



WORKSHOP MEETING BOARD OF TRUSTEES

225 Douglass Street, Portland, Maine
Jeff P. Nixon Training Center
6:30 p.m. on Tuesday, October 15, 2024

There will be a Workshop Meeting of the Board of Trustees of the Portland Water District on Tuesday, October 15, 2024. The meeting will begin at 6:30 p.m. in the Nixon Training Center at the general offices of the District located at 225 Douglass Street, Portland, Maine.

The Workshop will be preceded by meetings of the following Board Committees:

<u>Committee</u>	<u>Room / Location</u>	<u>Time</u>
Administration & Finance	Monie Room	5:30 p.m.
Operations	EOC 2 nd Floor	5:30 p.m.
Planning	Nixon Training Center	5:30 p.m.

AGENDA – WORKSHOP

- 1. Comprehensive Infrastructure Asset Management Plan Update (Master Plan)**
Helen Newman, Project Engineer, and Sarah Payne, Associate Engineer, will provide a progress update on the ongoing Master Planning efforts across the District.
- 2. Other Business**
- 3. Adjourn**



MEMORANDUM PORTLAND WATER DISTRICT

TO: Administration and Finance Committee/Board of Trustees

FROM: David Kane, Executive Director of Administration

DATE: October 8, 2024

RE: Administration and Finance Committee Meeting – October 15, 2024

A meeting of the Administration and Finance Committee of the Portland Water District Board of Trustees will be held on Tuesday, October 15, 2024, at 5:30 p.m., in the Monie Conference Room of the District, 225 Douglass Street, Portland, Maine.

AGENDA

- 1. Portland Water District's Bylaws Amendment**
A proposed amendment to the District's Bylaws providing the Board hiring the Corporation Counsel's position will be reviewed. (See attached memo)
- 2. Portland Water District's Standing Rules Amendment**
A proposed amendment to the District's Standing Rules related to the notice of special meetings will be reviewed. (See attached memo)
- 3. Meter Reading Project Update**
Staff will provide an update on the status of the meter reading project.
- 4. Other Business**



ADMINISTRATION AND FINANCE COMMITTEE / AGENDA ITEM SUMMARY

Agenda Item: 1
Date of Meeting: October 15, 2024
Subject: Amendment to Bylaws
Presented By: Donna Katsiaficas, Corporate Counsel

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the Bylaws of the Portland Water District are hereby amended and approved in substantial form as attached hereto, effective upon this approval.

BACKGROUND

Under the present District personnel staffing plan, the District's Corporate Counsel is hired by the General Manager, and the appointment is confirmed by the Board of Trustees, as are other Department Heads. Due to the nature of the Corporate Counsel's position in the organization and the professional obligations of the position, the President and Vice President of the Board have requested that the position of Corporate Counsel be hired by the Board of Trustees instead of the General Manager. This change requires an amendment to the Bylaws of the District. If this change is approved, the title of the Corporate Counsel's position would change to Corporation Counsel to reflect this change, in keeping with the change in the reporting structure.

Bylaw changes require two readings. If this proposal is favorably voted by the Committee, the bylaw change will be placed on the next two business meeting agendas.

FISCAL REVIEW / FUNDING

The changes do not result in any fiscal impact to PWD.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

The President recommends that the Committee approve the proposed motion.

ATTACHMENT(S)

Draft of proposed revised Bylaws

PORTLAND WATER DISTRICT

BYLAWS

ARTICLE I

Meetings

Section 1 The annual meeting of the Board of Trustees for the election of officers of the Board and the transaction of other business shall be held during the month of March each year at the principal office of the District in Portland, Maine, or at such other place within the State of Maine and at such time as the Trustees may determine. In the event the annual meeting is not held, a special meeting in lieu of the annual meeting shall be called in the same manner as provided for special meetings of the Board of Trustees.

Section 2 Regular meetings of the Board of Trustees shall be held at the principal office of the District in Portland, Maine, or at such other place within the State of Maine as the Trustees may determine and at a date and time set by a vote of the majority of the Trustees present at the previous regular meeting of the Board.

