

WASHINGTON SUBURBAN SANITARY COMMISSION

Minutes for March 2021 Commission Public Meeting Copy

03/17/2021 | 10:00 AM - 12:00 AM - Eastern Time (US and Canada)

Virtual

Attendees

Chairman Howard Denis; Vice Chair Keith Bell; Commissioners Christopher Lawson; Sandra Thompson; Fausto Bayonet; and Eloise Foster; General Manager/CEO, Carla Reid; General Counsel, Amanda Stakem Conn; and Acting Corporate Secretary, Julianne Montes de Oca. Other members of WSSC Water management were called upon, during certain portions of the meeting, to provide information to the Commission.

Open Session - Morning Session

Chairman Howard Denis called the virtual meeting of the Washington Suburban Sanitary Commission to order at 10:00 am, with due notice having been given to all members of the Commission and to the public.

Pledge of Allegiance

Chairman Denis began the meeting by asking Commissioner Lawson to lead the pledge of allegiance.

Mission/Vision Statements

Chairman Denis asked General Manager/CEO, Carla Reid to recite the Mission Statement which was followed by the recitation of the Vision Statement by Commissioner Bayonet.

Approval of Agenda

Commissioner Foster moved to adopt the Commission's Public Meeting Agenda of March 17, 2021, as drafted, to which Commissioner Thompson seconded the motion.

The motion carried unanimously with six affirmative votes.

Approval of Minutes February 17, 2021

Having no corrections to the open session minutes of the February 17, 2021 Regular Commission Meeting, the minutes stood approved.

Retirees

Retirement & Investments Division Manager, Richard Baker recognized the Retirees for the month of February 2021, reporting from a power point presentation displayed at the meeting reflecting the Retirees' names and photos. Retirees' information can be found in the archived meeting video and presentation, incorporated herein by reference.

Comments: Commissioners and Public

Commissioner Comments

Vice Chair Bell began Commissioner comments by wishing all a Happy St. Patrick's Day. The Vice Chair went on to provide remarks in honor of Women's History Month, with mentions of Vice President, Kamala Harris, County Executive, Angela Alsobrooks and WSSC Water's own General Manager, Carla Reid. Both County Executive Alsobrooks and General Manager Reid were highlighted during Vice Chair's comments for their contribution in helping to stop the spread of the COVID-19 virus. Vice Chair Bell closed by discussing importance of rights and equality for women.

Commissioner Bayonet provided comments around the importance of the COVID-19 vaccine and encouraged viewers to get the vaccination. Commissioner Bayonet closed his remarks by recognizing General Manager, Carla Reid for her contribution in ensuring the safety of WSSC Water's employees.

Chairman Denis offered comments in honor of Women's History Month and highlighted Congresswoman Connie Morrella. Chairman Denis gave a brief summary of Congresswoman Morrella's political tenor and closed by wishing all women a Happy Women's History Month.

Public Comments

Molly Hauck, Montgomery County resident, provided comments regarding the Commissioners decision to defer the AMI Project and how that decision has saved rate payers money and reduced the potential health effects. Ms. Hauck mentioned the possibility of improving the employee retention rate and lower estimated bills by increasing the wages for Meter Readers. Ms. Hauck closed by offering her support to the Commissioners on their decision to defer AMI.

Natalie Rosser, Montgomery County resident, provided comments regarding WSSC Water's use of fluoride and orthophosphate. Ms. Rosser provided a personal account of her concerns around the use of the two chemicals as well as information about the two chemicals.

Staff Reports

General Manager's Office

Monthly Report

General Manager (GM), Reid provided her monthly report, reporting from a power point presentation displayed at the meeting and incorporated herein by reference. GM Reid began by providing an overview of a year in the New Normal which was centered around COVID-19. GM Reid took the time to recognize Chief Information Officer, Christopher Carter and the entire IT Team for their diligence in keeping WSSC Water and its employees technologically sound during this time. A water main breaks and leaks update was provided and included a video of our Utility Services staff hard at work. Director of Utility Services, Damian Lampley and his entire team were recognized for their role in repairing 1,800 breaks and leaks in one years' time. Customer service performance and measures were reported, outreach initiatives, and a highlight on several Commission-wide events that have taken place including Water Wednesday, Introduce a Girl to Engineering Day, and Recognizing the Importance of HBCUs.

