

WASHINGTON SUBURBAN SANITARY COMMISSION

Minutes for January 2021 Commission Meeting

01/27/2021 | 10:00 AM - Eastern Time (US and Canada)

Virtual

Attendees (8)

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.

Chairman Howard Denis called the virtual meeting of the Washington Suburban Sanitary Commission to order at 10:04 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 Thompson moved to adopt the Commission's Public Meeting Agenda of January 27, 2021, as drafted, to which Commissioner Bayonet seconded the motion.

The motion carried unanimously with six affirmative votes.

Approval of Minutes December 16, 2020

Having no corrections to the open session minutes of the December 16, 2020 Regular Commission Meeting, the minutes stood approved.

Retirees

Retirement & Investments Division Manager, Richard Baker recognized the Retirees for the month of December 2020, 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

Chairman Denis provided comments in honor of the recent passing of former Maryland Senate President, Mike Miller.

Vice Chair Bell provided comments regarding a proposed AMI Opt-Out provision previously presented by WSSC Water management. Vice Chair Bell encouraged management to decouple meter relocation from its plans for AMI and integrate meter relocations with the meter replacement program.

Commissioner Bayonet offered his condolences to the family of Mike Miller and to Chairman Denis. Commissioner Bayonet recognized WSSC Water management and fellow Commissioners for a job well done during the recent pandemic and closed by extending well wishes for the New Year to both.

Public Comments

There were no public comments.

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 extending condolences to the families of a WSSC Water employee and two retirees that recently passed away. The GM's Report included an update on employee COVID-19 cases, vaccination information, estimated timelines associated workforce changes and the Commission Performance Report for January. GM Reid also explained some of the efforts that WSSC Water is making to reach out to customers through virtual "In Your Neighborhood" meetings, Virtual STEAM learning, and Virtual Tours. Following Commissioner questions/comments, the General Manager's Report was received as information.

Strategic Plan Kickoff

Chief Strategy and Innovation Officer, Todd Allen 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. Allen's presentation covered the Strategic Planning Timeline through Fall 2021. The report will be presented in March 2021, a progress report in April 2021, recommendations will be considered in May and June 2021, and the next review will be initiated in Fall 2021. Following Commissioner questions/comments, the Strategic Plan Kickoff was received as information.

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 December 2020. 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, fieldwork and reporting phases and the number of open and closed corrective actions in the management action plans. Following Commissioner questions/comments, the Monthly Activity Report was received as information.

Consent Calendar - Resolution 2021-2272

Chairman Denis requested a motion to approve the current Consent Calendar. A motion was then made by Vice Chair Bell and seconded by Commissioner Foster, to adopt Resolution 2021-2272, approving the two contracts on the Consent Calendar for the January 27, 2021 Commission Meeting, as follows:

Engineering and Construction

1. PM0005A20, Sewer Main Basic Rehabilitation (BOA)

Utility Services

1. 16538, Waste Water Engineering Services

The motion carried unanimously with six affirmative votes.

General Counsel's Office: Ethics Program Update

The report was provided in the advance materials and can be found in the presentation handout and corresponding segment of the archived meeting video and both are referred to for this purpose. The Ethics Program Update was received as information.

Finance: Water Connection Pipe Emergency Replacement Loan Annual Report for FY 2020

Chief Financial Officer, Patti Colihan 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. Ms. Colihan explained the parameters for obtaining a loan through the program and how many loans have been made each year since the program began (only 1 loan so far in FY2021). Ms. Colihan then explained the changes being made to the program, the most significant being that going forward, the unused funds will now be turned over to the Water Fund at the end of the fiscal year. Following Commissioner questions/comments, the Water Connection Pipe Emergency Replacement Loan Annual Report for FY 2020 was received as information.

Engineering and Construction

Sanitary Sewer Overflow Consent Order Update

Chief Engineer, Mike Harmer 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. Harmer explained both the background of the Consent Order and where WSSC Water currently stands on completing the requirements of the Consent Order. He also gave a report on the planned versus actual cost to complete the work required by the Consent Order through September 2020. A total of 6,912 sewer assets have been rehabilitated and 144 remain in construction. The anticipated date of construction completion is December 2021 (the deadline being February 9, 2022). Following Commissioner questions/comments, the Sanitary Sewer Overflow Consent Order Update was received as information.