Section 3 Special meetings of the Board of Trustees and a change in the date of a regular meeting may be called for by the President or any five Trustees, or by the Clerk upon written request of the President or any five Trustees, by giving notice of the time and place of such meeting and the object for which it is called, in the manner provided by these Bylaws for giving notice of Trustees' meetings.

Section 4 Notice of all meetings of the Board of Trustees, other than regular meetings, shall be sent by the Clerk, or other person authorized to give the same by these Bylaws, by mail or by hand to each Trustee at his registered address, at least three (3) days prior to the date of the meeting. An affidavit of such mailing or delivery made by the Clerk or other duly authorized person, with a copy of the notice attached, shall be sufficient proof of such notice.

Section 5 At any meeting of the Board of Trustees, a majority of the Trustees shall constitute a quorum for transaction of business, but a less number may adjourn any meeting from time to time and the meeting may be held as adjourned without further notice. When a quorum is present, a majority of the Trustees present at such meeting shall decide any question brought before such meeting, unless otherwise provided by law or by these Bylaws. The Trustees may adopt reasonable rules and regulations for the conduct of their meetings at the Annual Meeting consistent with the laws of Maine.

ARTICLE II

Officers

Section 1 The officers of the District shall be a President, a Vice President, a General Manager, a Treasurer, a Clerk, [a Corporation Counsel](#) and such additional officers as the Trustees may deem expedient. The President, Vice President, Treasurer, and Clerk shall be elected by ballot at the annual meeting of the Board of Trustees and shall hold office for one year and until their successors are elected and qualified, except for the Treasurer and Clerk, who shall hold office at the pleasure of the General Manager, unless their term is sooner terminated as hereinafter provided. The President and Vice President must be and remain members of the Board of Trustees. The Trustees, in their discretion, may appoint additional officers of the District and prescribe their duties.

Section 2 The Board of Trustees shall appoint a General Manager [and a Corporation Counsel](#) by a majority vote of all Trustees (six). The General Manager shall be the administrative head of the District. [The Corporate Counsel shall be responsible for the legal representation and legal affairs of the District.](#) The General Manager [or the Corporation Counsel](#) shall be removable at any Annual Meeting by a majority vote of all the Trustees (six), and at any other time by a vote of not less than seven Trustees.

Section 3 All department heads of the District and the Assistant General Manager, if the position is filled, shall be appointed by the General Manager and shall be confirmed by the Board of Trustees. Other employees of the District shall be appointed by the General Manager, provided that the position shall first have been approved by the Board. All employees of the District, including department heads and the Assistant General Manager, shall hold their employment during the pleasure of the General Manager.

ARTICLE III

President

The President shall preside at all meetings of the Board of Trustees when present, at which meetings she or he shall have a right to vote, and shall perform all the duties commonly incident to the office, and such other duties as these Bylaws or the Trustees shall designate. In the event the President is unable to complete the term of office as President for any reason, a new President shall be elected to serve until the next Annual Meeting.

ARTICLE IV

Vice President

In the temporary absence or disability of the President, the Vice President shall have the powers and be subject to the duties of the President while the absence or disability of the

President continues. The Vice President shall have such other powers and duties as these Bylaws or the Trustees from time to time shall prescribe. In the event the Vice President is unable to complete the term of office as Vice President for any reason, a new Vice President shall be elected to serve until the next Annual Meeting.

ARTICLE V

Clerk

Section 1 The Clerk shall be present at all meetings of the Board of Trustees and shall keep an accurate record of the proceedings of such meetings in books provided for the purpose, which books shall be open at all reasonable times to the inspection of any Trustee, and shall perform such other duties and have such other powers as shall be prescribed by the Board of Trustees, by these Bylaws or by law. In the absence of the Clerk at any meeting, a Clerk pro tem may be chosen, who shall record the proceedings of such meeting in the aforesaid books.

Section 2 The Clerk shall record the names of the Trustees absent from any meeting of the Board of Trustees. The Clerk shall also, at the request of any absent member, enter upon the records of any meeting the views of such member of any action taken at such meeting.