After thanking GM Reid for her report and the great information in it, Chairman Denis asked about salt on the roads, vaccination numbers, and target dates for resuming in person activities. Other Commissioners also asked about the permits issued for the watershed, federal and state financial assistance for infrastructure, and other stimulus availability. Commissioner questions ended with Commissioner Thompson commending GM Reid on her prioritization of employee health and safety.

Office of the Inspector General: 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 February 2021. 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. Mr. Elkin's report focused on the number of audits in the planning (3), fieldwork (3) and reporting phases and the number of open and closed (1) corrective actions in the management action plans. Mr. Elkins also recognized the many HBCU alumni in the OIG. Following Commissioner questions/comments, the Monthly Activity Report was received as information.

Consent Calendar - Resolution 2021-2277

Chairman Denis requested a motion to approve the current Consent Calendar. A motion was then made by Commissioner Lawson and seconded by Commissioner Bayonet, to adopt Resolution 2021-2277,

approving the four contracts on the Consent Calendar for the March 17, 2021 Commission Meeting, as follows:

Engineering and Construction

1. BTCR6481A18, North Marlton Avenue Water Main Replacement
2. PM0007A20, Water/Sewer Relocations Basic Ordering Agreement (BOA)

Police and Homeland Security

1. 16639, Professional Security Guard Services

Strategy and Innovation

1. 16623, Organizational Development Basic Ordering Agreement (BOA)

The motion carried unanimously with six affirmative votes.

Other Reports

Engineering & Construction

Chief Engineer, Mike Harmer presented Contract CD5170D11, Change Order No. 7. The change order is being added so that the work to install an algae cleaning system can be done while the Piscataway plant is shut down already. A motion was then made by Commissioner Bayonet and seconded by Vice Chair Bell, to approve Change Order No. 7 for Contract CD5170D11, Piscataway Waste Water Treatment Plant Secondary Clarifiers and Polymer Feed System Upgrade and Expansion, in the amount of \$830,011.67, as recommended by management.

The motion carried unanimously with six affirmative votes.

Chief Engineer, Mike Harmer next presented Contract CK6318A17, Change Order No. 2. This change order will facilitate construction and operation of the bypass for the 102-inch trunk sewer and will help reduce the likelihood of customer backups. Mr. Harmer provided a video which showed drone footage of the inside of the trunk sewer as well as maps showing the bypass lines. A motion was then made by Vice Chair Bell and seconded by Commissioner Foster, to approve Contract CK6318A17, Change Order No. 2 for Anacostia 102-inch Trunk Sewer Rehabilitation, in the amount of \$8,686,476.48, as recommended by management.

The motion carried unanimously with six affirmative votes.

Finance

Resolution No. 2021 – 2276 - Appointment of a Member to the Employees' Retirement Board of Trustees

Retirement & Investments Division Manager, Richard Baker presented an overview of the 11-member board and candidate, Mr. Sathishkumar Calangi. A motion was then made by Commissioner Thompson and seconded by Commissioner Bayonet to appoint Mr. Sathishkumar Calangi to the Employees' Retirement Board of Trustees for a term of four years expiring on February 19, 2025.

The motion carried unanimously with six affirmative votes.

Resolution No. 2021 – 2278 Appointment of OPEB Board of Trustees Member

Retirement & Investments Division Manager, Richard Baker continued by presenting an overview of the candidate, DeAnna Thomas, and explaining that the Director of Human Resources is historically on the OPEB Board. Ms. Thomas will replace Todd Allen, who has stepped down from the Board. A motion was then made by Commissioner Foster and seconded by Commissioner Lawson to appoint DeAnna Thomas to the Other Post-Employment Benefits Board of Trustees to serve the remainder of the term original held by Todd Allen, expiring June 30, 2024.

The motion carried unanimously with six affirmative votes.

Deferred Compensation Investment Committee Update

Commissioner Lawson provided a brief update on the Deferred Compensation Investment Plan Committee which included information on the current Request for Proposal (RFP) for records keeping and fund advisory for employee Deferred Compensation Investment Services that is underway. Commissioner Lawson reported there are currently 1,200 employees participating in the deferred compensation investment plan. Commissioner Lawson also commended Carol Silberhorn and Mike Beczkowski for their roles in helping put together the RFP.

