



*Established*

*1996*

# SPRINGFIELD WATER AND SEWER COMMISSION

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## Minutes of Meeting

**November 10, 2021**

The Springfield Water and Sewer Commission held a virtual meeting on November 10, 2021. The virtual meeting was held in accordance with Chapter 20 of the Acts of 2021.

Commissioner Otero called the meeting to order at 1:03 p.m. and announced the Commissioners that are participating remotely. Acting Secretary for the Commission Katie Shea called the attendance roll:

William E. Leonard, Participating Remotely  
Daniel Rodriguez, Participating Remotely  
Vanessa Otero, Participating Remotely

Also Participating Remotely  
Joshua Schimmel, Executive Director  
Norman J. Guz, Commission Counsel  
Anthony Basile, Comptroller  
Domenic Pellegrino, Director of Finance  
Bill Fuqua, Director of Wastewater Services  
Darlene Buttrick, Director of Engineering  
Bob Stoops, Chief Engineer  
Frank Zabaneh, Senior Engineer  
Ryan Wingerter, Deputy Director of Field Services  
Stephanie Douglass, Human Resources Manager  
Theo Theocles, Director of Legal Affairs/Chief Procurement Officer  
Katie Shea, Educational Outreach and Communications Specialist/Acting Secretary  
Tanya Campbell, Melanson Heath

## Business Matters

1. Approve the minutes of the meeting held on September 23, 2021, without reading, because copies were furnished to each member of the Commission for their review.

**UPON MOTION DULY MADE BY COMMISSIONER LEONDARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve the minutes of the meeting held on  
September 23, 2021.

2. Approve the minutes of the executive session held on September 23, 2021, without reading, because copies were furnished to each member of the Commission for their review.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve the minutes of the executive session held on September 23, 2021.

**New Business**

3. Presentation of the FY21 Draft Audit: Report by Comptroller.

Comptroller Anthony Basile introduced Tanya Campbell from Melanson Heath to present the draft results of the FY21 audit.

Ms. Campbell explained that the report is referred to as the annual comprehensive financial report (ACFR), having previously been referred to as comprehensive annual financial report.

Ms. Campbell discussed the nature and purpose of the audit, which is conducted in accordance with government auditing tandards. The auditors review the Commission’s financial statements and express an opinion on those statements based on the audit. In accordance with auditing policies, the Commission’s materiality threshold was \$800,000.

Auditors provide assurance that the financial statements are free of material misstatement. Audits do not provide 100% assurance of financial order.

Ms. Campbell stated that the FY21 ACFR will be the Commission’s 9<sup>th</sup> submission. The previous 8 were accepted and the Commission has received the Certificate of Achievement for Excellence in Financial Reporting Award.

The ACFR is due by December 31, 2021. The ACFR is reviewed by a special committee in accordance with the rules of the government accounting standards board. The review process typically takes 6-9 months.

Ms. Campbell reviewed the independent auditor report and presented the conclusions of the audit. The audit found the Commission was in compliance with generally accepted accounting standards principles. Ms. Campbell noted that the report included financial data on the impacts of the suspension of the shut-off program, and a \$1.8 million increase, from the previous year, in receivables.

Ms. Campbell also stated that the Commission was found to have followed its financial policies, which was important in obtaining the WIFIA loan.

Commissioner Otero thanked Ms. Campbell for the presentation and distilling what can be complex financial information. Commissioner Otero also thanked the Commission’s finance team for their work on the audit.

#### 4. Financial Update: Report by Comptroller.

Mr. Basile reported that the ending cash balance was \$105.5 million. This included a \$6.2 million decrease in cumulative cash due to capital spending.

Mr. Basile reported that 37% of the operating budget had been spent through October. It is projected that 97% of the total operating budget will be spent. Personnel services remains the biggest underspent category. The Commission has been aggressive in employee recruitment, but several unfilled positions remain.

Mr. Basile reported that the Commission is also closely monitoring the market and the impacts that inflation and material shortages may have on the operating budget.

