

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 17, 2016

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
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 November 3, 2016, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Ciaccia began his report by stating that that finances through October are considerably ahead of projections in terms of revenues and much below on expenses.

This week he, Chief Operating Officer Kellie Rotunno and Kyle Dreyfuss-Wells, Deputy Director of Watershed Programs, attended the National Association of Clean Water Agencies (NACWA) fall strategic leadership retreat and board of directors' meetings in Alexandria, Virginia. This year's meeting featured more substantive discussions due to the pending change of administration in Washington, D.C. The head of the president-elect's EPA transition team does not acknowledge climate change and potential changes in regulations are uncertain. The consensus among the conference was that air emissions will be the focus as they try to roll back regulations is favor of fossil fuels, and there might be opportunities in terms of water.

CEO Ciaccia advised that from a strategic standpoint NACWA wants to concentrate on affordability and low-income challenges. Other discussions during the conference included how

water professionals might better position themselves to avoid situations like that in Flint, Michigan from occurring again and the EPA wanting to perform a 308 analysis which could lead to regulations. NACWA voted against participating in that process.

COO Rotunno stated that the EPA wanted to perform a narrowly focused that could have serious unintended consequences downstream. District staff wants to maintain autonomy over the processes.

Mr. Brown stated that the issue comes down to who pays and how much. He noted that it was interesting to hear that "affordability" is a major issue because the District has discussed it since 2005. CEO Ciaccia indicated that the District has been taking the lead on that discussion. In the past it was a broad undefined issue, but now discussion is better centered and in the context that the industry needs to continue investing in infrastructure and how do to do that in the face of affordability.

Mr. Brown was concerned that is most old, crumbling infrastructure is located in large urban areas which are middle-income to poor, yet the customers who can least afford to pay for remedies are stuck with this. At some point regulators, practitioners and others have to figure out that in their desire to do well there has got to be rate relief that affects the people who are disproportionately impacted by new regulations.

CEO Ciaccia explained that is the approach staff advocates. The President-Elect has a menu of infrastructure items and one includes tripling the SRF.

V. Action Items

Authorization to Advertise

Resolution No. 317-16	Publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for construction of the Southerly Second Stage Lift Station Improvements project with an engineer's opinion of probable construction cost of \$13,000,000.00.
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Resolution No. 318-16	Publish notice calling for bids in accordance with Ohio Revised Code Section 6119.10, for the Odor Control Facility Media Replacement project with an anticipated expenditure of \$600,000.00.
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MOTION – Mayor Stefanik moved and Ms. Dumas seconded to adopt Resolution Nos. 317-16 and 318-16. After discussion and without objection, the motion carried unanimously.

Mr. Brown asked for an explanation regarding Resolution No. 317-16. James Bunsey, Director of Engineering & Construction, explained that the Southerly facility is unique in that it has a

two-stage process during which the full plant flow is lifted to the second stage. The pump station's capacity would improve from 450 million gallons per day to 495 million gallons per day in support of the Southerly Parallel Treatment Project next year.

The electrical, motor-controlled section was deferred from the Southerly Low-Voltage Project to this project because staff knew capacity needed to increase and the proper capacity could be determined.

Authorization to Enter Into Agreement

Resolution No. 319-16

Authorize the District to enter into six month professional services agreements with Hull and Associates and Kurtz Brothers, Inc. for the Beneficial Reuse of Ash Pilot Project for Regulatory Approval in the amounts of \$39,500.00 and \$32,750.00, respectively.

MOTION – Mayor DeGeeter moved and Mr. O'Malley seconded to adopt Resolution No. 319-16. After discussion and without objection, the motion carried unanimously.

Mr. Sulik inquired whether the District had worked on such a project before. Robin Halperin, Manager of Regulatory Compliance, stated that staff has studied this previously but this time there are official Ohio EPA rules authorizing the reuse of sewage sludge incinerator ash and a process to follow to get this regulatory approval.

Once the District has regulatory approval for different methods a Request for Proposal would be issued in the spring to hire a vendor to manage ash from the ash lagoons on a continual basis, reuse it and take ash from Westerly. Staff hopes to start beneficially reusing the ash and stop landfilling in 2017.

Mr. Sulik questioned whether the District would make or lose money through this action. Ms. Halperin explained that the District should save a substantial amount of money.

Authorization to Enter Into Contract

Resolution No. 320-16

Authorize professional services contract with Mott MacDonald for the London Road Relief Sewers project in the amount of \$5,997,667.00.

Resolution No. 321-16

Authorize one-year professional services Contract with GPD Group for the District Wide Facilities Decommissioning Study project in the amount of \$939,123.00.

Resolution No. 322-16

Authorize one-year contract with Government Portfolio Advisors for investment advisory services in an amount not-to-exceed \$95,000.00, with an annual option to renew for four one-year terms at the same amount that brings the total not-to-exceed amount to \$475,000.00.

Resolution No. 323-16

Authorize one-year contract with Polydyne, Inc. for liquid emulsion polymer solutions at all wastewater treatment plants in the amount of \$567,875.70.

Resolution No. 324-16

Authorize three-year requirement contract with EnviroCare International, Inc. to maintain, test and repair the Mercury Scrubber Process and Control System at the Renewable Energy Facility in the amount of \$435,690.00.

MOTION – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution Nos. 320-16 through 324-16. After discussion and without objection, the motion carried unanimously.

