

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**MINUTES OF THE COMMISSION MEETING**

**Thursday, February 28, 2019  
Laurel, Maryland**

Chair T. Eloise Foster (attending by telephone), called the meeting to order at 9:02 a.m., in the Commissioners' Conference Room, 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 the Chair; Commissioners Fausto R. Bayonet (by telephone), Omar M. Boulware (by telephone), Howard A. Denis (in person), Chris Lawson (in person) and Thomasina V. Rogers (by telephone), were in attendance. Also participating, were WSSC Corporate Secretary Sheila R. Finlayson, Esquire, who facilitated the meeting in person from WSSC Headquarters/Commission Office, and recorded the minutes, along with General Manager/CEO Carla A. Reid, Deputy General Counsel Russel Beers and several other members of WSSC management, who were called upon during certain portions of the meeting to provide information to the Commission.

The Chair asked the Corporate Secretary to conduct a roll call to confirm the Commissioner attendees by telephone and in person, and following such action, the Corporate Secretary declared the presence of a quorum, with all six Commissioners in attendance.

The Chair stated that this meeting is the rescheduled regular Commission meeting for February, which was originally scheduled on February 20, 2019, but was postponed due to inclement weather (snow), further noting that the meeting would be an abbreviated one, covering only those action items on the original agenda that require Commission approval. The other informational briefings have been deferred to the March 20<sup>th</sup> Commission Meeting.

**PLEDGE OF ALLEGIANCE**

The Chair then asked Commissioner Denis to lead the pledge of allegiance.

**AGENDA APPROVAL**

Commissioner Rogers moved, and Commissioner Denis seconded, that the Commission adopt its Public Meeting Agenda of February 28, 2019, as drafted. The motion carried unanimously with six affirmative votes.

**APPROVAL OF MINUTES**

On motion made by Commissioner Lawson, and seconded by Commissioner Denis, the Commission voted unanimously six-to-zero, to approve the regular meeting minutes of December 19, 2018, as drafted.

Commissioner Rogers then moved to approve the emergency meeting minutes of February 6, 2019, as drafted, to which Commissioner Denis seconded the motion. Approval of these minutes officially ratifies the action of the Chair, Vice Chair and General Manager in declaring a WSSC emergency due to the accumulation of biosolids' issue, reported to the Commission in January by management.

The motion carried unanimously with six affirmative votes.

**COMMISSIONER/PUBLIC COMMENTS**

**Commissioner Comments.** Commissioner Denis shared that former Montgomery County Executive Ike Leggett had been appointed by Governor Hogan to serve on the University System of Maryland Board of Regents.

Commissioner Denis also mentioned his pleasure in again attending the Annual Berkeley Springs International Water Festival/Water Tasting event in Berkeley Springs, WV on February 21-23, 2019, in which WSSC was a participant.

**Public Comments.** Four members of the public addressed the Commission with regard to WSSC's plans to implement Advanced Metering Infrastructure (AMI)/smart meter technology at WSSC.

All guest speakers voiced concerns relating to the perceived health and safety risks associated with radio frequency devices and products and related costs and privacy issues.

The public speakers were as follows: Mary Rooker of Takoma Park, Maryland, representing Montgomery County Green Party; Lisa Cline of Gaithersburg, Maryland; Theodora Scarato of Greenbelt, Maryland (Executive Director, Environment Health Trust) and Molly Hauck of Kensington, Maryland. Each provided written testimony to the Commission (incorporated herein by reference) summarizing their comments/issues raised at the meeting. The Commission also received comments addressing the same concerns from several other members of the public, via email.

#### **OTHER REPORTS**

**Approval of Transmittal of Fiscal Year (FY) 2020 Proposed Budget to Counties.** Budget Division Manager Letitia Carolina-Powell reported on this item. The WSSC proposed FY 2020 operating and capital budget was presented to the Commission in December 2018. Management is now seeking approval to transmit the proposed budget to the Prince George's and Montgomery County governments in accordance with State Law.

Section 17-202 of the Maryland Public Utilities Article requires WSSC to prepare and submit a proposed operating and capital budget to the two County Executives by March 1 of each year.

Two hearings were held in Montgomery and Prince George's County on February 4 and February 5, 2019, respectively. In total, approximately 27 persons, including WSSC staff, attended both public hearings. Testimony was provided by 2 persons. A court reporter was present at both public hearings. The transcripts have been prepared and will be included with the information transmitted to the two counties. This year, no written testimony was received by the Budget Division e-mail account.

The proposed budget totals \$1.5 billion and has been available for public comment since January 15<sup>th</sup>. The budget is \$500,000

higher than what was presented in December as it now includes the additional funding requested for the Inspector General's Office. The public hearing document included the \$500,000 adjustment.

The proposed budget recommends a 5.0% average volumetric rate revenue increase. This proposed increase is within the Spending Affordability Guidelines as Prince George's and Montgomery Counties both recommended 5.0%. The revenue increase combined with new rate structure implementation adds approximately \$1.29 per month to the bill of a customer who uses 165 gallons of water per day.

The budget provides for continuation of the Customer Assistance Program to assist economically disadvantaged customers with water and sewer bills and includes an additional \$1.0 million to enhance the program.

