

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
JANUARY 16, 2025

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

I. Roll Call

Present: Darnell Brown
Ronald Sulik
Timothy DeGeeter
Jack Bacci
Samuel Alai
Marjorie Chambers

Absent: Sharon Dumas

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

II. Approval of Minutes

MOTION – Mr. Sulik moved, and Ms. Chambers seconded, to approve the Minutes of the January 2, 2025 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, informed the Board that since 1986 NEORS has had a Community Discharge Permit Program under Title III of NEORS's Code of Regulations, the separate sanitary sewer code. Through this code, NEORS works with member communities to ensure monitoring, maintenance, and improvements to the local sanitary sewer system to protect the function and capacity of the regional sewer collection system and NEORS's wastewater treatment plants, as well as to assist in addressing local issues. Ms. Dreyfuss-Wells invited Matt Scharver, Director of Watershed Programs, to discuss recent enhancements to the Community Discharge Permit Program.

Mr. Scharver reminded the Board that revisions to Title III were adopted in December 2022 and contain the Community Discharge Permit Program requirements which include updating

compliance plans for member communities to meet NEORSD's permit requirements with a renewed focus on excessive inflow and infiltration (I&I). NEORSD issued new community discharge permits to all member communities on September 17, 2024, and the updated compliance plans will be due to the District by March 17, 2025. NEORSD has been working closely with member communities to prepare for this transition which is important to the NEORSD wastewater treatment plant operations, water quality issues, and local systems to address issues such as basement flooding. NEORSD held a workshop for communities in developing compliance plans in December 2024 with representatives from more than 50 member communities in attendance.

NEORSD's Geographic Information System (GIS) services workgroup has developed a GIS software application specifically for compliance plan reporting which will allow member communities to easily report their information to NEORSD and also allow NEORSD to submit information to Ohio EPA for effective interagency reporting. Mr. Scharver added that the Engineering and Construction Department completed the Local Sewer System Evaluation Studies (LSSES) as recently as 2022, which is the foundation for the development of compliance plans addressing excessive inflow and infiltration issues within individual communities.

NEORSD is working to engage communities in addressing other water quality issues such as sanitary sewer overflows, illicit discharges, and failing home sewage treatment systems, in addition to basement backups. Accordingly, under Title III, NEORSD has developed the Water Quality Technical Support Program, which is a voluntary program that allows member communities to engage with and develop plans to resolve water quality issues that are outside of the I&I that are focused on by community compliance plans, as it makes member communities eligible for the Member Community Infrastructure Program, providing a pathway to grant funding.

Mr. Scharver thanked NEORSD staff members who have assisted in these efforts over the last several years: Jeff Jowett, Community Discharge Permit Program Manager; Dave Ritter, Manager of Watershed Technical Support; Rob Stoerkel, Community Discharge Program Specialist; Andrea Remias, Manager of Planning, Engineering & Construction; and Tamar Gontovnik, Assistant General Counsel.

President Brown thanked Mr. Scharver for the update and added that it reminds him of historical problems that have existed in the Cleveland area throughout his tenure, such as the area near Kerruish Park where local sanitary sewers would surcharge and cause flooding in residential basements and yards. The local sewers were very near homes and there were questions surrounding the City's plans to address the issues and whether there would be capacity issues with interceptors along Lee Road. This is still a question concerning the increase in intensity of rainfall patterns. President Brown asked if, as communities are planning with NEORSD's support, to build additional capacity, whether NEORSD is planning to increase its capacity for the increased transfer.

Mr. Scharver answered affirmatively and explained that under the LSSES, NEORSD evaluated the capacity of its interceptor systems. There is sufficient capacity in most of the systems, but NEORSD continues to work to improve I&I issues to the overall system.

Devona Marshall, Director of Engineering and Construction, added that her department is in the process of evaluating the Mill Creek Interceptor and Tunnel System to determine what can be done to potentially increase capacity, should addressing I&I require the flow to be transported and treated, rather than removing I&I.

Ms. Dreyfuss-Wells thanked Mr. Scharver and Ms. Marshall for their comments and highlighted that this has been a longstanding District-wide effort and these latest refinements to the program are reflective of that long history of good work. President Brown agreed and added that these problems go back several years. When Michael White served as the City of Cleveland Mayor, he and President Brown went door-to-door in neighborhoods following significant flooding to speak to residents and ascertain the extent of the damage and its impact on residents. Mayor White was committed to resolving the residential flooding, and the efforts continue to this day. There has been significant progress made since the 1990s, with advancements such as the Euclid Creek Tunnel and the hundreds of millions of dollars that have been spent in the past 25 to 30 years. There is still work to be done in terms of ensuring that the systems are going to be sufficient in the future.

