

PUBLIC WORKS COMMISSION
MEETING OF WEDNESDAY SEPTEMBER 13, 2023
8:30 AM

Present: Donald L. Porter, Vice Chairman
Evelyn O. Shaw, Secretary
Christopher G. Davis, Treasurer

Others Present: Timothy L. Bryant, CEO/General Manager
Adam Lindsay, Assistant City Manager
Deno Hondros, City Council Liaison

Absent: Ronna Rowe Garrett, Chairwoman
Chancer McLaughlin, Hope Mills Interim Town Mgr.
Jimmy Keefe, Cumberland County Liaison
Media

I. REGULAR BUSINESS

Vice Chairman Donald L. Porter called the meeting to order at 8:30 a.m.

APPROVAL OF AGENDA

Upon motion by Commissioner Evelyn Shaw, seconded by Commissioner Christopher Davis, the agenda was unanimously approved.

II. CONSENT ITEMS

Upon motion by Commissioner Evelyn Shaw, seconded by Commissioner Christopher Davis, Consent Items were unanimously approved.

A. Approve Minutes of meeting of August 23, 2023

B. Adopt PWC Resolution – PWC2023.31 - Resolution to Direct the Filing of an Application for State Loan Assistance

In April 2023, W/R Engineering responded to a solicitation issued by the North Carolina Department of Environmental Quality (NCDEQ) for potential state funding to complete a water service lateral inventory under the requirements of the revised Lead and Copper Rule. Since the initial solicitation, the State has increased the amount of funding that utilities can request with the possibility of a 50% principal forgiveness. This funding would assist with our efforts to ensure compliance with EPA's Lead and Copper Rule Revision Inventory Project that must be completed by October 2024.

COMMENTS: The Water Resources Engineering Department recommends approval of PWC Resolution – PWC2023.31.

- C. Adopt PWC Resolution – PWC2023.33 – Resolution to Declare Personal Property as Surplus and Authorize Sale of Property by Sealed Bid

Fayetteville Public Works Commission (“PWC”) owns equipment that is identified in our inventory as “transformer shipment #644 Pad Mounts, containing forty (40) transformers, totaling 2375 KVA” (the “Equipment”). Staff has determined that PWC no longer has any use for the Equipment, that the Equipment should be sold at this time, and that the estimated value of the Equipment is at least thirty thousand dollars (\$30,000.00). Staff, therefore, requests that the Commission declare this Equipment to be surplus and authorize the sale of the Equipment via sealed bid in accordance with G.S. 160A-268.

- D. Approve bid recommendation to award bid for the purchase of one (1) Switch, 69KV, 1200A, Vertical Break, 1-Way, Unitized, 7 FT Spacing to WESCO Distribution, Clayton, NC, the lowest responsive, responsible bidder, in the total amount of \$430,235.00, and forward to City Council for approval.

The Switch, 69KV, 1200A, Vertical Break, 1-Way, Unitized, 7 FT Spacing is budgeted in Warehouse Inventory.

Bids were received July 25, 2023, as follows:

<u>Bidders</u>	<u>Manufacturer</u>	<u>Total Cost</u>	<u>Delivery</u>
WESCO Distribution, Clayton, NC	Cleaveland/Price	\$430,235.00	74-76 Weeks
Border States Electric Greenville, SC	Cleaveland/Price	\$443,001.00	74-76 Weeks
National Transformers Raleigh, NC	Southern States	\$654,121.00	24 Weeks ARO

COMMENTS: Notice of the bid opportunity was advertised through PWC’s normal channels on July 5, 2023, with a bid opening date of July 25, 2023. Bids were solicited from four (4) vendors and three (3) submissions were received. The electrical Engineering Department has reviewed the bid submissions and agrees with the recommendation to award the bid to WESCO Distribution, Inc., as the lowest responsive, responsible bidder. SDBE/Local Participation: WESCO Distribution Inc., Clayton, NC is not a local business and is not classified as an SDBE Minority or Woman-Owned business.

END OF CONSENT

III. DISCUSSION/APPROVAL OF PWC RESOLUTION – PWC2023.32

Presented by: Rhonda Haskins, Chief Financial Officer

Resolution Approving and Agreeing to the Terms of a Bond Order Authorizing the Sale and Issuance of Public Works Commission Revenue Bonds, Series 2023 by the City of Fayetteville, North Carolina, Requesting that the City Council of Said City Adopt Such Bond Order and Taking Certain Other Actions in Connection with Such Bonds

Ms. Haskins stated PWC adopted a resolution to file an application with the Local Government Commission (LGC) on August 9th. The City adopted a similar resolution on August 28th. PWC filed the application with the LGC as of September 5th. Now, with Commission’s approval we

will adopt the Series 2023 Bond Order today and request the City to adopt the same at their September 25th City Council meeting.