ARTICLE VI

General Manager

Section 1 The General Manager shall be the administrative head of all activities of the District under the policy guidance and governance of the Board of Trustees, and shall have such other powers and duties as the Trustees from time to time shall prescribe. The General Manager shall keep the Board of Trustees fully informed at all times as to the status of District activities.

Section 2 In the absence or disability of the General Manager, the Assistant General Manager, if the position is filled, or the General Manager's designee pursuant to a Succession Policy shall have the powers, and be subject to the duties of the General Manager while the absence or disability of the General Manager continues. The person so designated shall have such other powers and duties as these Bylaws or the Trustees from time to time shall prescribe

ARTICLE VII

Treasurer

The Treasurer shall administer the financial affairs of the District and shall have the care and custody of the funds and securities of the District, all in accordance with prudent business practices and in accordance with generally accepted accounting principles. The Treasurer or the General Manager shall sign all contracts, deeds, bonds and obligations of the

District, as approved by the Trustees. The Treasurer shall keep or cause to be kept accurate books of account, which shall be open at all times to any Trustee. The Treasurer shall furnish such reports and shall perform all other duties commonly incident to the office and such other duties as shall be prescribed by the General Manager or the Board of Trustees. The Treasurer shall be bonded for the faithful discharge of the duties of the office in a sum, and with such sureties, as the Trustees from time to time shall require.

During the absence or disability of the Treasurer, the Assistant Treasurer shall have the powers and duties of that office.

ARTICLE VIII

District Staff

The organization and staffing of the District shall be as the Board of Trustees shall prescribe, and the General Manager shall assign duties and responsibilities to the various employees of the District in accordance with the approved organization and staffing plan. The General Manager may reallocate such duties and responsibilities, when, in her or his opinion, a critical need exists but, if this authority is exercised, the General Manager shall provide a full report citing the reasons and the steps taken at the next meeting of the Board of Trustees.

ARTICLE IX

Audit

Section 1 Prior to the filing with the municipal officers of the detailed annual report required by Section 21 of the Charter of the District, and as much oftener as the Trustees may prescribe, there shall be made a full and detailed examination of the financial affairs of the District and the methods employed in conducting its business affairs. For this purpose, the Trustees shall appoint an independent audit firm which shall conduct the audit and prepare its report in conformance with generally accepted accounting principles. The annual audit report shall be presented to the Board of Trustees for acceptance.

ARTICLE X

Committees

The Board of Trustees shall appoint such committees as it may deem expedient for the purposes of the District.

ARTICLE XI

Compensation

Section 1 Each Trustee of the District, other than the President, shall receive as compensation the sum of \$100 for each Regular Meeting, Special Meeting, or Workshop actually attended, with the total compensation not to exceed \$2,400 per year.

The President of the District shall receive as compensation the sum of \$125 for each Regular Meeting, Special Meeting, or Workshop actually attended, with the total compensation of the President not to exceed \$3,000 per year.

Section 2 The District may reimburse a Trustee for travel and expenses incurred in connection with District business, other than attendance at Trustee meetings, in accordance with District policy.

Section 3 The Board of Trustees shall adopt a system of position classification and compensation to be administered by the General Manager in determining the salaries and wages of District employees.

ARTICLE XII

Amendments

These Bylaws may be altered, amended or repealed at any meeting of the Board of Trustees by vote of a majority of Trustees, provided that in the notice of such meeting a notice of such intended alteration, amendment or repeal be given, and provided further that no such alteration, amendment or repeal shall be passed until it has been read at two separate meetings of the Board of Trustees.

ARTICLE XIII

Fiscal Year

The fiscal year of the District shall begin on the first day of January and end on the last day of December in each year.

ARTICLE XIV

Nomination and Election of Trustees

The nomination and election of Trustees shall be conducted in accordance with Section 18 of the Charter of the District.