V. Action Items

Authorization to Issue Request for Proposal (RFP)

- | | |
|----------------------|--|
| Resolution No. 10-25 | Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for design and construction administration/resident project representation services for the Big Creek Flood Reduction near Maplewood Road project. |
| Resolution No. 11-25 | Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for one or more agreements to provide temporary staffing services for various District departments in a total amount not-to-exceed \$200,000.00 allocated to all agreements according to Sewer District needs. |

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 10-25 through 11-25. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project related to Resolution No. 10-25 is expected to last four years and is intended to address surface and basement flooding and requested additional information. Mr. Scharver explained that the project will construct another regional stormwater basin in the City of Parma Heights, in the Big Creek watershed. Two other regional stormwater

basins in the area were recently before the Board for approval: the Dell Haven Basin and the Veterans Basin, which address flooding in Baldwin Creek and West Creek respectively.

Mr. Scharver provided a map of the drainage area and explained that there are hundreds of residential properties in the area and the issue is that there are flows going south to north through the local sewer systems. The regional system is culverted and flows into Big Creek. The water cannot travel quickly enough, necessitating the new Maplewood Basin. NEORS D strategically purchased an 8.8-acre parcel of land under the Cuyahoga River North Stormwater Master Plan when it became confirmed that there are significant problems in the area. The recently constructed Nathan Hale Basin was constructed by the City of Parma Heights with Member Community Infrastructure Program funding, which provides some relief but not complete resolution of the problem. This project will help to address excessive I&I inputs in this sewershed. There will be a new relief storm sewer constructed to intercept the storm sewers flowing south to north to divert flow into the 72-acre-foot storage volume basin. The new relief storm sewer will need to travel through a residential property which NEORS D was able to voluntarily purchase to allow for the construction to complete the project. Parma Heights has reported over 440 documented basement backups and believes there are many more. The project will cost \$15 million and provide significant relief.

President Brown asked if there is any concern about the basin's ability to retain peak flows. Mr. Scharver explained that the neighborhood currently has a two-to-five-year level of service, and the basin should get it closer to a 100-year level of service. Modeling was performed to ensure that the impacts are not transferred downstream.

Mayor DeGeeter commented that he recalls then Parma City Councilman Mark Casselberry discussing flooding issues in the area and noted that it has been ongoing for 25 years. Through these efforts of systematically attacking flooding issues, they have been significantly improved.

President Brown requested additional information regarding Resolution No. 11-25. Jeremy Short, Director of Human Resources, explained that this is a request for temporary staffing services to support various departments District-wide, excluding Information Technology. Information Technology has separate consultants that it works with occasionally. The services are not intended for one particular project, rather to provide support from multiple vendors to address a variety of staffing needs as they arise.

NEORS D primarily has temporary staff in the Human Resources and Customer Service departments. Customer Service has had temporary support personnel for extended periods of time to allow for the flexibility to cover seasonable demands, unanticipated workload gaps, and short-term coverage, for minimum disruption.

Authorization to Purchase

Resolution No. 12-25 Authorization to purchase telecommunications equipment and services from AT&T under the State of Ohio Master Service Agreement and from Verizon Wireless under the Federal Government Services Administration Contract and the National Association of State Procurement Officials, and authorization to purchase such equipment and services under any other applicable cooperative purchasing program for which the District may obtain pricing and terms of service that are the most advantageous for the District, for the period of January 1, 2025 through December 31, 2025, in a total amount not-to-exceed \$896,000.00 allocated to all providers according to District needs.

Resolution No. 13-25 Authorization to purchase a VMWare software subscription from The Ohio State University under the State of Ohio's OARnet program, for software subscription licenses and support for IT and Process Control and Automation VMWare servers, for the period of February 2, 2025 through July 30, 2029, in a total amount not-to-exceed \$617,386.00.

Resolution No. 14-25 Authorization to purchase software maintenance and support services from sole source vendor Oracle America, Inc., necessary for the District's enterprise Oracle applications and databases that are currently managed under multiple annual contracts, for a one-year term beginning June 1, 2025, in a total amount not-to-exceed \$1,028,093.07.

MOTION – Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution Nos. 12-25 through 14-25. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 15-25 Authorization to enter into a professional services agreement with DLZ Ohio, Inc., for design and construction administration/resident project representation services for the Easterly District Capacity Improvements project, in an amount not-to-exceed \$2,658,633.49.

MOTION – Mr. Sulik moved, and Mayor Bacci seconded to adopt Resolution No. 15-25. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the contract is for nearly five years and asked whether there are specific projects included in the estimated costs. Ms. Marshall explained that this is a 58-month contract that includes 20 months for both predesign and design, followed by an estimated 26 months for bidding and construction, and the last 12 months comprises the warranty period to ensure that there are no problems before the contract is closed. The goal of the project is to alleviate capacity issues in the combined sewer area within the Easterly District under Control Measures 12 and 13 of the Consent Decree.

NEORS has pre-identified some locations based on evaluation studies; however, the models are being updated, and the newest information will be relied upon to focus specifically on the five-year, six-hour storm event locations.

Authorization to Close Out Public Improvement Contract

Resolution No. 16-25 Authorizing the Final Adjusting Change Order to close out Public Improvement Contract No. 22000474 with Building Integrated Services for the Districtwide Electrical Repair and Easterly Service Improvements project to decrease the contract amount by \$593,127.58, thereby bringing the total contract amount to \$4,308,872.42.

