



# Detroit Water and Sewerage Department Meeting Minutes - Final Board of Water Commissioners

735 Randolph  
Detroit, Michigan 48226

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Wednesday, October 14, 2015

1:00 PM

5th Floor Board Room, Water Board Building

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## Workshop and Special Meeting No. 11

### 1. CALL TO ORDER

Chairman Fausone called the meeting to order at 1:00 PM.

### 2. ROLL CALL

**Present:** 6 - Commissioner James Fausone, Commissioner Fred Barnes, Commissioner Mary Blackmon, Commissioner Linda Forte, Commissioner Michael Einheuser and Commissioner Jody Caldwell

**Excused:** 1 - Commissioner John Henry Davis

### 3. APPROVAL OF AGENDA

Item 15-1151 Resolution with the City of Flint was added to the agenda.

**A motion was made by Commissioner Einheuser, seconded by Commissioner Barnes that the agenda be approved as amended. The motion carried by the following vote:**

**approved as amended**

**Aye:** 6 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Einheuser and Commissioner Caldwell

**Excused:** 1 - Commissioner Davis

### 4. APPROVAL OF MINUTES

Commissioner Davis joined the meeting at 1:05 PM.

**This was none.**

### 5. PUBLIC COMMENTS (3 minutes per speaker)

**This was none.**

### 6. ITEMS FROM THE COMMISSIONERS

**This was none.**

**7. OLD BUSINESS**

This was none.

**8. NEW BUSINESS**[15-1140](#)

The Board of Water Commissioners for the City of Detroit Water and Sewerage Department authorizes the Director to **take the following actions relative to settlement of the above-referenced matter (1) Make a payment in the amount of Ten Thousand Dollars (\$10,000) to Plaintiff Randolph Myers (2) Take such other action as may be necessary to accomplish the intent of this vote.**

Sponsors: Wolfson

Attachments: [Myers Settlement](#)

Myers v DWSD Settlement Memorandum

**A motion was made by Commissioner Blackmon, seconded by Commissioner Barnes that this Claim, Sewer, be approved. The motion carried by the following vote:**

approved

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1147](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department hereby authorizes and directs the Director to **publish a Notice of Intent to Issue Bonds in an aggregate principal amount not to exceed \$40,000,000.00, or such lesser amount as shall be determined by the Director, with respect to the Water Supply System Revenue Bonds in the *Detroit Legal News*, the *Detroit News* or the *Detroit Free Press*, each of which constitute a newspaper of general circulation in the City of Detroit,** and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

Sponsors: Bateson and Wolfson

Attachments: [7C2 LAN01\\_393472-v1-Notice of Intent Resolution for BOWC od DWSD \(Water\) 2015](#)

**A motion was made by Commissioner Caldwell, seconded by Commissioner Barnes that this Resolution, Finance, be approved. The motion carried by the following vote:**

approved

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1148](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department hereby authorizes and directs the Director to **publish a Notice of Intent to Issue Bonds in an aggregate principal amount not to exceed \$125,000,000.00, or such lesser amount as shall be determined by the Director, with respect to the Sewage Disposal System Revenue Bonds in the *Detroit Legal News*, the *Detroit News* or the *Detroit Free Press*, each of which constitute a newspaper of general circulation in the City of Detroit**, and also authorizes the Director to take such other actions as may be necessary to accomplish the intent of this vote.

**Sponsors:** Bateson and Wolfson

**Attachments:** [7B2 LAN01 393404-v3-Notice of Intent Resolution for BOWC of DWSD \(Sewer\) 2015](#)

**A motion was made by Commissioner Blackmon, seconded by Commissioner Davis that this Resolution, Finance, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

[15-1151](#)

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **negotiate, and following consultation with the Board's Chairman, execute a Water Services Agreement with the City of Flint and/ or such other parties as may be necessary for provision of water service to the City of Flint**, and also authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.

