authorization to Purchase

Resolution No. 259-19 Authorization to purchase Uniform Services for all District Facilities from Cintas through the Omnia Partners Cooperative Purchasing Program for a three-year period in an amount not-to-exceed \$514,071.08 and to enter into a three-year contract for uniform cleaning services with Aramark in an amount not-to-exceed \$15,621.02, for a total amount not-to-exceed \$529,692.10.

MOTION – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution No. 259-19. Without objection, the motion carried unanimously.

Authorization to Enter into Agreement

Resolution No. 260-19 Authorization to enter into a professional services agreement with Mott MacDonald, LLC for the Shoreline Consolidation Sewer project in an amount not-to-exceed \$5,383,925.00.

Resolution No. 261-19 Authorization to enter into a five-year professional services agreement with H.R. Gray for specialty tunnel testing and construction inspection services to support the District's Capital Improvement Program in an amount not-to-exceed \$5,000,000.00.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution Nos. 260-19 and 261-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik requested further explanation on Resolution Nos. 260-19 and 261-19. Ms. Marshall explained that the Shoreline Consolidation project is part of control measure 7 under the Consent Decree. This project will directly control 8 CSOs that are tributary directly to Lake Erie. In total, the project is reducing CSO overflow by about 250 million gallons and the estimated construction cost of this project is \$35 million.

Resolution No. 261-19 is a specialty tunnel testing and inspection contract award. The District has done these previously. The one that is currently open will run out of money and time within the next couple of months. These are specialty tunnel testing inspection services focusing in the area of tunneling and micro-tunneling. The firm in this case has geotechnical expertise both for purposes of earth support systems as well as in soil classification. It is a 5-year contract for \$5 million and this is in addition to the more general testing and inspection contracts. There are 4 firms that the District has on board for that 5-year term and about \$4 million each on those projects.

Authorization to Enter into Contract

Resolution No. 262-19 Authorization to enter into a two-year requirement contract with Olin Chlor Alkali Products for Sodium Hypochlorite Solution at all Wastewater Treatment Plants in an amount not-to-exceed \$1,332,160.00.

Resolution No. 263-19 Authorization to enter into a one-year contract with ConvergeOne, Inc. for the Avaya Phone System Upgrade project in an amount not-to-exceed \$174,872.99.

Resolution No. 264-19 Authorization to enter into contracts for Internal Audit Professional Services for the audit period 2019 through 2022 with Protiviti in an amount not-to-exceed \$535,000.00, RSM in an amount not-to-exceed \$204,816.00, and Experis in an amount not-to-exceed \$170,000.00, for a total amount not-to-exceed \$909,816.00.

MOTION – Mayor Stefanik moved and Mr. Ciaccia seconded to adopt Resolution Nos. 262-19 through 264-19. Without objection, the motion carried unanimously.

Authorization to Ratify Expenditure

Resolution No. 265-19

Authorization to ratify expenditure for emergency repairs at the intersection of Mount Carmel and Baldwin Roads in the City of Cleveland in an amount not-to-exceed \$120,000.00, including a General Allowance in excess of 10% of the base contract price.

MOTION – Mayor Bacci moved and Mayor Stefanik seconded to adopt Resolution No. 265-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Sulik asked for a brief explanation of this Resolution. Frank Foley, Director of Operation and Maintenance, stated that on September 13th areas in the service area experienced heavy rainfall. The District's manhole at this intersection was surcharged and the manhole and the street experienced damage as a result of the heavy rainfall.

Tom Madej, Deputy Director, Operation and Maintenance, showed slides describing the situation and showing the damage at the intersection of Mount Carmel and Baldwin Roads. The Woodland Branch ties into the Doan Valley Interceptor. Any overflow from DV-56 (which is the regulator) would overflow into Giddings Brook. The amount of rainfall on September 13th in the general area was significant. In Shaker Heights there was about 2.13 inches of rain and about 90 percent of the rain fell between 8:30 p.m. and 9:30 p.m. During the night on the 13th there was a lot of rain coming down on the street and also on the interceptor which eventually caused the interceptor to surcharge and cause the damage. As a result, the SSMO department did some inspections of the general area to make sure that sewers themselves were in good condition as far as debris or any damage. They found no visible signs of damage in the interceptors. They also inspected the manhole and found damage to it.

