

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
OCTOBER 3, 2024

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District (NEORSB) was called to order at 12:30 p.m. by Darnell Brown.

I. Roll Call

Present: Darnell Brown
Ronald Sulik
Timothy DeGeeter
Jack Bacci
Sharon Dumas
Marjorie Chambers

Absent: Samuel Alai

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 19, 2024 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

James Herron, Director of Public Service, City of Middleburg Heights, provided the following statement to the Board regarding Resolution No. 248-24:

“Thanks, Mr. Chair and members of the Board. Thank you very much for giving me a couple of minutes to talk about your ... wonderful program for cities like Middleburg Heights, your stormwater program. And I wanted to thank your stormwater staff for bringing forward Item 248-24. But first I would like to thank, on behalf of Mayor Castelli and members of city council, your support for this program over the years.

This project we’re working on right now, which is one of many in Middleburg Heights that we’ve been working with is the Abram Creek Detention Basin project... The geography of it is approximately from Bagley Road down to Smith Road. And we already have the first basin in and we’re working diligently. We’ll be starting the second basin in January. So, this funding is important for us to complete the project. We’ll have three total basins.

And really, it's not just a project, then we walk away. This is making immeasurable impact to residents' lives in Middleburg Heights, so we really do appreciate your support. And then also, I don't think programs like this work without great people we work with. Matt Scharver, for example, Michael Blair, Nicole Velez, Donna Friedman, and Director Wells. I mean, these are really what makes programs great for Middleburg Heights. So, we'd like to thank you for your support, and we look forward to working with you in the future. Thank you."

President Brown thanked Mr. Herron for the comments and noted that the Board appreciates learning about how NEORSD's efforts, particularly as it relates to stormwater, positively impact quality of life for residents in the service area.

Mr. Herron added: "And just to pass along another anecdote I know Mayor DeGeeter is here with Parma. They're working on Pleasant Valley and York Road, and I remember a few years ago I was out of town and there was a storm in Parma... The water came down the Baldwin Creek -- it was a storm in Parma that year, knock on wood. But the water came down Baldwin Creek and flooded our residents in Pine Hill Condominium. So, the work you're doing down there, while not directly impacting us, will directly impact us."

IV. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, invited Jean Smith, Director of Administration and External Affairs, to provide a recap of Clean Water Fest.

Ms. Smith advised the Board that NEORSD hosted its 17th annual Clean Water Fest at the Environmental and Maintenance Services Center in Cuyahoga Heights on September 21st. The festival has evolved from a few tables in the garage with only a handful of guests to a large-scale event which showcases NEORSD's work and why that work is important. This year, NEORSD welcomed over 2,500 guests from over 65 Ohio communities, 9 different states, and Canada. More than half of the attendees were first time participants in the event. All of the attendees had an opportunity to engage with 45 internal and external interactive exhibitors:

Highlights from Clean Water Fest include tours of the Southerly WWTC as well as the state-of-the-art laboratory; the Student Technical Enrichment Program (STEP) orientation; a Drain Keepers appreciation event; a conversation with NASA Astronaut Don Thomas; and a sneak peek of NEORSD's newly designed graphic novel characters. NEORSD also welcomed local elected officials and staff from Buffalo Sewer Authority, who are considering hosting a similar event.

Ms. Smith emphasized that NEORSD appreciates the feedback received from attendees of Clean Water Fest and this year in particular, NEORSD received an email from a gentleman who attended with his 4-year-old son and picked up a copy of the Clean Water Works magazine highlighting NEORSD's tunnel projects. The gentleman's son is enjoying the magazine so much that he has

requested back copies to read to him, in addition to expressing his appreciation to NEORSD for the event and the work performed in the community.

Ms. Smith thanked the Board for its support as well as Ms. Dreyfuss-Wells, Constance Haqq, Chief Administrative Officer, and all other senior staff members. Ms. Smith noted that it is a District-wide event and offered special appreciation to Administrative and External Affairs staff including Jessica Shutty, Public Information Specialist, and Danny Neelon, Strategic Partnership Lead, for all of their hard work in planning and coordinating the event.

Ms. Dreyfuss-Wells reminded the Board that in April, with the assistance of Government Leadership Solutions (GLS), NEORSD conducted a survey of its employees about its Diversity, Equity and Inclusion (DEI) efforts. Ms. Dreyfuss-Wells invited Ms. Haqq to discuss the survey findings.