The bond order is the legal document that outlines the security structure of the bonds which is the net revenues of the utility system, the flow of funds and ongoing covenants for the revenue bonds.

Ms. Haskins stated she has a draft copy of the Series 2023 Bond Order, Preliminary Official Statement, a sample copy of the Notice of Sale documents; all of the information about PWC that will allow investors to make an informed decision.

Ms. Haskins then read aloud the title of the resolution:

“Resolution Approving and Agreeing to the Terms of a Bond Order Authorizing the Sale and Issuance of Public Works Commission Revenue Bonds, Series 2023 by the City Of Fayetteville, North Carolina, Requesting that the City Council of Said City Adopt Such Bond Order and Taking Certain Other Actions in Connection with Such Bonds.”

Commissioner Evelyn Shaw motioned to adopt PWC Resolution – PWC2023.32. Motion was seconded by Commissioner Christopher Davis, and unanimously approved.

IV. EMERGENCY MANAGEMENT PLAN DISCUSSION

Presented by: Ike Copeland, Risk Management Director

Mr. Ike Copeland presented PWC’s Emergency Management Plan. He stated we will discuss the following:

The Overview of Emergency Management Cycle; Risk Awareness and Mitigation Strategy; PWC specific threats; an Overview of Activation Levels; What starts our Emergency Response process; and Historical Emergency Events



He stated most of the pictures above are from the results of actual hurricanes or storms here in Fayetteville. During Hurricane Matthew our entire complex was basically flooded to include our fuel island, and administration complex.

Prevention:

Mr. Copeland stated we begin with our Emergency Action Plans. We have a very robust structure which includes most of the leadership team. We also have special resources throughout the organization.

The activation of the EOC is a significant step, and a rare step. Sometimes we will go into a more scaled down version and will meet virtually based on the need.

We also have safety programs, fire drills, and emergency operations plans to guide employees in what to do in the case of different emergencies.

We have drones to identify areas that are flooded or backed up.

Mitigation:

Mr. Copeland stated we have a fully operational EOC on the second floor near Dispatch and it is on back-up generation. If the power goes out in the building, we have the backup generators to feed the Dispatch, the EOC and other areas of the Operations and Administration Buildings.

We have a planning committee, which coordinates with the City and County planning committees. We understand our high-risk locations, which areas are prone to flooding and wind damage.

He stated during Hurricane Matthew we were a couple of feet away from water coming into the front door of the Operations Building, so we began to acquire sandbags. We know what our exposure points are, so as we track the river cresting and similar issues, we can be proactive.

Evacuation Plans include issues like what will we do in case of a fire; where will we go if we need to evacuate a facility or plant, such as our Rockfish Reclamation Plant.

Hurricane Preparedness:

Mr. Copeland stated PWC executes the following to ensure we are prepared for a hurricane.

- Hurricane Specific Team Training
- Tabletop Exercises
- Equipment/ Resource Testing and Staging
- Engagement with EM Partners/Mutual Aid Agreements/NCWarn
- Frequent Response Plan Discussions and checklist reviews
- Vendor Engagement and Critical Resources
- 3rd Party Plan Reviews
- Work with other utilities and organizations

Hurricane Response and Recovery:

Leadership /Unified Approach by Team
 Logistics (contractors, food)
 Finance (credit cards/cash)
 Operations (service responses)
 Communications (internal/external)

Recovery

FEMA/Insurance
 Continuity of Operations (we have a bunker or alternate facility if we lose this building)
 Damage Assessments
 Public Safety
 Communications

What are the Threats to PWC's Normal Operations

Hurricanes	Civil Unrest
Tornadoes	Active Assailant
Fire	Cyber Attacks
Flood	Explosions
Water Main Breaks or Contamination	Winter Weather
Vandalism	Robbery
Chemical Release	Threatening Customer
COVID	Major Sewer Spills

Emergency Activation Levels

Mr. Copeland stated we are currently at Level V (Routine).

Full (Level I)
Event is beyond the scope of routine departmental and response capabilities where ongoing action is needed. The EOC is activated and staffed with all or most positions filled. This event requires a PWC-wide and broad community response effort and/or resources above and beyond PWC's routine capability.
Warning (Level II)
Great potential for an event, but no immediate threat to life or property exists. This includes events such as weather watches and special events. EOC staffing is limited to essential key personnel, as determined by the EOC manager.
Watch (Level III)
Hazardous conditions exist where public warning may be needed. Activation involves a potential event with a significant potential risk, weather warning, or special situation. EOC staffing is limited, and the EOC is readied for operation.
Monitor (Level IV)
Conditions that present a potential or probable risk to PWC infrastructure, operations, and/or surrounding community. The EOC is activated with one or two people to collect data on the situation. Additional staff may be added as the situation develops.
Routine (Level V)
Normal day-to-day operations. EOC Not Opened

How Does PWC Respond to Threats/Events?

