

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**MINUTES OF THE COMMISSION MEETING**

**Wednesday, June 19, 2019  
Laurel, Maryland**

Chair T. Eloise Foster called the meeting to order at 10:09 a.m., in the Auditorium of the Washington Suburban Sanitary Commission (hereinafter "WSSC") Richard G. Hocevar ("RGH") Building, 14501 Sweitzer Lane, Laurel, Maryland, 20707, with due notice having been given to all members of the Commission and the public. In addition to Chair Foster, Commissioners Fausto R. Bayonet, Howard A. Denis and Chris Lawson were present at the meeting, reflecting the presence of a quorum. Also, in attendance were General Manager and Chief Executive Office ("GM") Carla A. Reid, General Counsel Amanda Stakem Conn and Corporate Secretary Sheila R. Finlayson, Esq., who recorded the minutes of the meeting. Other members of WSSC management were called upon, during certain portions of the meeting, to provide information to the Commission.

**PLEDGE OF ALLEGIANCE**

Chair Foster opened the meeting by welcoming everyone and asking Commissioner Denis to lead the pledge of allegiance.

Following the pledge, the Chair asked General Manager Carla Reid to lead the Commission in the recitation of its mission and vision statements.

**AGENDA APPROVAL**

**Commissioner Bayonet moved to adopt the Commission's Public Meeting Agenda of June 19, 2019, as drafted, to which Commissioner Denis seconded the motion. The motion carried unanimously with four affirmative votes.**

**APPROVAL OF MINUTES**

**Commissioner Denis moved to approve the open session minutes of the April 17, 2019 Regular Commission Meeting, as drafted. Commissioner Lawson seconded the motion. The motion carried unanimously with four affirmative votes.**

**WSSC RETIREES**

Retirement Plan Executive Director Richard Baker recognized the Retirees for the month of June 2019, as follows:

Brent Fisher, Plant Engineering Section Manager, Potomac Water Filtration Plant, retires with 14 years and 6 months of service.

Rebecca McKenney, Field Service Representative, Meter Services Division, retires with 29 years and 8 months of service.

Joyce Cox (present), FOG Investigator, Regulatory Services Division, retires with 38 years and 2 months of service.

Vincent Jones, Technical Contracts Supervisor, Pipeline Construction Division, retires with 20 years of service.

Michael Miller (present), Technical Contracts Supervisor, Pipeline Construction Division, retires with 30 years and 2 months of service.

Carrance Newsome (present), Systems Construction Inspector II, Pipeline Construction Division, retires with 34 years and 5 months of service.

**RECOGNITION OF DEPARTING COMMISSIONER**

The Chair and Commissioners recognized and thanked former Commissioner Thomasina Rogers for her service and contributions as a Commissioner and former Chair. Ms. Rogers was appointed as a Prince George's County Commissioner in June 2016 and served until her term end of May 31, 2019. She was elected and served as Commission Chair for Fiscal Year ("FY") 2018. Ms. Rogers was present and provided remarks which reflected on her time on the Board and how she and her fellow Commissioners governed the agency. She also expressed her extreme pleasure in serving Prince George's County, employees and ratepayers of WSSC.

**OUTGOING CHAIR RECOGNITION**

**Recognition of Outgoing Chair T. Eloise Foster.** Vice Chair Lawson, along with Commissioners Bayonet and Denis, recognized outgoing Chair Eloise Foster, presenting her with a plaque of appreciation and engraved crystal glass water drop in recognition of her distinguished service as the FY 2019 Chair of WSSC.

**Outgoing Chair Remarks.** After thanking her colleagues for the recognition, Chair Foster highlighted significant accomplishments that WSSC had achieved during her chairmanship. She also shared a video which expressed her appreciation to her colleagues and others for their support. The Past Chair's comments and appreciation video can be found in the corresponding segment of the archived meeting video.

#### **ELECTION OF FY 2020 CHAIR**

Chair Foster called for nominations for Chair of the Commission for FY 2020.

**Whereupon, a motion was duly made by Commissioner Bayonet and properly seconded by Commissioner Denis, to nominate Vice Chair Chris Lawson as the Chair of the Commission for FY 2020.**

**The motion carried unanimously with four affirmative votes.**

Past Chair Foster congratulated new Chair Lawson, officially passing the gavel to him.

**[New Chair Chris Lawson is now presiding over the meeting].**

**New Chair Remarks.** Chair Lawson thanked Commissioners and the County Executive for their confidence and support, sharing his plans and how he envisions the next year to proceed under his leadership as Chair of WSSC. Chair Lawson's full remarks can be found in the corresponding segment of the archived meeting video.

