

**MINUTES OF THE COMMITTEE OF THE WHOLE**  
**February 4, 2019**  
**Auditorium**

**Present:** Councilmembers Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader

**Also Present:** Mayor Summers, Finance Director Pae, Public Works Director Beno, Lou McMahon, Law Director Butler

**Call to Order:** 7:15 p.m.

**AGENDA: EPA Clean Water Compliance update – review draft updated IWWIP**

President O’Leary noted that because the Committee is starting late that additional discussion can be held on the floor during the General Meeting.

Mayor Summers delivered a presentation outlining the draft IWWIP Phase 2 Plan.

He stated that he seeks to prepare Council for a vote to endorse the plan at the end of the month. The City’s current NPDES permit requires the City to submit a revised control plan by March 1. Submitting this plan is the beginning of many years’ worth of work, which he described.

Mayor Summers highlighted the key points of the report which are:

- Lakewood’s sewer system is unique and it is not a unified system
- Lakewood is seeking the Ohio EPA to be its primary regulator
- Lakewood argues that the key measure of compliance should be cost-effective pollutant reduction
- Lakewood needs to integrate water/sewer projects with other infrastructure investments.

Mayor Summers distributed a handout which outlined the ten chapters and their topics within the draft report.

He gave a brief overview of the technical/infrastructure portion of the report which plans out water/sewer related capital investments from 2019 to 2034:

- 2019 – 2024 focuses on the high rate treatment plant which has already been approved and begun.
- 2024 – 2028 includes a plan for an above ground storage tank next to the WWTP
- 2029-2034 includes a plan for an underground storage tank on the east end

Mayor Summers noted that source control on private property will be a focus from 2029 – 2034 and explained a bit about what this would entail.

An additional potential 10 projects beyond 2034 have also been identified.

Mr. Lou McMahon, special counsel to the City addressed Council stating that submittal of this plan is the start of a negotiation and discussion with regulators. He expressed confidence in the City's strong position entering these discussions and credited Council for approving sewer rate increases to strengthen the City's position

Committee of the Whole adjourned at 7:29 p.m.

**Draft Outline**  
**Lakewood Phase 2 IWWIP**

February 4, 2019

Purpose and Themes: This IWWIP document must both satisfy the requirements in the NPDES permit as well as position us for negotiations, potential court action and public acceptance. For the latter purposes, it should tell our story but it also needs to create a record.

Based on our public engagement presentations and feedback, these themes can be highlighted in the documents:

- **Lakewood values clean water, has made progress and can get things done.**
  - Improvements to date, including Solstice Steps sowing high value.
  - Commitment to rate increases
- **Lakewood has unique challenges based on the historical evolution and design intent of its “system” that already performs well.**
  - History of design intent makes Lakewood unique, not within regulatory categories.
  - System already performs well.
  - Full integration into Community Vision, municipal codes and infrastructure planning
- **Lakewood’s affordability limits requires meeting those challenges via a steady approach in order to sustain progress.**
  - Lakewood MHI growth is flat and lags state and federal
  - Regional economy is a challenge
  - Majority rental market
  - Built-up community requires flexible program
  -
- **The Phase 2 IWWIP completes a comprehensive alternatives analysis, and proposes an integrated plan that provides for the flexibility and ongoing iterative analysis necessary to sustain progress.**

The outline below is focused on the narrative. It contemplates at least three appendices: FCA analysis, Rate study, and Public Participation materials. More appendices may be useful to add other material.

## Chapter 1- Overview/Executive Summary

## Chapter 2- Lakewood History and Performance of Sewer System

- Short history of Lakewood, emphasizing age of homes
- Lakewood was not built as a system
  - Evolution, graphics of Imhoff tanks. etc.
  - System did not have the design intent for sanitary pipes to carry only wastewater for treatment at a POTW under all wet weather flow regimes.
    - Plant originally served small neighborhood.
    - Over-under sewers flow into combined and vice-versa
    - Over-under sewers were designed with relief arms
    - Storm laterals included p-traps
    - Downspouts intentionally connected to storm system on private property
- Lakewood's history of improvements
  - Interceptor later added to reach the single-pipe combined sewer area
  - Plant investments, treating up to 40 MGD
  - Innovative stormwater requirements, showing benefits.
  - Projects and investigations in last 10 years
    - Manhole separation analysis as part of street and water work.
    - CMOM is active
    - Building department practices
- Lakewood system performance today and soon with HRT
  - High percentage of pollutants captured
  - High profile land use opportunities

## Chapter 3 - Lakewood Today: Economy, Affordability and Financial Capability

- This chapter will set forth Lakewood demographic and economic challenges, including those facing Cleveland and Cuyahoga County.
  - Emphasis on rental market as majority residents susceptible to rate shocks
  - Demonstrate how smaller future rate increases sustain more improvement
- Lakewood can deliver on its commitments—see schools and city-led redevelopment, such as McKinley Place and hospital
- Other than summary of FCA showing Lakewood as high burden, actual FCA analysis will be put into appendix.
- Same with rate study: summary and an appendix

#### Chapter 4- Regulatory Overview

- Passage of new CWA Section 402(s), regarding integrated plans and state enforcement via permits
- Discussion of affordability analysis factors, broader than 1997 FCA
- Discussion of National CSO policy, and CWA policies for water quality improvement and public health protection.
- Underscore primacy of avoiding basement backups.
- Confirm that this report and analysis satisfies the CWA, the NPDES permit, the CSO Policy and the June 5, 2012 IPF document referenced in new 33 USC 1342(s)

#### Chapter 5 System Investigation and Hydraulic Model Update

- Updates on system investigation since Phase 1 report, underscoring it will always be an iterative process
  - Include pilot study updates, and need for more investigation
- Updates on hydraulic modeling, again underscoring it will always be iterative

#### Chapter 6 Alternatives Evaluation Process

#### Chapter 7 Evaluation of Alternatives

#### Chapter 8 Costing methodology and analysis

#### Chapter 9 Public Participation

- Include how integrated wet weather is to Community Vision, boards and commissions, Building Department, State of the City Addresses, etc.
- Discussion of all 2018/2019 outreach and public sessions
- Summarize public input
- Include appendix of newsletters and other materials

#### Chapter 10 Integrated Plan and Schedule

- Integrated Plan should have all components identified today for progress
- Schedule will be for five year periods
  - Affirm how this is the best approach under the law to meet the challenges facing Lakewood