**Sponsors:** Wolfson

**Attachments:** [City of Flint - September 2015 Letter - Reconnection to DWSD Flint Water Contract rev 100915 clean](#)

**A motion was made by Commissioner Caldwell, seconded by Commissioner Barnes that this Contract, Service - Water, be approved. The motion carried by the following vote:**

**approved**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

**9. DIRECTOR'S REPORT**

Director McCormick reported that Informational meetings began and offer letters went out this week to employees for employment with GLWA. Financial and pension advisors were on-hand to answer questions.

Chairman Fausone asked that the Director address the 100 employees laid off associated with the biosolids facility and laboratories and to explain the process chemistry verses analytical chemistry.

Director McCormick replied there were several evaluations related to the capacity needed in the various laboratories related to the analytical chemistry. The most significant issue that is impacting staffing in the analytical laboratories is a part job redesign, which looked at how much of the chemistry is associated with the on-going monitoring of process chemistry should be done by the water technicians who are operating the various pieces of the process. It is very common in wastewater treatment facilities for operators to be involved in process chemistry - it gives them direct feedback to make process adjustments. As the Department has made changes, process chemistry moved to the newly defined jobs and has impacted the need for analytical chemists.

Commissioner Blackmon, on behalf of the HR/OD committee, has concern for separated employees and employment.

Chief Administrative and Compliance Officer/General Counsel William Wolfson replied that the concern has been relayed to the OD Manager for followup.

Commissioner Blackmon asked were the employees aware that their jobs were on the line?

Director McCormick replied that since the beginning of the staffing requirements with EMA the Department has been open and transparent throughout the process.

Commissioner Blackmon asked were there opportunities between the Department and the biosolids operation to employ DWSD staff?

Ms. McCormick replied that it was advertised but there was not anything in the contract that required any hiring of DWSD employees. Mr. Wolfson added that at the time of negotiations DWSD was told by the union not to include that type of language in the contract.

## **10. COMMENTS BY COMMISSIONERS**

Commissioner Blackmon reported that The Blue Ribbon Panel on affordability had its first meeting and is in the process to embark on a plan to bring forth recommendations to the Department. Mr. Rothstein added that four meetings are scheduled and will report to the BOWC and Detroit City Council the work plan during the beginning of the calendar year.

## **11. COMMENTS BY THE CHAIR**

Finance committee October 19, 2015 at 7:30 AM  
BOWC regular meeting October 28, 2015 at 2:00 PM

Commissioner Davis departed the meeting at 2:00 P.M.

## **12. OTHER MATTERS**

This was none.

### 13. CLOSED SESSION

[15-1150](#)

Upon recommendation and opinion of William M. Wolfson, Chief Administrative and Compliance Officer / General Counsel, the Board of Water Commissioners for the City of Detroit, Water and Sewerage Department: 1) **Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) and (h) of the Michigan Open Meetings Act to discuss pending litigation in the matter of United States of America v City of Detroit, et al, USDC Case No.: 77-7100 ; and 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and 3) Authorizes the Director to take such other action as may be necessary to accomplish the intent of this vote.**

Sponsors: Wolfson

**A motion was made by Commissioner Caldwell, seconded by Commissioner Blackmon to enter into Closed Session at 2:07 P.M., be approved. The motion carried by the following vote:**

**approved**

**Aye:** 6 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Einheuser and Commissioner Caldwell

The only matter discussed was the City of Detroit Michigan Case No.77-7100 U.S. of America vs City of Detroit, et al

**A motion was made by Commissioner Barnes, seconded by Commissioner Caldwell to return from Closed Session at 2:30 P.M., be approved. The motion carried by the following vote:**

**approved**

**Aye:** 6 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Einheuser and Commissioner Caldwell

### 14. ADJOURNMENT

Chairman Fausone requested a motion to adjourn.

**A motion was made by Commissioner Caldwell, seconded by Commissioner Blackmon that this be adjourned. The motion carried by the following vote:**

**Aye:** 7 - Commissioner Fausone, Commissioner Barnes, Commissioner Blackmon, Commissioner Forte, Commissioner Davis, Commissioner Einheuser and Commissioner Caldwell

There being no further business, the meeting adjourned at 2:30 P.M.