Contract CD5901A15/1116

Chief Engineer, Mike Harmer and Division Manager, Theon Grojean presented Contract CD5901A15/1116, Program Management for the Piscataway Bio-Energy Project. The change order continues the program management services through the end of project close out. The original timeline for program management was developed based upon an assumed project duration of seven years. The schedule is now approximately 20 months longer than assumed, thus requiring the program management to be extended.

A motion was then made by Commissioner Thompson and seconded by Commissioner Bayonet, to approve Contract CD5901A15/1116, Program Management for the Piscataway Bio-Energy Project, to HDR Inc., in the amount of \$2,047,635.00, as recommended by management.

The motion carried unanimously with six affirmative votes.

Contract BT6701A19

Chief Engineer, Mike Harmer presented Contract BT6701A19 for Largo Road Transmission Water Main Replacement in Prince George's County. The project will replace approximately 7,755 feet of various sized water mains and 55 feet of water house connections in the Largo area of Prince George's County. Mr. Harmer, with the assistance of John Mitchell, Pipeline Construction Division Manager, and Marcia Tucker, Pipeline Design Division Manager, addressed questions regarding traffic disruptions, customer outreach, engagement with elected officials, and future outreach during the course of construction.

A motion was then made by Commissioner Lawson and seconded by Commissioner Foster to approve Contract BT6701A19 for Largo Road Transmission Water Main Replacement in Prince George's County to A&M Concrete Corporation in the amount of \$3,297,680.00 as recommended by management.

The motion carried unanimously with six affirmative votes.

Contract BR/BI6325A17

Chief Engineer, Mike Harmer presented Contract BR/BI6325A17 for Cherry Hill Water Main Replacement in Prince George's County. This project will replace or install approximately 8,687 feet of different types and sizes of pipe or main, and will install 21 fire hydrants and 66 water house connections in the College Park area of Prince George's County. Mr. Harmer also presented the community outreach and notification efforts that have been undertaken to make the residents and businesses aware of the upcoming work.

A motion was then made by Commissioner Bayonet and seconded by Vice Chair Bell to approve Contract BR/BI6325A17 for Cherry Hill Water Main Replacement in Prince George's County to BA Construction, Inc. in the amount of \$2,601,366.88, with a completion time of 730 days, as recommended by management.

The motion carried unanimously with six affirmative votes.

Intergovernmental Relations

Legislative Update

Director of Intergovernmental Relations, Karyn Riley presented from a report 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. Ms. Riley provided a quick overview of the pending bills that she and her team are monitoring. Following Commissioner questions/comments, the Legislative Update was received as information.

Position Recommendation: MC/PG 100-21 – WSSC - Video Streaming and Archiving Meetings and Late Payment Charges Amendment

Ms. Riley then presented the updates that have been made to the bill titled MC/PG 100-21. The bill sponsor has amended the proposed legislation to add a provision that protects the validity of actions taken during a meeting for which a technical issue prevented or affected the live-streaming or recording of a meeting so long as the meeting complies with the Open Meetings Act and the issue is not the result of willful action by the Commission. The Bill Sponsor also amended the bill to remove the language altering the late payment charge to "up to 5%" and added a provision in the Customer Assistance Program statute that provides for the reduction or waiver of fees. Based on these revisions, Ms. Riley recommended supporting the legislation with amendments.

A motion was then made by Commissioner Bayonet and seconded by Commissioner Thompson to support MC/PG 100-21 – WSSC - Video Streaming and Archiving Meetings and Late Payment Charges Amendment as recommended by management.

The motion carried unanimously with six affirmative votes.

Position Recommendation: HB 561 – Renewable Energy Portfolio Standard – Wastewater, Thermal, and Other Renewable Sources

Ms. Riley then explained House Bill 561 which expands the types of energy sources that qualify as a Tier 1 renewable energy sources to include sources related to wastewater treatment. Ms. Riley recommended that the Commission support the legislation. A motion was then made by Commissioner Lawson and seconded by Commissioner Bayonet to support HB 561 – Renewable Energy Portfolio Standard – Wastewater, Thermal, and Other Renewable Sources as recommended by management.

The motion carried unanimously with six affirmative votes.