The budget continues to defer additional improvements in critically needed maintenance services, including:

- Implementing a system wide hydrant flushing program as a preventative maintenance practice to deliver on WSSC's mission to deliver clean water; and
- Accelerating large valve inspections from a four year to a three year cycle.

**Following discussion, on motion made by Commissioner Denis, and seconded by Commissioner Lawson, the Commission approved, by a unanimous vote of six-to-zero, the transmittal of the Fiscal Year 2020 Proposed WSSC Operating and Capital Budget, totaling \$1,455,919,130.00, to the County Executives of Prince George's and Montgomery Counties, as recommended by management.**

**Information Technology (IT) - Request for Approval of Contract 7220, Oracle Customer-to-Meter (C2M) and Work and Asset Management (WAM), Change Orders.** WSSC Chief Information Officer (CIO) Vennard Wright provided an overview of the contract that

management is requesting be approved, which provides additional funding to support C2M and WAM. Change Order No. 2 provides additional funding for WAM support and Change Order No. 3 provides additional funding for C2M. Oracle Account Executive Robert Szadek was present at the meeting to address Commissioner' questions and concerns.

Commissioner questions surrounded minority participation on contract (since there is no requirement outlined) which Oracle has committed to; additional funding and whether management will come back again for more funding which CIO indicated the \$30 million should get WSSC through the two releases; and, regular status updates, which CIO committed to providing to Commissioners every two weeks.

**Following discussion, a motion was made by Commissioner Lawson and seconded by Commissioner Bayonet, to approve management's request to add funding in the amount of \$9,205,684.02 under Contract 7220, Change Orders No. 2 and 3, for a total cumulative contract amount of \$30,205,684.02, to Oracle America, Inc., to cover additional costs for implementation of Customer-to-Meter (C2M), Mobile Workforce Management (MWM) Go-Live Support and Work and Asset Management (WAM) Go-Live Support.**

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

**Intergovernmental Relations Office (IRO) - Management Position Recommendations on Proposed Legislation.** IRO Director Karyn Riley provided an update on legislation currently moving through the 2019 Maryland General Assembly and affecting the Commission, with management recommending the Commission take the positions of "Oppose" on House Bill 647 - MC/PG 113-19 - WSSC - Water Leakage - Billing, and "Support" on MC/PG 114-19 - WSSC - Collective Bargaining - Technical Unit.

**Following discussion and on motion made by Commissioner Denis and seconded by Commissioner Bayonet, the Commission voted to take**

the following positions on the respective proposed legislation for the 2019 Maryland General Assembly Session, as recommended by management:

- HB 647 (MC/PG 113-19) - WSSC - Water Leakage - Billing (Oppose);
- MC/PG 114-19 - WSSC - Collective Bargaining - Technical Unit (Support).

The motion carried unanimously with six affirmative votes.

IRO Director reminded Commissioners that WSSC Legislative Luncheon is scheduled for March 5, 2019 at 11:00 a.m. in the Baltimore City Delegation Room of the Lowe House Office Building in Annapolis.

#### CONSENT CALENDAR

##### *Contracts for Approval*

The Chair asked if there were any contracts that Commissioners would like removed prior to consideration of the Consent Calendar Resolution, to which there were none.

Whereby, a motion was made by Commissioner Rogers and seconded by Commissioner Bayonet, to adopt Resolution 2019-2215, approving the six contracts included on the Consent Calendar for the February 28, 2019 Commission Meeting, as follows:

#### A. Engineering and Construction

##### *Construction Contracts*

1. PM5295A11, Sanitary Sewer System Rehabilitation, IDIQ, ESA, Option Term I (Western Branch, Consent Decree), to Inland Waters Pollution Control, in the amount of \$5,000,000.00, for three-year option term.
2. CD6333A17, Parkway Water Resource Recovery Facility (WRRF) Progressive Design-Build Project, to Singleton Electric Company, Inc., in the amount of \$1,150,000.00 for the Preliminary Stage, with a completion time of 199 days.

3. BR6112A16, Lanham Station Water Main Replacement, to Anchor Construction Corporation, in the amount of \$3,449,592.00, with a substantial completion time of 300 days.
4. AM6454A18, Temple Hills Depot Aggregate Bins Rehabilitation, to Sagres Construction Corporation, in the amount of \$2,467,500.00, with a substantial completion time of 365 days.
5. 1114, Emergency Mechanical and Plumbing Services, Change Orders 1 and 2, Option Term I (Contractor Basic Ordering Agreement), to American Combustion Industries, in the total amount of \$1,800,000.00. \$1,000,000.00 to be designated for Engineering and Construction with remaining \$800,000.00 for Production.

B. Production

6. Contract 15981, General Contractor Services, to ADP Consultants, Inc., Colossal Contractors, Inc. and Earn Construction, Inc., in a not to exceed amount of \$2,400,000.00, with two year base term, and two (2) one-year options to renew if exercised by the Commission.

The motion carried unanimously with six affirmative votes.

ADJOURNMENT

There being no additional business, the Chair called for a motion to adjourn, whereby, Commissioner Lawson moved to adjourn the meeting. Commissioner Denis seconded the motion. A roll call vote was conducted by the Corporate Secretary resulting in six aye votes from the following Commissioners: Fausto Bayonet, Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson and Thomasina Rogers.

At 10:12 a.m., the meeting was declared adjourned.

Respectfully submitted,

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Sheila R. Finlayson, Esq.  
Corporate Secretary