Ms. Haqq advised the Board that a summary of the findings was included in their meeting materials, and the full report is available for review.

NEORSD has not conducted a DEI survey since 2017. Staff participation in the recent survey was 56% and of those who responded, 76% of their comments were positive. While there is still work to be done, this report indicates good progress. GLS provided 37 recommendations of things that NEORSD can do to improve. The District's DEI Advisory Committee, which is comprised of approximately 30 people across NEORSD, met for four hours and performed a detailed review of those recommendations, leading to the prioritization of 12 of those recommendations. Some of the recommendations are to expand existing efforts such as cultural appreciation and DEI leadership training. New recommendations include things such as establishing a DEI coaching program.

Most of the recommendations focus on communication throughout the organization to increase communication between union and non-union staff, plant and office staff, management and employees.

The 12 prioritized recommendations will be aligned with the new Strategic Plan, which NEORSD is currently developing. NEORSD will assign deliverables to each of the priorities and assign an owner to be responsible for the implementation of each item. Next year, NEORSD intends to implement a DEI strategic plan to prioritize the efforts in a way that allows for key performance indicators and a dashboard to review. NEORSD will provide a full year-long presentation for the Board in March.

President Brown thanked Ms. Haqq for her presentation and indicated that he would like to see the full DEI report from GLS. Ms. Dreyfuss-Wells added that NEORSD's DEI Advisory Committee members, which span across all NEORSD departments, were listed on a document included in the meeting materials.

V. Action Items

Authorization to Advertise

- Resolution No. 240-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the District Wide Fire Alarm and Security Upgrades project with estimated probable construction costs of \$1,500,000.00.
- Resolution No. 241-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for construction of the E. 140th Green Infrastructure Vegetation Improvements project with estimated probable construction costs of \$100,000.00.
- Resolution No. 242-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, to construct the Baldwin Creek Dell Haven Basin near York Road project with estimated probable construction costs of \$5,519,000.00.

MOTION – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution Nos. 240-24 through 242-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding Resolution No. 242-24. Matt Scharver, Director of Watershed Programs, explained that Resolution No. 242-24 pertains to the Baldwin Creek Dell Haven near York Road project in the City of Parma, and this is the first phase of a four-phase project. The Board has previously approved property acquisitions for the project, which will create 21.5 acre-feet of stormwater storage northeast of the intersection of York Road and Pleasant Valley Road, thereby reducing flooding to the intersection. Mr. Scharver provided a map of the project area and explained that there is a relief culvert that will address conveyance from the southeast under York Road and the property acquisition along Pleasant Valley Road will allow for floodplain expansion, and eventually upsizing the roadway culverts at Malibu Drive, Skylark Drive, and Ann Arbor Drive under phase four of the project.

Authorization to Issue Request for Proposal (RFP)

- Resolution No. 243-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for professional services for the Watershed Partner Service Agreement Program from 2025-2029, in the total annual amount up to \$605,000.00 and a total amount for all agreements combined not-to-exceed \$3,025,000.00.

Resolution No. 244-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for professional design of the Fall Prevention Services project at various District locations.

Resolution No. 245-24 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for occupational health services including: 1) Occupational injury care; 2) Random drug/alcohol testing, both DOT and non-DOT compliant; 3) Pre-employment screenings designed for specific job requirements; 4) Fitness for duty examinations; 5) Respirator clearances; 6) Haz-Mat exams, and 7) Additional related services as necessary.

MOTION – Ms. Chambers moved, and Ms. Dumas seconded to adopt Resolution Nos. 243-24 through 245-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding Resolution No. 243-24. Mr. Scharver explained that this is the annual request to issue a Request for Proposals for what is typically 11 watershed organizations in the service area to deliver services annually. After reviewing the program to determine appropriate modifications, the decision was made to request authorization to extend the agreement term from one year to five-years.

President Brown asked what benefit is provided by extending the term. Mr. Scharver explained that it provides some assurance to the organizations that the funding is still available. The organizations will still be required to submit an annual work plan for approval of annual services provided to member communities and the region. Also included in the request is an increase in the annual award amount from up to \$40,000 to up to \$45,000, with a \$10,000 optional award specifically for restoration activities, streambank stabilization, tree plantings, and green infrastructure. This will afford greater opportunity for the organizations to align themselves with NEORSD's objectives under the District's sustainability plan.