Upon completion of the IRO presentation, Guy Andes, Government Relations Manager, shared his personal comments on the life and legacy of Mike Miller and on the deep impact Mr. Miller had upon his life.

Commission Office

Resolution 2021-2273 Appointment of Regular Member to WSSC Board of Ethics

General Counsel, Amanda Conn provided an overview of the makeup of the Board of Ethics, the interview process, and the recommendation of the interview board. She explained that Resolution 2021-2273 is based on the interview board's recommendation that the Commissioners reappoint Dr. Stephen J. Hausman to the Montgomery seat on the Board.

A motion was then made by Commissioner Foster and seconded by Vice Chair Bell to adopt Resolution 2021-2273 Appointment of Regular Member to WSSC Board of Ethics.

The motion carried unanimously with six affirmative votes.

Corporate Secretary Report

Acting Corporate Secretary, Julianne Montes de Oca recognized both Todd Allen and DeAnna Thomas for their new position appointments within the organization and thanked them for their support to the Commission Office. Acting Corporate Secretary, Julianne M. Montes de Oca submitted an overview of her activities for the prior month in a report distributed to Commissioners in the advance materials. The Commission received the Corporate Secretary's report, as information

Committee Reports

WSSC Employees' Retirement Plan Board of Trustees

No report.

Governance & Strategic Visioning

Commissioner Foster reported that based upon the recommendations of the Governance and Strategic Visioning Committee, Commissioners have agreed to convert the performance evaluations process for their three direct reports (the General Manager, the Inspector General and the Corporate Secretary) to the online platform employed throughout WSSC. Commissioner Foster said the performance evaluation metrics for these positions will also be updated to be consistent with the responsibilities of the

jobs. She indicated she had reached out to the new Director of Human Resources to congratulate her on her promotion, and to solicit her assistance with the implementation of these changes.

Legislative & Compliance

No report.

Audit

No report. Audit Committee will convene in February.

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 12:21 p.m., Commissioner Lawson moved that the Commission go into Closed Session, to approve the Closed session minutes for December 16, 2020, pursuant to General Provisions Article section 3-305, subsection b, paragraph 13; to discuss cybersecurity where a public discussion would constitute a risk to security assessments or deployments related to information resources technology, network security information, or deployments or implementation of security personnel, critical infrastructure, or security devices pursuant to section 3-305, subsection b, paragraph 15; to discuss an investigative proceeding on actual or possible criminal conduct pursuant to section 3-305, subsection b, paragraph 12; to consider matters related to collective bargaining negotiations pursuant to section 3-305, subsection b, paragraph 9; to consult with counsel to obtain legal advice pursuant to section 3-305, subsection b, paragraph 7; and to discuss personnel matters affecting one or more specific individuals pursuant to section 3-305, subsection b, paragraph 1. Commissioner Bayonet seconded the motion.

The motion carried unanimously with six affirmative votes.

The Chair declared that the open session of the Commission meeting had concluded and that the meeting was closed at 12:23 p.m. The Chair then called for a short recess.

Closed Session

The Commission reconvened in Closed Session by virtual meeting at 12:44 p.m.

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 Counsels, Stephanie Epps and Rahel Kifle; Chief Information Officer, Christopher Carter; IT Security & Compliance Senior Manager, Christine Grooby; Chief Financial Officer, Patti Colihan; Disbursements Division Manager, JD Noell; Accounts Payable Section Manager, Peggy Edwards; Director of Human Resources, DeAnna Thomas; and Director of Police & Homeland Security, David McDonough.

Closed Session Minutes: There being no corrections to the Closed Session Minutes of December 16, 2020, the Minutes stood approved.

IT Security: A briefing on a specific aspect of IT security, the related risks, and new adjustments to protocols.

Collective Bargaining: An update provided on the status and posture of collective bargaining negotiations.

Legal Matter: Provision of attorney-client privileged information.

Personnel Matter: Discussion on a specific personnel matter.

Following the completion of the Closed Session business, Commissioner Foster motioned, and Commissioner Thompson seconded, that closed session end and the meeting adjourn. The motion passed unanimously.

Chairman Denis declared the meeting adjourned at 1:57pm.

Respectfully submitted,

//Original signed//

Julianne M. Montes de Oca
Acting Corporate Secretary