ARTICLE XV

Indemnification

The District shall indemnify and save harmless any person who may serve or who has served at any time as a member of the Board of Trustees or as an officer or employee of the District, or which Trustee, officer or employee is or was serving at the request of the District as a director, officer, trustee, employee, partner, fiduciary or agent of another corporation, partnership, joint venture, trust, pension, employee benefit plan or other entity, and the respective heirs, executors, administrators, and assigns of said person against any and all expense (including but not limited to attorneys' fees, amounts paid upon judgments, and amount paid in settlement before or after any litigation is commenced) actually and necessarily incurred by said person in connection with the defense or settlement of any claim, action, suit or proceeding in which said person is made a part or is threatened to become a party or which may be asserted against said person, by reason of serving in such capacity, if said person acted in good faith, and in a manner reasonably believed to be in, or not opposed to, the best interests of the District, and with respect to any criminal action or proceeding, had no reasonable cause to believe such conduct to be unlawful. Said indemnification shall be in addition to any other rights to which the person indemnified may be entitled under any law, statute, agreement, vote of the Board of Trustees or otherwise.

[Revised by Board of Trustees on _____, 2024](#)

Revised by Board of Trustees on November 27, 2000

(Previous revision, September 23, 1996)

Portland Water District



ADMINISTRATION AND FINANCE COMMITTEE / AGENDA ITEM SUMMARY

Agenda Item: 2
Date of Meeting: October 15, 2024
Subject: Amendment to Standing Rules
Presented By: Donna Katsiaficas, Corporate Counsel

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the Standing Rules of the Portland Water District are hereby amended and approved in substantial form as attached hereto, effective upon this approval.

BACKGROUND

The Standing Rules of the Board of Trustees were originally approved in 1998. Since that time, technology has changed and shifted to electronic means for purposes of communication. A change in Section 2 of the Standing Rules is proposed that would allow notice of Special Meetings of the Board called by the President to be served by email, as well as by personal notice and delivery to a personal or business address. This will make the delivery of notice more efficient and make it easier to call a special meeting of the Board should such a meeting be needed.

FISCAL REVIEW / FUNDING

The changes do not result in any fiscal impact to PWD.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

The President recommends that the Committee approve the proposed motion.

ATTACHMENT(S)

Draft of proposed revised Standing Rules

**PORTLAND WATER DISTRICT
BOARD OF TRUSTEES
STANDING RULES**

Adopted by the Board of Trustees, March 23, 1998.
Amended by the Board of Trustees, July 27, 1998.
Amended by the Board of Trustees, April 26, 1999.
Amended by the Board of Trustees, January 24, 2000.
Amended by the Board of Trustees, October 23, 2000.
Amended by the Board of Trustees, April 23, 2001.
Amended by the Board of Trustees, May 29, 2001.
Amended by the Board of Trustees, February 23, 2004.
Amended by the Board of Trustees, November 23, 2015
Amended by the Board of Trustees, July 22, 2019
Amended by Board of Trustees, _____, 2024

Section 1. Regular Meetings. The regular meetings of the Portland Water District Board of Trustees shall be held at the principal office of the District, 225 Douglass Street, Portland, Maine, or such other facilities as the Board may designate from time to time, at 6:00 p.m., on the fourth Monday of each month. When said day falls on a holiday, the regular meeting shall be held on the following Tuesday, at the same time and place. The date of any regular meeting may be changed by an order or resolve passed at the previous meeting upon the vote of seven members of the Board, provided, however, that said change in date will still provide for one regular meeting each month. When a weather or other emergency requires the cancellation of any meeting, notice of such cancellation shall be given and new notice and publication shall be given of a rescheduled meeting.

Section 2. Special Meetings. Special Meetings may be called by the President, and in case of the President's absence, disability or refusal, may be called by five members of the Board. Written ~~N~~notice of such meeting shall be served by any means designed to give actual notice of the meeting, including but not limited to electronic notice, in person or delivered to the residence or business address of each trustee at least three days before the time for holding said special meeting.