There was \$25 million in capital spending, with the York Street Pump Station and Connecticut River Crossing Project being the largest expenditure, averaging \$4 million in costs per month. The remaining capital budget balance of \$408 million is for WIFIA projects that have hit the books for FY2022 and will be spent out over the next several years.

Revenues are projected to total \$102.5 million for the fiscal year. There is a \$1.5 million revenue shortfall due to a decrease in revenue over the summer months, likely due to high rainfall totals.

There was \$105.5 million in total cash at the end of October that includes \$21.9 million in unrestricted cash. More than 80% of the total cash at the end of October was restricted.

There was \$7.7 million in receivables not including credits at the end of October, \$2.7 million of which was over 60 days.

There was \$895 million in assets and \$698 million in liabilities, including long-term debt. This represents an increase due to WIFIA and SRF financing.

#### 5. Consideration of Utility Billing Credit Summary and Summary of Accounts Receivable for September and October: Report by Director of Finance.

Director of Finance Domenic Pellegrino reported billing of \$7.5 million. There were collections of \$9.3 million for September.

There were \$1.2 million in utility billing credits in September. Mr. Pellegrino reported that this is a higher than typical monthly utility billing credit total due to the wastewater contract true-ups, which are completed in August and reflected on the September report.

Commissioner Rodriguez asked why wholesale communities are reimbursed for underspent services. Mr. Pellegrino stated that as part of the wholesale wastewater contracts the Commission calculates true-ups and issues billing or reimbursements, in accordance with the contracts, based on actual costs. The credits included in the September utility billing credit summary pertain to billing for the York Street Pump Station and Connecticut River Crossing Project. The pump station and conveyance pipes are used not only by Springfield, but by several of the wholesale wastewater towns, and the towns are billed a proportional cost for the project. The Commission anticipated receiving an SRF loan to finance half the cost of the project, and billed towns accordingly. Once the Commission was notified by the SRF that the

entire project was eligible for the low-cost financing, the project cost to the wholesale towns was recalculated, and true-ups were determined in August.

Mr. Pellegrino explained that the Commission has different obligations under the wholesale community contracts for wastewater than for retail water or wastewater service. The Commission's financial policies state that when there is a surplus of revenue from retail water/wastewater, such as what the Commission experienced in FY21 due to a hot, dry summer, that surplus is put into reserve and stabilization accounts. This is part of the Commission's robust financial policies to meet debt service requirements and maintain strong fiscal health to support daily operations and long-term capital planning.

**UPON MOTION DULY MADE BY COMMISSIONER RODRIGUEZ AND SECONDED BY COMMISSIONER OTERO**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve September 2021 credits in amount of \$ 1,221,911.62 as presented.

Mr. Pellegrino presented the receivables for October. There was billing of \$8.9 million, collections of \$6.7 million, and an outstanding receivable balance of \$6.6 million.

Mr. Pellegrino reported that the shut-off program began, with door postings and demand notices, over the summer, and properties were shut-off beginning in mid-September.

Commissioner Otero asked how the shut-off program was going and if it helped reduce outstanding receivables. Mr. Pellegrino reported that receivables over 60 days are declining compared to this time last year. The over 60-day receivables balance was brought down to \$1.9 million among 5,699 accounts. The shut-off program ended for the season on October 31 and will resume in the spring. It is anticipated that receivables will increase during the winter months before the shut-off program resumes.

Mr. Schimmel stated that the receivables trend is good, but nowhere near pre-pandemic levels for this time of year at the conclusion of the shut-off program season.

Mr. Pellegrino added that the average outstanding balance is \$337. Pre-pandemic the average for this time of year was \$227.

Mr. Pellegrino reported that there were \$6,140.63 in utility billing credits in October 2021.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve October 2021 credits in amount of \$6,140.63 as presented.

6. Consideration of CIP Amendment 2022-03: Report by Director of Finance.

Mr. Pellegrino reported that this CIP amendment is to close out 5 projects that have been completed and transfer outstanding funds, totaling \$113,128.57, to the CIP reserve.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-03.