Authorization to Enter Into Agreement

Resolution No. 246-24 Authorization to enter into professional services agreements with TranSystems Real Estate Consulting, Inc., O.R. Colan Associates, LLC., and MS Consultants, Inc. for General Right of Way Services, necessary for the Engineering and Construction and Watershed Programs Departments, including title preparation, appraisal services, negotiation, relocation assistance services, closing and title updates, property management, and related services, in a total amount not-to-exceed \$2,000,000.00 for all agreements combined.

Resolution No. 247-24 Authorization to enter into a project agreement with West Creek Conservancy (WCC) to: (1) provide funding for WCC's acquisition of the 1.059 acre improved residential property known as PPN 602-08-011, located at 11202 Greenhaven Parkway, in the City of Brecksville, and (2) provide for the WCC grant of a 0.1633 acre permanent stormwater easement to the District at a portion of the property necessary to perform the District's Flood Reduction Near Riverview Road in Brecksville project, and (3) allow WCC to temporarily lease the home to the current owner through a separate agreement at no cost to the District, and (4) allow for the subsequent sale of the property by WCC, and (5) allocate to the District 90% of the proceeds from WCC's market sale of the parcel with 10% of the proceeds to be retained by WCC as compensation for the execution of the property sale transactions, and (6) allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC, with total consideration not-to-exceed \$450,000.00 plus closing costs.

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution Nos. 246-24 through 247-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the expiring contract related to Resolution No. 246-24 was with two companies and the current request is for three companies and asked if there are any issues or concerns.

Eric Luckage, Chief Legal Officer, explained that there are no concerns with the two current firms, TranSystems Real Estate Consulting, Inc. and O.R. Colan Associates, LLC, and they have been selected to continue as consultants. MS Consultants, Inc. is a well-qualified firm that has entered the space since the last agreement in 2017 and will provide additional capacity.

Authorization to Amend Agreement

Resolution No. 248-24 Authorization to amend Stormwater Project Agreement No. 20003668 with the City of Middleburg Heights for the Abram Creek Detention Basins Near Big Creek Parkway project to increase the District's reimbursement amount to the City by \$1,500,000.00 for additional design and construction costs necessary to complete construction of two of the basins, thereby bringing the total agreement amount not-to-exceed \$5,300,000.00.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 248-24. Without objection, the motion carried unanimously.

VI. Information Items

Mr. Scharver provided the final update for the Regional Stormwater Management Program (RSMP) for 2024 beginning with cashflow. As of the end of August, spending is at 83% of planned, equating to \$25.6 million. The end-of-year projection is 85% of planned for approximately \$41 million in spending.

As for Key Performance Indicators (KPIs), the Business Opportunity Program (BOP) goals are above target and expected to end the year near 20%. The only project that did not meet a KPI was the design of the Bonny Banks Basin in the City of Parma. There was an issue with impervious access driveways that NEORSD was able to resolve with the assistance of Cleveland Metroparks.

Mr. Scharver provided photographs of the devastation in Western North Carolina caused by Hurricane Helene and noted that there is likely to be tens of thousands of cubic yards of debris in local waterways following the storm.

To date, NEORSD's RSMP has removed approximately 2,000 cubic yards of debris from the Regional Stormwater System (RSS) in 2024. It has been a mild year thus far; however, that can change quickly with a large storm. In 2023, NEORSD removed more than 6,000 cubic yards of debris from the RSS. This is an important line of defense in the service area. NEORSD staff was in action during the August 6th tornadoes as well as the August 8th event wherein the City of Hudson experienced a six-inch rainfall, resulting in the removal of 800 cubic yards of debris.

As for construction projects, the West Creek Stabilization in the Village of Brooklyn Heights project will achieve substantial completion ahead of schedule in December 2024. This is NEORSD's largest stream restoration project to date with a construction contract cost of \$14.8 million.

The Chippewa Creek Flood Reduction project in the Cities of Broadview Heights and North Royalton is also achieving substantial completion ahead of schedule in October 2024. This is the second largest such project at \$8.2 million construction contract cost.