#### **ELECTION OF FY 2020 VICE CHAIR**

Chair Lawson called for nominations for Vice Chair.

Whereupon, a motion was made by Commissioner Denis to nominate Commissioner T. Eloise Foster as the Vice Chair of the Commission for FY 2020. Commissioner Bayonet seconded the motion.

The motion carried with three affirmative votes; one abstention (Commissioner Foster abstained from the vote as the nominee up for election).

The Chair congratulated Commissioner Foster on her election as Vice Chair.

#### FY 2020 COMMISSION MEETING DATES

Resolution 2019-2224. A motion was made by Commissioner Denis, and seconded by Commissioner Foster, to adopt Resolution 2019-2224, approving the Commission Meeting Dates for FY 2020, as follows: July 17, 2019; August 21, 2019; September 18, 2019; October 16, 2019; November 20, 2019; December 18, 2019; January 15, 2020; February 19, 2020; March 18, 2020; April 15, 2020; May 20, 2020; and, June 17, 2020.

The motion carried unanimously with four affirmative votes.

#### COMMISSIONER/PUBLIC COMMENTS

There were no comments from Commissioners or the public.

#### GENERAL MANAGER'S REPORT

**Monthly Report.** GM Carla Reid provided her monthly report, reporting from a power point presentation displayed at the meeting and incorporated herein by reference. The GM's full report can be found in the presentation handout and corresponding segment of the archived meeting video and both are referred to for this purpose.

**The GM's Monthly Report was received as information.**

**Annual Review of WSSC Strategic Plan.** Deputy General Manager ("DGM") for Strategic Partnership Monica Johnson walked through the corresponding power point presentation contained in the

advance materials, providing an overview of the proposed strategic plan (core values, strategic priorities) updates/changes and final proposed strategic plan for Commission approval, compiled as a result of work sessions that had been conducted with Commissioners and employees. Following the overview and Commissioner' questions, management requested approval of the plan.

**Whereby, a motion was made by Commissioner Foster and seconded by Commissioner Bayonet, to approve the revised WSSC Strategic Plan, as recommended by management.**

**The motion carried unanimously with four affirmative votes.**

#### **INSPECTOR GENERAL REPORT**

**Monthly Activity Report.** Inspector General ("IG") Arthur Elkins reported on the monthly activities of the Office of the Inspector General (OIG), for the month of May 2019. Mr. Elkins presented from a power point presentation displayed at the meeting and incorporated herein by reference. The full report can be found in the presentation handout and corresponding segment of the archived meeting video and both are referred to for this purpose.

**Following Commissioner' questions, the Commission received the OIG Report, as information.**

#### **OTHER REPORTS**

##### **General Counsel's Office (GCO)**

**Ethics Program Update.** Ethics Program Activity Report for May 2019 was provided in advance materials. No questions were raised.

**The Commission received the Ethics Program Update, as information.**

**Resolution 2019-2230 - Regulatory Change for Ethics Review of Financial Disclosure Statements.** Commissioners were briefed on this item at the May Commission meeting and management is now presenting it for a vote.

On motion made by Commissioner Foster and seconded by Commissioner Bayonet, the Commission voted unanimously four-to-zero to approve Resolution 2019-2230, amending the provisions of the WSSC Code of Regulations, under Chapter 1.70 Code of Ethics, to provide for the Ethics Officer to review financial disclosures filed by employees that report directly to the Commission.

**Resolution 2019-2231 - Appointment of Labor Relations**

**Administrator.** General Counsel Amanda Conn requested that the Commission approve the appointment of Keith Greenberg as the Labor Relations Administrator for WSSC. Mr. Greenberg's selection was agreed upon by the Union and WSSC. A hearing was also conducted in May in accordance with the Public Utilities Code.

On motion made by Commissioner Bayonet and seconded by Commissioner Foster, the Commission unanimously approved by a vote of four-to-zero, Resolution 2019-2231, confirming the appointment of Keith Greenberg as the Labor Relations Administrator for WSSC, for a three-year term, beginning June 20, 2019 and continuing through June 20, 2022, as recommended by WSSC management and the Union.