Approve Front Foot Benefit Appeals Hearing Date and Select Hearing Officer

Chief Financial Officer, Patti Colihan presented and requested approval of the Front Foot Benefit Appeals Hearing Date and the selection of a Hearing Officer. A motion was then made by Commissioner Thompson and seconded by Commissioner Foster to set the Front Foot Benefit Appeals hearing date for Wednesday, May 19, 2021, at 3:30 p.m. on the Teams virtual meeting platform with Commissioner Bayonet serving as the hearing officer.

The motion carried unanimously with six affirmative votes.

General Counsel's Office

Ethics Program Update

The monthly Ethics Program Update was provided in the advance materials. There were no Commissioner questions.

Human Resources

Contract 7313, Staffing and Related Services (Change Order No.3)

Director of Human Resources, DeAnna Thomas presented and requested approval of change order number 3 to Contract 7313. The change order will support the objective of moving all temporary staffing to one contract. A motion was then made by Commissioner Bayonet and seconded by Vice Chair Bell to approve Change order number 3 to Goods & Services Contract 7313, Staffing and Related Services, to ACRO Service Corporation, in the amount of \$5,000,000,00 as recommended by management.

The motion carried unanimously with six affirmative votes.

Information Technology

Quarterly Cornerstone Update

IT Chief Governance Officer, Stacey Chisolm and Chief Strategy and Innovation Officer, Todd Allen provided the quarterly update on Project Cornerstone, reporting from a power point presentation contained in the advance materials and incorporated herein by reference. The update included the business metrics analyzed. Commissioner Thompson commended the Customer Service Department on all the community outreach done.

Intergovernmental Relations

Legislative Update

Director of Intergovernmental Relations, Karyn Riley and Government Affairs Manager, Guy Andes provided the legislative update which included information regarding the scheduling of the two bills related to WSSC (video streaming and Ethics late fees). Ms. Riley also reported that the IRO had given Prince George's County a briefing on flooding and the impact on WSSC, specifically in the Broad Creek area.

Production

Contract 16507, Methanol (Change Order No. 3)

Director of Production, J.C. Langley, presented and requested approval of change order number 3 to Contract 16507. The change order is necessary to meet demand as the original amount in the contract was based on an incorrect calculation. A motion was then made by Commissioner Lawson and seconded by Commissioner Foster to approve change order number 3 to Goods & Supplies Contract 16507, Methanol, to Colonial Chemical Solutions, Inc., in the amount of \$1,057,038, as recommended by management.

The motion carried unanimously with six affirmative votes.

Utility Services

Prestressed Concrete Cylinder Pipe (PCCP) Condition Assessment and Monitoring Services

Director of Utility Services, Damian Lampley presented from a power point presentation and video displayed at the meeting and incorporated herein by reference. Mr. Lampley explained what PCCP is, pipe protection techniques, PCCP failures, the technologies available, and the benefits of the program. Following Commissioner questions, Mr. Lampley explained that the current tools are proprietary but that the patents are about to expire so WSSC Water will soon be able to explore other options. 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. This contract will come before the Commission for a vote in April.

AMI Closeout

Director of Utility Services, Damian Lampley presented and requested an amendment of the November 18, 2020 Commission Meeting vote made relative to the AMI project being deferred indefinitely. Mr. Lampley requested that closeout activities be allowed to create a complete record for AMI so that if and when the project is restarted there is a usable base. Commissioner Thompson questioned whether all the work would have to be done again anyways if AMI comes back in the future given that there will have to be a new project manager. A motion was then made by Vice Chair Bell and seconded by Commissioner Foster to amend the motion relating to deferring indefinitely any further action toward the implementation of AMI adopted at the November 18, 2020 Commission Meeting by permitting management to closeout unfinished work with the contracted consultant by doing RFP revisions and completion of the AMI solicitation, completion of the statement of work, review of the oracle license contract, and project closeout documentation as set forth in the request memorandum from management.

The motion carried 5 to 1 with Commissioner Thompson being opposed. Commissioner Thompson noted that she voted against the motion because she would prefer the \$25,000 be used in a different way.