7. Consideration of CIP Amendment 2022-04: Report by Director of Finance.

Mr. Pellegrino reported that this CIP Amendment is for a reduction in appropriations related to the 2019 Series A General Revenue Bond sale. The project is completed, and this amendment will reduce the remaining appropriations.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-04.

8. Consideration of CIP Amendment 2022-05: Report by Director of Finance.

Mr. Pellegrino noted that the CIP amendment form included in the Commissioners' packets contains a typo that will be corrected. CIP Amendment 2002-05, on the current form, will be changed to CIP Amendment 2022-05.

Mr. Pellegrino reported that this CIP amendment would create a new CIP account for collection system repairs. This project is typically a reoccurring project but was included in the WIFIA program. WIFIA project accounts are being established for all WIFIA-related projects. This amendment will transfer \$1 million to the new CIP account, which will be identified as WIFIA program match funding during the life of the WIFIA program.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-05.

9. Consideration of CIP Amendment 2022-06: Report by Director of Finance.

Mr. Pellegrino reported that this CIP amendment would create a new CIP account for collection system assessment. This project is typically a reoccurring project but was included in the WIFIA program. WIFIA project accounts are being established for all WIFIA related projects. This amendment will transfer \$1 million to the new CIP account, which will be identified as WIFIA program match funding during the life of the WIFIA program.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-06.

10. Consideration of CIP Amendment 2022-07: Report by Director of Finance.

Mr. Pellegrino reported that this amendment was related to the insurance claim for the 42-inch raw water conveyance pipe. The Commission received \$1.2 million for the claim and the amendment will reappropriate the funds for the redesign and reconstruction of the pipe.

Mr. Schimmel added that it is a bond requirement that the insurance claim funds be appropriated for the reconstruction.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-07.

11. Consideration of CIP Amendment 2022-08: Report by Director of Finance.

Mr. Pellegrino reported that this amendment was a request by the Engineering Department and would transfer funds from the CIP reserve account to the Provin Mountain Tank 1 Structural Monitoring Project account.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-08.

12. Consideration of CIP Amendment 2022-09: Report by Director of Finance.

Mr. Pellegrino reported that this amendment would increase appropriations for the sewer rehabilitation construction project. This amendment is required in order to approve a bid award for sewer rehabilitation for the 2022 construction season. The bid was higher than anticipated. This amendment would transfer \$471,893.21 from CIP reserves to the project account.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve CIP Amendment 2022-09.

13. Consideration of Contract CA-22-02: Report by Director of Engineering and Capital Projects.

Director of Engineering and Capital Projects Darleen Buttrick reported on a proposed construction contract for Baltazar Contractors, Inc. for sewer infrastructure improvements to the 42-inch South Branch Sewer located along Watershops Pond. This sewer pipe is highly prioritized for maintenance and repairs and timing is critical because Watershops Pond is currently drained. The sewer project should be substantially complete by April 2022, which is when the City will need to fill the pond based on their U.S. Army Corps permit.

Ms. Buttrick reported that the Commission received one bid for \$1.5 million, which was more than anticipated. Baltazar is a qualified bidder, and the project cost is consistent with the bidding climate for this type of project, and with current labor and material shortages.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve Contract CA-22-02 as presented and authorize the Executive Director to sign.

14. Consideration of Mott MacDonald Task Order No. 1 for Independent Engineering Services: Report by Director of Wastewater Operations.

Director of Wastewater Operations Bill Fuqua reported on Task Order Number 1 for Mott MacDonald for independent engineering services for the biological nutrient removal upgrades at the Wastewater Treatment Plant. Independent engineering services are required to certify that the design-build construction conforms with the Commission's design-build requirements as part of the service contract with Suez. The task order is for 3 years at a cost of \$792,877.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve the Mott MacDonald Task Order No. 1 for Independent Engineering Services as presented and authorize the Executive Director to sign.

15. Consideration of Intergovernmental Agreement with the Town of Ludlow for Paving on Rood Street. Report by Chief Engineer.

Chief Engineer Bob Stoops reported on a proposed Intergovernmental Agreement with the Town of Ludlow for paving on Rood Street. The street is in need of repaving where the Commission installed new water structures. The Commission has assessed the street and agreed to repave a portion that was damaged.