MOTION – Mayor Bacci moved, and Ms. Chambers seconded to adopt Resolution No. 16-25. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 17-25 Authorization to adopt the findings and recommendations of the Hearing Officer regarding the sewer account of Mark and Andrea Hoberecht ending in 7759, Sewer District Hearing No. 24-009, that no further adjustments be made.

MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 17-25. Without objection, the motion carried unanimously.

VI. Information Items

Ms. Marshall provided the year-end report for the Capital Improvement Program for 2024, beginning with contract management. There are currently 78 active contracts with a total combined value of approximately \$1.18 billion. By phase, the majority is in construction at approximately \$882.5 million, and by location, the focus is on collection with Project Clean Lake at \$863.11 million in ongoing construction contracts.

As for year-end contract management actuals, there were seven professional service contracts with a combined award value of \$33.7 million. Of note, the contract for Big Creek Tunnel, the last of the large storage tunnels to be designed and constructed, was awarded for \$17.9 million.

There were eight construction contracts awarded in 2024 for a total of \$362.6 million, the bulk of which was awarded for the Southerly Storage Tunnel for \$328 million. There were three construction contracts closed out with a final combined total of \$24.25 million, including the Southerly Building Demolition project with a final cost of \$16.6 million.

Ms. Marshall provided a graphic chart depicting the Key Performance Indicators (KPIs) goals and actuals for 2024. At the program level, 9 KPIs were met or exceeded, 1 KPI no activity, and 2 KPIs were not met. Regarding the KPI on the Business Opportunity Program (BOP) which considers spending on closed construction projects, of the total \$24.25 million in construction spending, \$9.63 million, equating to 39.73%, was paid to BOP firms, exceeding the goal of 20%.

Regarding the KPI for obtaining construction substantial completion within 90 days of planned, there were six contracts that achieved substantial completion in 2024. The KPI was missed primarily due to two contracts: the Westerly Tunnel Dewatering Pump Station project, and the District-wide Electrical Repair project. The Westerly Tunnel Dewatering Pump Station project encountered significant supply chain delays on the electrical equipment, causing the project to achieve substantial completion over 530 days late. The District-wide Electrical Repair project required emergency modification for additional work because of a fire in an air handling unit associated with the Easterly Tunnel Dewatering Pump Station, which delayed completion by 360 days beyond planned.

Project Clean Lake has a total of 79 planned projects in order to meet the requirements of the Consent Decree; 53 of those projects are completed and 21 projects are currently active. Of the 25 Control Measures, 15 have achieved full operation. Total spending to date is \$2.32 billion, which equates to \$1.8 billion in 2009 dollars, for the purpose of comparing spending to the original estimated cost of \$3 billion. Value engineered savings is tracking at \$572 million in 2009 dollars.

Volume of control related to Project Clean Lake has been at approximately 2 billion gallons for some time and increased slightly with the activation of the Pearl and Jennings Road Storage Tanks and Pump Station Upgrades project.

Design of the Big Creek Storage Tunnel is underway. This tunnel system will control 580 million gallons once completed. Mining operations for the Shoreline Storage Tunnel are complete. That system will control 370 million gallons annually once it is activated in early 2026. Construction of the Southerly Storage Tunnel, which will capture 760 million gallons annually, has commenced. Also in 2024, achievement of full operation of 3 Control Measures was achieved, bringing the total to 15. This includes the Control Measure to increase the secondary capacity at the Southerly Wastewater Treatment Center from 400 MGD to 480 MGD, minimizing the number of internal

bypasses during wet weather. Full operation of the Westerly Storage Tunnel System has been achieved for 285 million gallons of annual control. The Center Street Storage project has achieved full operation for an additional 2 million gallons of control.

Looking ahead in 2025, the Pearl and Jennings Road Storage Tanks and Pump Station Upgrades project, which has been delayed by supply chain issues, will achieve full operation. It is also the Control Measure that required NEORS to invoke Force Majeure with the agencies of the government. CSO control has been achieved, and the remaining work is administrative.

Construction of the Kingsbury Run Consolidation Sewer will commence in 2025. This is part of the larger Southerly Storage Tunnel system. Mining operations for the Southerly Storage Tunnel system will begin as well. Construction of the Westerly Chemically Enhanced High-Rate Treatment (CEHRT) Facility will be completed. This is an upgrade to the facility located just outside of the Westerly WWTC which treats CSO-002 and will provide 260 million gallons of annual CSO control.

Lastly, the design of the Easterly CEHRT facility as well as the connection to the existing Euclid Creek Tunnel will be completed. This was part of the most recent modification to the Consent Decree, saving approximately \$25 million in capital costs by building a smaller CEHRT facility and connecting to the Euclid Creek Storage Tunnel, where there is available capacity. This project will provide 745 million gallons of annual CSO control once completed.

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. Chambers seconded the motion to adjourn at 1:11 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