Section 3. Workshops: Committee Meetings. Workshops for the Board of Trustees are regularly scheduled on the second Monday of each month, at the principal office of the District, at 6:30 p.m. When said day falls on a holiday, the Workshop is held on the following Tuesday, at the same time and place. Committee meetings are held at the principal office of the District, and are generally scheduled as follows:

1. Administration & Finance Committee: Precedes the regular monthly Workshop

at 5:30 PM.

2. Operations Committee: Precedes the regular monthly Workshop at 5:30 PM.
3. Planning Committee: Precedes the regular monthly Workshop at 5:30 PM.

Workshops are held for the Board to receive more detailed information on particular matters, and to devote more time to those matters than is generally available at a regular meeting. No votes or action are to be taken at any workshop and public comment opportunities are not assured.

Committee meetings are held to allow smaller groups of trustees to more thoroughly consider matters before the Board in order to develop recommendations for action by the full Board. Recommendations reflect the majority view of the committee.

All meetings of the Board of Trustees shall be open to the public and public comments will be allowed as provided for in Section 23.

Section 3-A. Regular Meetings and Special Meetings of the Board of Trustees shall convene with a pledge of allegiance to the flag of the United States, and a moment of silence.

Section 4. Enactment Form. The Board of Trustees shall act only by ordinance, order or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title.

Section 5. Ordinances. All By-Laws passed by the Board of Trustees shall be termed "ordinances" and the enacting style shall be: "Be it ordained by the Board of Trustees of the Portland Water District, assembled".

Section 6. Orders and Resolves. In all votes of command, the form of expression shall be "Ordered"; and of opinions, principles, facts, or purposes, the form shall be "Resolved".

Section 7. Waiver of Full Reading. The President, with consent of the Board, may waive the full reading of an ordinance, order or resolve, in which case reading shall be by title only.

Section 8. Record of Votes. The yeas and nays shall be taken upon the passage of all ordinances and entered upon the record of the proceedings of the Board of Trustees by the Clerk. The yeas and nays shall be taken on the passage of any order or resolve when called for by any member of the Board. Every ordinance, order and resolve shall

require, on passage, the affirmative vote of the majority of the trustees present unless a higher standard is otherwise required.

Section 9. Filing of Agenda Items. No ordinance, order, or resolve shall be in order for action at any meeting of the Board of Trustees unless it is filed in the office of the Clerk on or before noon seven days prior to the regular meeting, and three days prior to a special meeting. Any item added to the agenda for a Regular Meeting or Workshop after the deadline shall not be in order for Board consideration unless seven trustees vote to waive this rule.

Any item to be placed on the agenda of the Board or recommended for consideration by the Board must be sponsored by a trustee or by the General Manager. Those items sponsored by the Manager shall normally be restricted to routine District administration.

Section 10. Presiding Officer. The President shall take the chair at the time appointed for the meeting, call the members to order, cause the roll to be taken, and, a quorum being present, shall proceed with the order of business. The Vice President shall exercise all the powers of the President during the temporary absence or disability of the President.

Section 11. Questions of Order. The President shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal to the Board by motion regularly seconded, and no other business shall be in order until the question on appeal is decided. ~~The Vice President shall exercise all the powers of the President during the temporary absence or disability of the President.~~

Section 12. Declaration of Votes. The President shall declare all votes, but if any member doubts a vote, the President shall cause a return of the members voting in the affirmative and in the negative without debate.

Section 13. Rules of Debate. When a question is under debate, the President shall receive no motion but to:

- (1) adjourn
- (2) table
- (3) for the previous question
- (4) postpone to a day certain
- (5) refer to a committee or some administrative official
- (6) amend
- (7) postpone indefinitely

which several motions shall be precedence in the order in which they stand arranged.

Section 14. Motions to Adjourn or Table. The President shall consider a motion to adjourn as always in order except on immediate repetition; and that motion, and the motion to lay on the table, or to take from the table, and the motion for the previous question, shall be decided without debate.

Section 15. Reconsideration. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next regular meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for consideration at the next regular meeting unless an item to that effect is contained on the agenda for such next regular meeting or unless a majority of the members present consent to such reconsideration. An agenda item once presented to and acted upon by the Board shall not again be received by the Clerk for presentation to the Board in the same or substantially the same form for a period of one year next succeeding the Board's action on the original item.