Next, SSMO performed a dye test near the manhole to make sure the structural integrity of the manhole was intact and to find out where the actual deficiencies were within the manhole. There were some bricks missing in the manhole. The SSMO team determined that when the surcharge happened to the manhole, a lot of the flow was going out the opening in the manhole where the bricks were missing. Mr. Madej said he investigated when the last time the manhole was inspected and he found that there was no documented damage to the manhole during previous inspections of that regulator so either the damage happened just prior to or during the surcharge.

Mr. Madej said one project to provide relief is the Doan Valley Regulators and Relief Sewer project which is currently in design and expected to be completed next year sometime. Modifications are going to be made to DV-55 and DV-57, regulators in that same area, so additional flow will be going to them and somewhat less to DV-56. There will also be modifications to DV-56 to improve the flow conditions to that regulator. Also, in 2021, the Doan Valley Tunnel will be activated which will provide additional relief in that area.

Authorization to Reject

Resolution No. 266-19 Authorization to reject the bid received for the Combined Sewer Overflow (CSO) Bar Racks Maintenance Services Project.

MOTION – Mayor Stefanik moved and Mayor Bacci seconded to adopt Resolution No. 266-19. After the following discussion, without objection, the motion carried unanimously.

Mr. Ciaccia inquired as to whether there are plans to put bids out for Wolf Creek and Mill Creek and if there was an analysis as to whether those can also be done in-house. Mr. Foley said that Mill Creek and Wolf Creek are close together. The Mill Creek site is difficult to access. These have been contracted out in the past due to the difficulty in accessing the site. The Wolf Creek sites are in the same area and they are a hybrid between stormwater sites and wastewater sites and it is preferred to contract that out. Ms. Dreyfuss-Wells asked why he thinks it will not be same price as the one that is being rejected today. Mr. Foley asked Mr. Madej to provide an explanation.

Mr. Madej said the prices did come up on Wolf Creek and Mill Creek. It is a lower frequency that the District has to go out to Wolf Creek and Mill Creek. Mill Creek is an elevated site and staff felt uncomfortable going to clean that site. There are similar issues at the Wolf Creek site. When the analysis was done, all of the bar racks were looked at and staff capacity was also looked at and it was more beneficial to do the work in-house. Staff was just uncomfortable doing those two sites from a safety standpoint and a familiarity with the Wolf Creek site and removing larger debris.

Authorization to Assign

Resolution No. 267-19 Authorizing the assignment of District Contract No. 19005024 with Sierra Monitor Corporation to MSA Safety Sales, LLC, due to company acquisition, with all current terms and conditions of the contract to remain unchanged under the assignment.

MOTION – Mr. Ciaccia moved and Mayor Bacci seconded to adopt Resolution No. 267-19. Without objection, the motion carried unanimously.

VI. Information Items

1. Certification of Delinquent Sewer Accounts to Cuyahoga County Fiscal Officer for 2019 2nd Half Final certification.
2. Certification of Direct Bill Delinquent Sewer and Stormwater Accounts to Cuyahoga & Lorain Counties Fiscal Officers.

Mr. Duplay stated that included in the Board's packets is the summary information of the second half of 2019 certifications sent to Cuyahoga and Lorain County Auditors. In response to a question brought up by Mr. Ciaccia at a previous meeting, Finance continues to refine its approach on certifications in relation to the process itself and as to stormwater now that the District is further into that program. The approach related to stormwater has been modified and Finance is no longer looking at sewer and stormwater individually. Account balances as a whole are being looked at and any amount owed that meets the criteria of dollar amount and time passed are both certified on those accounts. Those amounts are around \$3.1 million whereas in the past it has been around \$2 million. Around \$500,000.00 of that is stormwater certifications.

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 (if necessary)

N/A

XI. Adjournment

MOTION – Mr. Sulik stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved and Mr. Ciaccia seconded the motion to adjourn at 12:56 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