



**DISTRICT OF COLUMBIA
WATER AND SEWER
AUTHORITY**

BOARD OF DIRECTORS

*Governance Committee
March 14, 2012
9:30 a. m.*

MEETING MINUTES

Committee Members

Alan Roth, Vice Chair
Kathleen Boucher
Anthony Griffin
Carla Reid

Other Board Members

Howard Gibbs

DC Water Staff

Randy Hayman, General Counsel
Linda R. Manley, Board Secretary
William Pickering, Government Relations
Manager, External Affairs
Rick Green, Director, Human Capital
Management

Vice Chair Alan Roth called the meeting to order at 9:40 a.m., and turned the Committee's attention to Agenda Item # 2 – Discussion Concerning Resolution Amending By-Laws to Change Name of Human Resources/Labor Relations Committee. The Director of Human Capital Management, Mr. Green, relayed to the Committee that some Members of the Human Resources and Labor Relations Committee expressed discomfort at their January meeting with changing the name of the committee to the Human Capital Management Committee. The staff was accordingly withdrawing its request for a change in the Committee's name. A discussion ensued, and the Committee agreed that a name change was not necessary and that a resolution reflecting such change would not be forwarded to the Board.

The Vice Chair then turned the Committee's attention to Agenda Item # 3 – Government Affairs Update. The Chairman invited the new Government Relations Manager, Mr. Pickering, to introduce himself since this was his first appearance before the Committee and to update the Committee on Federal and District legislative matters. The Government Relations Manager provided a brief autobiographical sketch and then proceeded with his report. He informed the Committee that the President's FY 13 budget includes \$11.5 million for the Clean Rivers Project. In FY 12, the President

proposed \$20 million and the Congress appropriated \$15 million. The Government Relations Manager commented that the Senate Environment and Public Works Subcommittee on Water and Wildlife held a hearing on Local Government Perspectives on Water Infrastructure. The Subcommittee highlighted the need for additional federal investment in water infrastructure projects and the burdens of federally mandated capital projects. The Governmental Relations Manager also discussed the activities of the House Transportation and Infrastructure Subcommittee on Water Resources and Environment. This Subcommittee held a hearing on the draft Water Infrastructure Finance and Innovation Act, which would establish additional financial mechanisms to supplement the State Revolving Funds for large water projects.

The Governmental Relations Manager then turned the Committee's attention to governmental activities within the District. He noted that a resolution to approve the 2012 IMA is expected to be introduced in the Council of the District of Columbia shortly. The resolution would grant the Mayor authority to sign the IMA. The Government Relations Manager also stated that the Budget Support Act is being closely monitored as it has contained legislative proposals in the past that have affected DC Water. He further noted that DC Water is reaching out to the Mayor and the DC Council for letters of support for DC Water's LID/Green Infrastructure alternative proposal and is hopeful that these letters will be sent to the EPA Administrator this week. DC Water is also working with Councilmember Cheh to explore a "Sense of the Council" resolution to support the initiative. In response to questions from the Vice Chair, Mr. Pickering indicated that the most likely author of the IMA resolution in the DC Council would be Council Chairperson Kwame Brown, who typically would introduce such legislation "at the request of the Mayor." With respect to the timing of Council and Board action, the next most likely date for a full Council legislative session is April 17th, meaning that if the DC Water Board adheres to the Chairman's previously announced plan of acting only after the respective governmental bodies have approved the IMA, the first Board meeting after April 17th would be Thursday, May 3rd. Mr. Griffin noted that Fairfax County, Montgomery County, and Prince Georges County had all approved the IMA.

The Vice Chair thanked the Government Relations Manager for the update and turned the Committee's attention to Agenda Item # 4 – Draft 2012 IMA Implementation Resolution. The Vice Chair described the background of the draft Resolution and the various drafts that had preceded it, and indicated that the Resolution was intended for Board consideration separately from but at the same meeting as the IMA approval Resolution itself. Because the General Manager had not yet arrived at the meeting due to a schedule conflict, the Vice Chair read to the Committee an e-mail received from the General Manager that morning communicating the General Manager's support for the draft Resolution. Section 7 of the Resolution elicited discussion from the Committee. It was noted that sections 1-6 of the Resolution concerned actions internal to the Board, while section 7 concerned an activity external to the Board. The Vice Chair described section 7 as an enforcement mechanism for sections 1-6, explaining that in light of how the IMA itself had been written and the fact that the Board could not alter the IMA's language, the Board had few options for carrying out sections 1-6 other than to direct DC Water staff in how to implement the Board's intent. Committee members

acknowledged that there were philosophical views on both sides of the question, but the Vice Chair urged all members to put aside philosophical positions in favor of a practical and amicable approach to resolving an issue that had divided the Board for quite some time. Without objection, the discussion concluded that the Resolution as drafted would be forwarded to the Board.

The Vice Chair then turned the Committee's attention to Agenda Item # 5 - Emerging Issues. Committee members inquired whether they would be receiving material from the Board retreat. They were informed that they would be receiving such material. The Vice Chair then turned to Agenda Item # 6 – Agenda for Upcoming Committee Meeting. The Vice Chair commented that the retreat materials would probably generate items for the next meeting's agenda.

The Vice Chair adjourned the meeting at 10:25 a.m.