Section 16. Motion for Previous Question. Upon the motion for the previous question being made and seconded, the President shall put the question in the following form: "Voting is now on whether there shall be further debate on (state the motion)." All debate shall then be suspended. If the motion for the previous question is adopted by a majority of the Board present, the motion to which it applied shall be voted at once. No debate shall be allowed on a motion for the previous question. Neither is it susceptible of amendment. All questions of order arising incidentally thereon must be decided without discussion.

Section 17. Trustee Excused from Voting. Every trustee present when a question is put shall give their vote, unless the Board, for special reasons, shall excuse that trustee. Application to be so excused with reasons therefor must be made before the Board is divided, or before the calling of the yeas and nays, and decided without debate.

Section 18. Motion in Writing. A motion shall be reduced to writing, if the President shall so direct.

Section 19. Division of Question. Any trustee may require the division of a question when the sense will admit it.

Section 20. Motion for Referral. A motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments of the main question.

Section 21. Priority of Business. All questions relating to priority of business to be acted upon shall be decided with discussion limited to Board members, but any trustee may solicit information from any other person.

Section 22. Suspension of Rules and Amendment. The rules shall not be dispensed with or suspended unless seven of the members of the Board consent thereto. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.

Section 23. Procedure for Addressing the Board. Any person wishing to address the Board of Trustees at a Regular or Special Meeting will be given the opportunity to do so in accordance with the following procedures:

1. Persons wishing to address the Board on an item not appearing on the agenda shall do so at the times allotted for general Public Comment.
2. Persons wishing to address the Board on an item which appears on the agenda shall wait until the consideration of such item is announced, or until the public hearing is opened on the particular item, if there is a public hearing, at which time they may address the Board on that particular item. Public comment on an agenda item or during a public hearing is encouraged to be limited to no more than five minutes by any one speaker. The President is granted the discretion to allow an extension of time if deemed necessary.

The public shall be encouraged to limit their comments to items directly relating to the actual agenda item, and not to repeat statements made by prior speakers. The President may decide questions of relevance. The President shall not allow comments of a personal or derogatory nature, as they relate to the sponsor of the agenda item, a trustee, or other speakers.

Once the public comment period, or public hearing, has been closed, the Board shall begin its deliberation and no further public comment will be taken. The President may, at his or her discretion, allow additional clarification of the facts adduced at the public hearing and individual trustees may ask specific questions through the President of either the public or staff to further inform themselves prior to completing their deliberations.

3. Any person wishing to address the Board shall so signify by raising a hand and/or standing. After being recognized by the President and giving adequate identification he or she may address the Board. When, in the opinion of the President, their identity has not been adequate for those assembled, the President shall request further information before permitting the person to speak.

4. Persons present at Board of Trustees meetings are requested not to applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting.
5. Public Comment is not taken at workshop sessions of the Board unless permission is specifically granted by the President or by majority vote of the Trustees present.
6. Public Comment at Committee meetings shall be at the discretion of the Committee Chair.

Section 24. Parliamentary Proceedings. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "Robert's Rules of Order" shall be taken as authority to decide the course of proceedings.

Section 25. Committees. The President shall appoint at least three trustees, who shall elect from among themselves a Chair, to each of the following standing committees of the Board:

1. Administration & Finance Committee
2. Operations Committee
3. Planning Committee

The President may assign items to any committee, and is the arbiter on issues of proper jurisdiction. Each Committee shall review and make recommendation, by majority vote, to the Board on the matters referred to it. The President and Vice President shall be ex-officio members of each committee. The President and Vice President shall have no vote at any Committee unless there are insufficient voting members of the Committee present to act on any item before the Committee. In the event that insufficient voting members are present at any Committee to act on an item, the President and the Vice President shall each have one vote.