**FINANCE**

**Front Foot Benefit Charges and Deferred House Connection Charges for the 2019 Assessment Levy.** The purpose of Levy 2019 is to assess front foot benefit charges (FFBC) against properties benefitted and/or served by water and sewer mains or deferred house connections (HC) built by WSSC. The assessments, authorized by Maryland Law, are levied to recover WSSC costs of constructing water and sewer mains and service connections. The 2019 Levy was comprised of 310 Notices mailed in April to affected customers in Prince George's and Montgomery County. In accordance with the Public Utilities Code, the property owners were informed in writing of the amount of the assessment and provided an opportunity to appeal before a WSSC Commissioner. The informal FFBC Appeals Hearing date was held on May 15, 2019

and no appeals were made or heard. Management is recommending approval of the 2019 FFBC Levy, comprised of 310 un-appealed assessments.

**Whereupon, a motion was made by Commissioner Denis and seconded by Commissioner Foster, to approve the Front Foot Benefit Charges and Deferred House Connection Charges for the 2019 Assessment Levy.**

**The motion carried unanimously with four affirmative votes.**

**Resolution 2019-2225 - Adoption of WSSC FY 2020 System**

**Development Charge (SDC).** This proposed resolution increases the maximum allowable charge while keeping the rates to be actually charged unchanged for FY 2020.

**Commissioner Bayonet moved and Commissioner Denis seconded, that the Commission approve Resolution 2019-2225, adopting the System Development Charge Rates and Fee Schedule, as stipulated in said Resolution, for FY 2020, to be effective July 1, 2019.**

**The motion carried unanimously with four affirmative votes.**

**Resolution 2019-2226 - Adoption of WSSC FY 2020 Rates and Fees.**

Management is recommending the formal adoption of WSSC's new water and sewer rate structure, to be effective July 1, 2019, and the approval of the Water and Sewer Rate Schedules and Miscellaneous Charges and Fees Schedules for FY 2020, as contained in Appendices A-D of the proposed Resolution.

**Whereby, a motion was made by Commissioner Bayonet and seconded by Commissioner Foster, to approve Resolution 2019-2226, adopting a new Water and Sewer Rate Structure for WSSC and establishing WSSC's FY 2020 Water and Sewer Rates and Fees and Miscellaneous Fees and Charges' Schedules, to be effective July 1, 2019, as recommended and presented on this date by management.**

**The motion carried unanimously with four affirmative votes.**

**Resolution 2019-2227 - Adoption of WSSC FY 2020 Operating and Capital Budgets.** This item acknowledges the joint action of the two County Councils on May 9, 2019, in approving the proposed FY 2020 \$1.456 billion WSSC Operating and Capital Budget in accordance with Public Utilities Article Section 17-202 of the Annotated Code of Maryland. Section 17-202 requires WSSC to adopt an Operating and Capital Budget after the County Councils' action on said budget by July 1 of each year. Management is thereby recommending approval.

**Whereby, Commissioner Denis moved, and Commissioner Foster seconded, that the Commission approve Resolution 2019-2227, adopting WSSC's FY 2020 Operating and Capital Budgets of \$1.456 billion, to be effective July 1, 2019.**

**The motion carried unanimously with four affirmative votes.**

**Resolution 2019-2228 - Adoption of WSSC Six-Year CIP for FYs 2020-2025.** This item, with combined program totaling \$5,059,114,000, was jointly approved by the Prince George's and Montgomery County Councils on May 9, 2019 and reflects the modifications approved by both Counties in their respective resolutions. Maryland Law requires WSSC to adopt the CIP before the beginning of the first fiscal year of the program. Six Year program totals \$3,229,062,000 with FY 2020 budget year total of \$569,664,000. Management is requesting approval.

**Whereby, Commissioner Bayonet moved that the Commission approve Resolution 2019-2228, adopting WSSC's Six Year CIP, as amended, for FYs 2020-2025, to be effective July 1, 2019. Commissioner Foster seconded. The motion carried unanimously with four affirmative votes.**

**Resolution 2019-2229 - Appointment of Trustees to WSSC Retiree OPEB Trust Board.** Retirement Plan Executive Director Richard Baker presented this item for Commission approval, whereby



management is requesting the reappointment of Joseph Beach, Todd Allen and Patricia Colihan, to serve new four-year terms on the OPEB Trust Board.