Additional Briefings/Policies/Regulations

Commission Office

Corporate Secretary Report

Acting Corporate Secretary, Julianne Montes de Oca began by recognizing Commissioners Sandra Thompson and Eloise Foster along with General Manager Carla Reid and the strong example of women in leadership that they provide in honor of Women's History Month. Ms. Montes de Oca gave a brief update on the number of Corporate Secretary level refund requests that are pending.

Committee Reports Information

WSSC Employees' Retirement Plan Board of Trustees

Commissioner Foster provided a brief overview of the last meeting of the WSSC Employees' Retirement Plan Board of Trustees on February 24. She reported that the Plan's return was over 10% for the year of 2020 and the plan is "in good shape."

Governance & Strategic Visioning

Commissioner Foster then reported that the Governance Manual provides a big picture overview of what it means to be a WSSC Commissioner. The Commissioners have received updated drafts of the Manual as well as the Bylaws and comments/edits/input are requested from Commissioners by April 15.

Legislative & Compliance

Commissioner Bayonet reported that the Committee met on March 9. The Committee is working to identify potential funding for infrastructure projects. The Committee in conjunction with IRO is continuing to work with the counties to address issues related to funding. Commissioner Bayonet referenced IRO's report related to WSSC legislation. Finally, the Committee continues to work with staff to find ways Commissioners can promote the importance of water in their communities.

Audit

There was no report for the Audit Committee.

Adjournment

Upon completion of the Committee Reports, Chairman Denis declared that the Commission had completed its open session business and that he would entertain a motion to enter Closed Session.

Whereby, at 12:47 p.m., Vice Chair Bell moved that the Commission go into Closed Session, to approve the Closed session minutes for February 17, 2021 pursuant to General Provisions Article section 3-305, subsection b, paragraph 13; to consult with counsel to obtain legal advice pursuant to section 3-305, subsection b, paragraph 7; to discuss with counsel two pending litigation cases pursuant to section 3-305, subsection b, paragraph 8; and to discuss the appointment, employment, assignment, or compensation of an employee over whom the Commission has jurisdiction, pursuant to section 3-305, subsection b, paragraph 1. Commissioner Bayonet seconded the motion.

The motion carried unanimously with six affirmative votes.

Chairman Denis declared the Open Session of the Commission meeting adjourned at 12:48 pm. The Chairman then called for a short recess. The Commission reconvened in Closed Session by virtual meeting at 1:06 p.m.

Closed Session

Attendees:

Chairman Denis, Vice Chair Bell, Commissioners Bayonet, Foster, Lawson and Thompson.

Staff: General Manager/CEO, Carla Reid; Deputy General Managers, Monica Johnson, James Price and Joseph Beach; Acting Corporate Secretary, Julianne M. Montes de Oca; General Counsel, Amanda Stakem Conn; Deputy General Counsel, Russel Beers; Associate Counsel, Stephanie Epps; Director of Human Resources, DeAnna Thomas; and Gregg Moser and Abby Eddy of K&A.

Closed Session Minutes: There being no corrections to the Closed Session Minutes of February 17, 2021, the Minutes stood approved.

Alum Litigation: General Counsel Amanda Conn briefed the Commissioners on the outcome of the litigation related to the chemical Alum and the settlements received.

Amy Brown v. WSSC: Deputy General Counsel Russel Beers and Associate Counsel Stephanie Epps briefed the Commissioners on the pending litigation. Mr. Beers requested authority to file a writ of certiorari. Vice Chair Bell moved, and Commissioner Foster seconded, that the Commission delegate authority to GCO to file the writ of certiorari with the Court of Appeals in this matter. The motion passed by a unanimous vote of 6-0.

Employment Matter: Vote was taken to take a specific personnel action and to instruct staff to implement that action.

Following completion of the Closed Session business, Commissioner Bayonet moved, and Commissioner Thompson seconded, to end Closed Session and Adjourn.

The motion passed by a unanimous vote of 6-0.

Chairman Denis declared Closed Session Adjourned at 2:30pm.

Respectfully submitted,

//Original signed//


Julianne M. Montes de Oca
Acting Corporate Secretary