Mr. Brown requested an explanation regarding Resolution No. 320-16. Mr. Bunsey stated that the project is a relief sewer that will help relieve surcharging in an area between St. Clair and Euclid. The project will include a lot of infrastructure in a small area. The project is similar to recent projects in the neighborhood and staff has community concerns with it.

Mr. Brown indicated that he noticed numerous construction-related traffic issues in Ward 9 the previous week and he was concerned about the volume of construction and the impact to the community. Mr. Bunsey advised that the design and construction staffs work with the Good Neighbor Ambassadors, local residents and City council to mitigate construction impact but an unfortunate inevitability of construction is some disruption. District staff always intends to leave an area in a better shape than it was previously.

Property-Related Transactions

Resolution No. 325-16

Authorize the acquisition of one permanent and one temporary sewer easement from the East Cleveland Board of Education necessary for construction of the East 140th Street Consolidation and Relief Sewer project with a consideration of \$13,500.00.

Resolution No. 262a-16

Authorize the modification of Resolution 262-16 to increase the amount to be deposited with the Probate Court from \$4,000.00 to \$4,300.00, in

order to include taxes in the appropriation settlement reached between the District and The Last One, LLC, necessary for the East 140th Street Consolidation and Relief Sewer project.

Resolution No. 326-16

Authorize settlement and relocation payment to HQ, LLC associated with the District's acquisition of permanent and temporary easements in the City of Cleveland necessary for construction of the E. 140th Street Consolidation and Relief Sewer project with a total consideration of \$311,000.00.

MOTION – Mayor Stefanik moved and Mayor DeGeeter seconded to adopt Resolution Nos. 325-16, 262a-16 and 326-16. After discussion and without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 327-16

Adopt the findings of the Hearing Examiner with regard to the sewer account of Susan Efroymsen, Sewer District Case No. 16-008, that the request for an account credit be denied.

MOTION – Mr. O'Malley moved and Mr. Sulik seconded to adopt Resolution No. 327-16. After discussion and without objection, the motion carried unanimously.

Authorization of Contract Modification

Resolution No. 328-16

Modify contract number 14004020 with SRM Group, LLC; for consultancy services in furtherance of the Good Neighbor Ambassador program; by extending the contract for two months and adding \$7,500.00 to the contract price bringing the total contract amount not-to-exceed \$97,500.00.

MOTION – Mayor DeGeeter moved and Mayor Bacci seconded to adopt Resolution No. 328-16. After discussion and without objection, the motion carried unanimously.

VI. Information Items

1. Program Management Status Report – October 2016

Mr. Bunsey advised that cash flow is 84% of goal and increased from last month. Last month there were three Requests for Proposals, two for advertisement and one professional services modification.

Staff has accrued \$8.4 million in value engineering (VE) savings on the Westerly Tunnel, bringing the total for the year to \$18 million dollars against a goal of \$11 million. The Advanced Facilities Plan did extensive hydraulic modeling and determined that the southern loop of the tunnel was not necessary because those overflow points did not need to be captured to meet the consent decree. That shortened the tunnel significantly and allowed for a more northern route.

The Easterly Primary Settling Tank Rehabilitation Project closed out on time. The Emissions Control Project was completed within ten days of Key Performance Indicator (KPI). The Southerly First Stage Improvements Project is 60% complete and is behind schedule but moving in the correct direction.

Likewise, the Southerly Low Voltage Replacement Project is 70% complete. Through this project, the District became the first in the U.S. to utilize smart motor control centers that are tied to the computer system. Staff completed 22 of 39 of the motor control centers and as much as 89 of the 92 power distribution panels are replaced.

The Dugway Storage Tunnel is 50% complete and should be on schedule to launch in March.

Mr. Bunsey advised that the Easterly Secondary System Improvements Project is 80% complete and is on schedule to get 400 MGD hydraulic capacity through the plant by the consent decree-driven date by the end of this year. However, ancillary facilities are not in place yet. That system is required to meet effluent requirements and staff is working with EPA because that facility will not be ready by the end of this year.

The Tunnel Dewatering Pump Station is 90% complete but remains behind schedule. The Board previously approved a non-compensable schedule extension.

The East 140th Street Consolidation and Relief Sewer and Dugway South Relief Sewer have just begun. The Stone Superior Pump Stations commenced with pre-construction inspection and securing the sites to move forward with construction. The Mary Street Pump Station is 50% complete and is on schedule.

Kim Colich, Project Manager, stated that as part of the Regional Stormwater Management Program staff will dredge Green Lake in Shaker Heights. The lake was created in 1911 by impounding one of the branches of Doan Brook and over time sediment has been accumulating. Staff will remove about 25,000 cubic yards of sediment in the first and second quarters of 2017. The work will be completed by mechanically de-watering the lake before removing sediment.

There is a population of turtles in Green Lake and there is some concern about what happens to them when the lake is de-watered and dredged.

Experts and volunteers successfully captured many turtles with traps that included fruit and fish. The process revealed that lake has a large snapping turtle population which is native to the area and is a good indicator of diversity in species. The turtles will be housed at a non-profit reptile rescue over the winter and during construction and returned when the project is completed.

The WQIS department conducted a fish survey and the quality was very low.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

MOTION – Mayor Bacci moved to go into Executive Session pursuant to Ohio Revised Code Section 1212.2(g)(1) to consider the appointment and employment of a public employee. After discussion and without objection, the motion carried unanimously by roll call vote.


The Board met in Executive Session from 1:16 p.m. to 2:32 p.m.

X. Approval of Items from Executive Session


There were no items.

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 2:32 p.m. Without objection, the motion carried unanimously.



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



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