**On motion made by Commissioner Denis and seconded by Commissioner Bayonet, the Commission unanimously voted four-to-zero, to approve Resolution 2019-2229, re-appointing Patricia Colihan, Joseph Beach and Todd Allen, to serve additional four-year terms, beginning July 1, 2019 and continuing through June 20, 2023, on the WSSC Retiree Other Post-Employment Benefits (OPEB) Board of Trustees, as recommended by management.**

#### **INFORMATION TECHNOLOGY (IT)**

**Monthly Project Cornerstone Update.** DGM for Administration Joseph Beach, along with Cornerstone Project Manager Anthony Ferrara, provided the monthly update, reporting from a power point presentation displayed at the meeting and incorporated herein by reference. Specific details can be found in the presentation handout and archived meeting video. Release One Go-Live date is on target for July 2, 2019. Release Two at red level for risk, budget and schedule. Management reevaluating project's budget and schedule due to Release 1 priorities.

**Following Commissioner' questions, the Commission received the Monthly Project Cornerstone Update, as information.**

**Contract 115781, Oracle Hardware/Software Maintenance and Support for Project Cornerstone.** Funding needed for Oracle hardware/software support for customer care and billing services.

**Following discussion, a motion was made by Commissioner Bayonet and seconded by Commissioner Denis, to approve the award of IT Contract 115781 for Hardware and Software Maintenance and Support for Oracle Solutions on Project Cornerstone, to Mythics Inc., in a not to exceed amount of \$3,403,484.03, for a base term of eleven months, to begin June 21, 2019, to May 31, 2020, as recommended by management.**

**The motion carried unanimously with four affirmative votes.**

#### **CUSTOMER SERVICE**

**Customer Affordability Proposed Regulation Briefing.** Director of Customer Service Crystal Knight-Lee, along with WSSC Customer Engagement Specialist and Affordability Coordinator Daisy Rickert and WSSC Consultant Jay Sakai, provided follow-up and updates to briefing provided at the May meeting on the Affordability Program enhancements and proposed regulation. Main goal of program is to enhance assistance and options to low-income customers.

Presenters reported from material contained in the advance materials and incorporated herein by reference. Specific details can be found in the corresponding segment of the archived meeting video. In summary, 3 primary program enhancements are, leak adjustments; free property inspections and extended payment arrangements.

**Following discussion, the Commission received the report as information. Management to come back to Commission for action on proposed Customer Assistance Program (CAP) Regulation next month.**

#### **CONSENT CALENDAR**

##### ***Contracts for Approval***

**A motion was made by Commissioner Denis and seconded by Commissioner Bayonet, to adopt Resolution 2019-2232, approving the six contracts included on the Consent Calendar for June 19, 2019 Commission Meeting, as follows:**

##### **A. Engineering and Construction**

###### ***Construction Contracts***

- 1. CP6022A16, Swan Creek Wastewater Pumping Station (WWPS) Upgrades within Prince George's County, Maryland, to Johnston Construction Company, Inc., in the amount of \$5,995,353.00, with a completion time of 540 days.**
- 2. BD4144B05, Change Order No. 8, Brighton Dam Upgrade, to Cianbro Corporation, in the amount of \$3,076,966.00.**

**B. Production**

1. Contract 16096, DC Water Blue Plains Wastewater Treatment Plant (WWTP) Biosolids Hauling, Management and Utilization, to Recyc Systems, Inc., in a not to exceed amount of \$9,081,477.90, with a three-year base term, and two (2) one-year options.
2. Contract 16102, Bulk Chemicals for Water and Wastewater Treatment, to Allegiance Chemicals, LLC, Carmeuse Lime & Stone, Inc., Carus Corporation, Chemrite, Inc., Donau Carbon US LLC, Dubois Chemicals, Inc., JCI Jones Chemicals, Inc., Kemira Water Solutions, Inc., Kuehne Chemical Company, Inc., Maryland Chemical Company, Inc., Southern Ionics, Inc. and USALCO, LLC, in a not to exceed amount of \$7,671,040.64, with one-year base term, and four (4) one-year options.
3. Contract 16119, Western Branch Water Resource Recovery Facility (WRRF) Biosolids Hauling, Management, and Utilization, to Synagro Central, LLC, in a not to exceed amount of \$37,152,553.00, with three-year base term, and one (1) two-year option.

**C. Utility Services**

1. Contract 7138, Change Order No. 1, On-Call Plumbing Services, to Joseph Heil Company, Inc. and L.E. Diggs Plumbing & Heating, LLC, in the amount of \$650,000.00, to be distributed between both companies as services are required.

The motion carried unanimously with four affirmative votes.