Receive Notice of an Incident

Event is validated
Emergency Response Team is notified
EOC activated accordingly
Response steps are initiated and coordinated
Team debriefed as necessary
Event is “closed” documented and lessons learned are shared

Historical Events:

1996 Hurricane Fran

- Major wind event
- Major System damage
- 25% of system were affected
- More than \$5 million in losses

2018 Hurricane Florence

- Major Flood Event
- Severe flooding losses
- \$10 million in losses

2016 Hurricane Matthew

Major Flood Event
Severe flooding losses
\$20 million in losses

Others

2 Major Water Main Breaks
Drought impacts
Tornado/similar
Significant employee accidents
Ice Storms
COVID/Anthrax/Bomb Threats
Fatalities
Impacts from others

Mr. Copeland responded to questions from Commissioner Shaw regarding how PWC responds to threatening customers. Additional discussion ensued.

V. GENERAL MANAGER REPORT

Safety

Mr. Bryant stated overall the team continues to work very safely. We have no significant environmental events to report out. As Mr. Copeland alluded to with Tropical Storm Idalia, we responded to the threat of the tropical storm. At one point it was headed right toward us. We assembled the team to go through our processes, joining with Communications and working across our respective teams to respond to the storm. It was a real-world dry run as the storm pivoted away from us and we did not have to activate the EOC.

He stated it was a great opportunity to look at our processes and procedures and where we can have some lessons learned. We also conducted a Post Tropical Storm Idalia after action review (or hotwash), where we brought the team together to flush out the things that went well and those things we can adjust and learn better from for the next opportunity. Overall, it went very well. Some things that popped up were enhanced communications across the entire organization, as well as continual and the timing of communications with our team members and the public. The need for training and drills was also emphasized. It is one thing to have an emergency management plan, and another to put the plan into practice earlier in the year before you have the storm drilling down on you. Idalia showed us that doing a tabletop exercise this late into the season, should have been done earlier in the year. No fault of anyone, but that was a big takeaway that Idalia showed and many of the other storms that did not hit us early this storm season.

Hurricane Lee looked as if it would come in our direction. But now all the different tracks show Hurricane Lee staying well off the coast of North Carolina. It looks like it will bypass us. We do not have the opportunity to deploy our Emergency Management Plan in response to Hurricane Lee. Nonetheless it may be close enough that we may see significant rain and weather. So, we must be diligent even though it is not a named storm, the proximity we have with the track and do those things we have just briefed you on.

Executive Staff

Mr. Tim Smith joined our legal team as PWC's Senior Legal Counsel. His primary expertise is litigation; however, he will learn everything PWC to backfill from a legal perspective everything and anything we may need with the help of James West and Richard Galt.

Mr. Bryant also stated we have also put processes in place to plan for pending and/or announced retirements. We plan to hire employees early to backfill positions in an effort to plan for announced retirements. The team is doing a great job in canvassing our employees to make sure we have a good plan to deal with transitions.

Community Engagement

We had a great experience last week in observing the FTCC Utility Course graduation. A number of students graduated that were also interviewed by PWC. We are looking to get some of them through our doors after they have gone through the rigorous process at FTCC. Great dividends for our investments and our time and energies to have made that program a success. We are looking forward to getting as many of them on our team as possible and continue to support FTCC and their endeavors to bring us more talented team members to help augment our staff.

Community Advisory Group

We have a Community Advisory Group graduation scheduled for next week. We hope the Commissioners can attend as we transition some of our graduating CAG members.

PWC Day

Our PWC Day is scheduled for October 5th.

VI. COMMISSIONER/LIAISON COMMENTS

Council Member Deno Hondros

Council Member Hondros stated Mr. Bryant hit all the words he likes to hear. The training, drills and after-action reports are very important. At the City they have the same IT threats as PWC, and other utilities have. He knows PWC, as a utility is on top of it, and just keep up the good work.

Commissioner Christopher Davis

Commissioner Davis stated he had a great meeting with Mr. Bryant yesterday, and they had a good discussion.

Commissioner Evelyn Shaw

No Comments

Commissioner Donald Porter

Commissioner Porter thanked everyone for all they do. He stated when you serve, so does your family.

VII. REPORTS AND INFORMATION

- A. Personnel Report - August 2023
- B. Payments by Payment Type – August 2023
- C. Career Opportunities
- D. Actions by City Council during the meeting of August 28, 2023, related to PWC:
 - Approved Preliminary Resolution Authorizing the Filing of an Application with the Local Government Commission Requesting the Local Government Commission Sell Bonds at a Competitive Sale & Approving of the Financing Team
 - Approved Bid Recommendation – Zinc Orthophosphate Annual Contract

VIII. ADJOURNMENT

There being no further discussion, upon motion by Commissioner Evelyn Shaw, seconded by Commissioner Christopher Davis, and unanimously approved, the Commission adjourned at 9:06 am.