The Rehabilitation of Culverted Streams project was a \$1 million project across the service area in the Cities of Cleveland, Garfield Heights, and Maple Heights to ensure that the culverted streams do not further deteriorate.

The Watershed Programs Department has an array of active projects that are under design and moving into construction across 17 member communities covering 14 subwatersheds. The backdrop for much of the work is the Stormwater Master Planning.

Oftentimes projects are quite complex and require additional planning under Advanced Stormwater Planning. For example, the West Branch of Big Creek, also known as the Chevy Branch

of Big Creek, has required significant efforts. Mr. Scharver provided a map of the area and explained that the Chevrolet Boulevard Stormwater Basin was constructed in 2018, raising the level of service in the immediate area from a less than two-year level of service to a ten-year level of service. However, there is still flooding at the General Motors plant. In order to address the flooding, NEORSD has performed additional channel dredging through the manufactured home park north of Brookpark Road and into the Milligan/Carrington neighborhood in Cleveland, to allow for more conveyance. Last week, NEORSD dredged the ODOT Stormwater basin south of I-480 inlet to outlet connecting channel, resulting in decreased water elevation of seven inches, which should help with flooding at General Motors.

NEORSD is acquiring properties in the surrounding Milligan/Carrington neighborhood near McGowan Park from residents who are voluntarily selling their property in order to expand the floodplain in the future.

Lastly, there is a culverted section of Big Creek underneath Denison Auto Parts where NEORSD will perform a culvert slip line rehabilitation project under the upcoming Rehabilitation of Culverted Streams II project.

Property acquisition is the foundation of many stormwater projects. To date, \$4.8 million has been spent with an anticipated year-end total of \$5.5 million.

Mr. Scharver thanked Mr. Herron for attending the meeting and providing an example of a community-led project, as projects often require coordination with regional and local member communities that help to lead projects that are funded by the RSMP as well as the watershed organizations.

The Community Cost-Share Program has an account balance of \$42 million; \$17 million of which is fully committed and \$25 million of which is available for the participating communities to implement for local stormwater management. Since the program's inception, \$55 million has been spent on improvements across the 57 member communities, and \$6 million to \$8 million is anticipated to be spent by the end of 2024.

As for the Member Community Infrastructure Program, \$9.5 million is expected to be spent in 2024. Since the program began, NEORSD has contributed \$102 million, which has been matched by \$104 million in member community contributions for a grand total of \$206 million in investment in the region.

MCIP funding has led to 63 miles of replaced or rehabilitated local sanitary and storm sewers to local communities to better handle significant weather events.

The Green Infrastructure Grants Program is expected to reach \$1.8 million in grant funding in 2024, with a program total to date of \$10 million provided to local communities and awardees.

President Brown noted that flooding within Big Creek has been a topic of discussion for the past 40 years, and while significant improvements have been made, there is still much to do. While the Cleveland area may not see weather as significant as places like Florida and North Carolina, there are still changes to rainfall patterns and the ability to use predictive mapping and get in front of the changing climate is paramount. President Brown expressed his appreciation of the level of due diligence in the face of concerning issues such as increasing water levels in the service area.

President Brown added that NEORS D needs to work collaboratively with the upstream communities to benefit both the upstream and downstream communities. There is significant hard and expensive work to be done to enhance capacities in the service area and perhaps outreach should include education about the future as well as the present.

Mr. Scharver and Ms. Dreyfuss-Wells agreed, and Ms. Dreyfuss-Wells added that the impervious surface situation that Mr. Scharver referenced speaks to Mr. Brown's point that knitting the system back together requires significant time and straight talk about what can be accomplished.

President Brown noted that if the West 130th Street underpass and I-480 underpass were to ever flood, an entire section of the community would be cut off from resources. Mr. Scharver agreed and added that NEORS D is working with the City of Cleveland, Division of Water Pollution Control to assess the issue and provide resources and although it is not a direct impact to the RSS, NEORS D continues to work with its partners to address those issues.

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

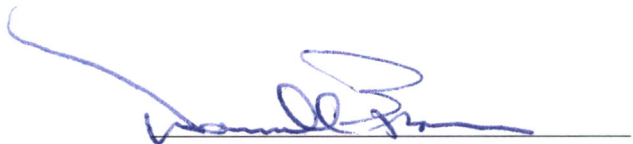
There were no items.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 1:17 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