**ADDITIONAL BRIEFINGS****COMMISSION OFFICE**

**Corporate Secretary Report.** Corporate Secretary Sheila Finlayson provided an overview of her activities for the month, which included: an update on the refund hearings she presided over in June; the Special Commissioner Appreciation Event she planned for the departing Commissioners; the 2019 Commissioners' Engineering Scholarship Program which she is in the process of wrapping up with awards to be presented at the July Commission meeting and other activities and meetings she has attended since her last report.

**The Commission received the Corporate Secretary's report as information.**

**WSSC Employees' Retirement Plan Board of Trustees.** Commissioner Foster reported on the April 2019 investment results, noting that, as of April 30, 2019, the Plan's assets were \$813.8 million, which represents a year-to-date investment gain of \$91.4 million or an increase of 12.5% from December 31, 2018 to April 30, 2019. Next meeting of the Retirement Plan Board of Trustees is scheduled for Wednesday, June 26, 2019.

**The Commission received the report of the WSSC Employees' Retirement Plan Board, as delivered by Commissioner/Trustee Foster, as information.**

**Governance & Strategic Visioning Committee.** No report.

**Legislative & Compliance Committee.** No report.

**Audit Committee.** No report.

**Customer and Other Stakeholder Relations Committee.** No report.

**Innovation & Infrastructure Committee.** No report.

**The Committee reports were received as information.**

**Committee Appointments for FY 2020.** Chair Lawson indicated he will share the appointments at the next meeting after he's had an opportunity to consult with his fellow Commissioners.

**The Chair announced that the Morning Open Session business had concluded and called for a motion to go into Closed. After noting his approval of the written closing statement, Chair Lawson called for a vote.**

**CLOSED SESSION**

Whereby, at 1:08 p.m., Commissioner Bayonet moved, and Commissioner Denis seconded, that the Commission go into Closed Session, pursuant to Maryland Code Annotated, General Provisions Article: Section 3-305(b) (13) to approve the April 17, 2019 Closed Session Minutes and Section 3-305(b) (7) to consult with counsel to obtain legal advice on governance matter.

The motion carried unanimously with four affirmative votes.

The Chair declared the meeting was closed at 1:08 p.m.

The Commission determined to convene into closed prior to taking lunch recess to discuss the governance matter. Closed Session convened at 1:15 p.m. in the Commission Office Large Conference Room.

**ATTENDEES:** Chair Chris Lawson, Vice Chair Eloise Foster; Commissioners Fausto Bayonet and Howard Denis. Staff present: Corporate Secretary Sheila Finlayson, General Counsel Amanda Conn and Senior Counsel Russel Beers.

**Legal Advice/Governance Matter** - Commissioners were briefed by the General Counsel on pending confidential governance matter.

Commissioners recessed for lunch at 1:56 p.m. Closed Session reconvened at 2:43 p.m.

**ATTENDEES:** Chair Chris Lawson, Vice Chair Eloise Foster; Commissioners Fausto Bayonet and Howard Denis. Staff present: Corporate Secretary Sheila Finlayson, General Counsel Amanda Conn.

**Closed Session Minutes** - On motion made by Commissioner Foster and seconded by Commissioner Denis, the Commission adopted the Closed Session Minutes of April 17, 2019, as drafted. The motion carried unanimously with four affirmative votes.

**At 2:44 p.m., Commissioner Foster moved to end the Closed Session. Commissioner Denis seconded the motion. The motion carried unanimously with four affirmative votes.**

**OPEN SESSION RESUMED**

**Branding Visual Identity - Management Recommendation.** General Manager Carla Reid and Communications Director Charles "Chuck" Brown provided briefing and management's recommendation for a change in WSSC's name and logo. In summary, management is requesting to rebrand WSSC to include a new name ("WSSC Water" with new tag line "Delivering the Essential") and new logo design (from waterdrop to "W").

Management expects to implement over 3 to 5 years. Commissioners requested a breakdown of costs and what will be covered for the respective fiscal years that the rebranding initiative will be rolled out. Specific details can be found in the Branding/Visual Identity Materials provided in the advance meeting materials.

**The Commission received the Branding Visual Identity briefing as information. Management to formally present recommendation for Commission vote at July 2019 meeting.**

**ADJOURNMENT**

**There being no additional business, the Chair called for a motion to adjourn, to which Commissioner Foster moved to adjourn the meeting. Commissioner Denis seconded the motion. The motion carried with four affirmative votes.**

**At 4:30 p.m., the meeting was declared adjourned.**

Respectfully submitted,

//signed//

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Sheila R. Finlayson, Esq.  
Corporate Secretary