Section 26. Record of Meetings. A summary copy of the record of Board decisions taken at a formal meeting shall be attested and posted by the Clerk at the principal office of the District. Minutes shall constitute the official record of the actions on all Ordinances, Resolutions, Orders and Votes taken by the Board. The Clerk shall prepare minutes for acceptance by the Board of Trustees at the next regular meeting. Posting of the minutes on the agenda shall constitute publication.

Section 27. Appeals to the Board of Trustees regarding service standards and water main extension service line rules. An appeal to the Board of Trustees shall be appellate in nature. The Board shall conduct the appeal by reviewing the record of proceedings which occurred before the review panel. In addition, the appellant may provide an additional written statement to the Board explaining the appellant's position on the

appeal. New testimony will not be taken by the Board. The Board of Trustees shall hear the appeal at a special meeting to be scheduled as approved by the President of the Board. The appeal proceeding will be open to the public and recorded. The Board may either grant or deny the appeal. The written decision of the Board shall be issued within five (5) business days of the decision of the Board.



MEMORANDUM PORTLAND WATER DISTRICT

TO: Operations Committee/Board of Trustees

FROM: Scott Firmin, Director of Operations - Wastewater
James Wallace, Director of Operations - Water

DATE: October 8, 2024

RE: **Operations Committee Meeting – October 15, 2024**

A meeting of the Operations Committee of the Portland Water District Board of Trustees will be held on Tuesday, October 15, 2024, at 5:30 p.m., in the Emergency Operations Center (EOC) Room of the District, 225 Douglass Street, Portland, Maine.

AGENDA

- 1. Douglass Street HVAC Improvements – Phase 3**
Staff will recommend amending the existing contract with AAA Energy Service to complete this Phase of the HVAC work at the Douglass Street Facility. (See attached memo)
- 2. Update on Capital Improvements Projects**
Staff will provide an update on capital projects.
- 3. Update to Water Main Breaks Metric**
Staff will discuss changes to PWD's Breaks per 100 miles of main.
- 4. Other Business**



OPERATIONS COMMITTEE / AGENDA ITEM SUMMARY

Agenda Item: 1
Date of Meeting: October 15, 2024
Subject: Douglass St HVAC Improvements Phase 3
Presented By: Joshua Hudak, CFM Facilities Manager

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, the Treasurer is authorized to amend a construction contract with AAA Energy Service in the amount of \$374,420 for the Douglass Street HVAC Improvements Phase 3- 2024 CIP 068-3054.

BACKGROUND ANALYSIS

The HVAC Phase 3 is for the second-floor area of Engineering Services. In order to keep the consistency of HVAC units and control systems, we recommend continuing our work with AAA Energy Services on the HVAC Projects. AAA Energy Service is on site already and we are able to save a substantial amount of money for mobilization costs if we continue with them. AAA Energy has provided excellent installation service and communication in the HVAC Phases 1 and 2 Projects. We recommend we continue to use AAA Energy Service to complete the next phase of the upgrade.

FISCAL REVIEW/FUNDING

Douglass St HVAC Improvements Phase 3- 2024 CIP 068-3054 is programmed for \$525,000.

LEGAL REVIEW

Corporate Counsel has reviewed the proposed order as to form.

CONCLUSION(S)

The staff recommends we issue the design-build contract to AAA Energy Services.

ATTACHMENT(S)

None



MEMORANDUM PORTLAND WATER DISTRICT

TO: Planning Committee/Board of Trustees

FROM: Paul Hunt, Environmental Services Manager

DATE: October 8, 2024

RE: Planning Committee Meeting – October 15, 2024

A meeting of the Planning Committee of the Portland Water District Board of Trustees will be held on Tuesday, October 15, 2024, at 5:30 p.m., in the Nixon Room of the District, 225 Douglass Street, Portland, Maine.

AGENDA

- 1. Industrial Pretreatment Programs Update**
Kirsten Bshara, Environmental Compliance Coordinator, will provide an update on significant events involving the Portland and the Westbrook-Gorham-Windham Industrial Pretreatment Programs.
- 2. Mountain Division Rail-Trail Update**
Paul Hunt will share the latest project update from the Maine Department of Transportation.