Mr. Stoops reported that the most cost-effective option would be to use the cost agreement contract the Town of Ludlow has with Palmer Paving. An Intergovernmental Agreement is required for the Commission to use the Town of Ludlow price agreement. The repaving project cost, under the price agreement, is \$15,883.90.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve an Intergovernmental Agreement with the Town of Ludlow for paving on Rood Street as presented and authorize the Executive Director to sign.

16. Consideration of Springfield Association of Water and Sewer Supervisors Union Collective Bargaining Agreement: Report by Executive Director.

Mr. Schimmel reported that the Commission has reached an agreement with the Springfield Association of Water and Sewer Supervisors Union. The agreement is very similar to the agreement recently finalized with the labor union, and similar to past supervisors union agreements. The MOU summarizes the changes.

Mr. Schimmel reported that similar to the recently finalized labor union contract, this agreement replaces the attendance bonus with a retention bonus. The agreement also includes a \$1,500 Covid/signing bonus.

Mr. Schimmel thanked Comptroller Anthony Basile, Human Resources Manager Stephanie Douglass, and the leadership team that helped negotiate the contract, noting it is a fair contract that provides many benefits to employees and helps the Commission maintain a strong labor force.



Commissioner Otero asked if the \$1,500 bonus was different than merit pay. Mr. Schimmel responded that it was different and was a Covid bonus as well as a signing bonus. The Supervisors union went one year without a contract, from 2020 to 2021, which accounts for a portion of the signing bonus.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve the Springfield Association of Water and Sewer Supervisors Union Collective contract as presented.

17. Update on Water and Sewer Activities: Report by Executive Director.

Mr. Schimmel reported on a proposal to authorize the Executive Director to process, approve, and execute change orders for the West Parish Filters Clearwell and Backwash Pump Station project. The change orders are not to exceed project appropriation limits. This will not increase the total appropriation for the project but will allow the project to continue in a timely manner. The remaining contingency funds for this project appropriation are approximately \$2,298,688.

Commission Counsel Norm Guz stated that Commissioners had previously approved a similar authorization for the York Street Pump Station and Connecticut River Crossing Project.

Commissioner Otero asked if this authorization was project-specific. Atty. Guz responded that the motion was project-specific, and the authorization would only pertain to the Clearwell and Backwash Pump Station project.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –**

**COMMISSIONER LEONARD  
COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to approve the motion as presented and authorize the Executive Director to process, approve, and execute change orders for any engineering or contract work, not to exceed project appropriations limits, for the West Parish Filters Clearwell and Backwash Pump Station project.

Mr. Schimmel reported that Cobble Mountain Reservoir is 95% full.

Mr. Schimmel reported that the shut-off program was effective, and from an operational standpoint went smoothly after suspending the program in 2020 due to the pandemic.

Mr. Schimmel reported that the Customer Assistance Program kicked-off last week for the FY22 program year, and the Communications and Customer Service teams have been working on promotion and outreach, including bill suffers, and a recent story on 22News. The Commission has been coordinating with New England Farmworkers Council and Valley Opportunity Council so that customers can use their LIHEAP letter for income verification for the CAP.

Mr. Schimmel reported that the Commission is closely monitoring the federal LIWAP funding that will be administered by the state through local agencies to provide water and sewer bill assistance to residents impacted by Covid. The funding is anticipated possibly in January 2022.

Mr. Schimmel reported that the state received approximately \$5 billion in ARPA funding and is in the process of finalizing a spending bill. The Commission has been working to ensure independent public agencies, like the Commission, are not excluded from funding opportunities. To date, the Commission has not received any Covid relief money.

Mr. Schimmel stated that the Commission has been working closely with the local state delegation on amendments to the ARPA spending bill including Representative Ramos and Senator Gomez. Amendments submitted by Senator Gomez, including a line item for \$2 million for the Commission, and updated language to include independent public agencies, are being considered on the floor today.

Atty. Guz stated that the Commission is also continuing to work closely with Way Finders, which has received ARPA funding that can be used to help residents pay mortgage/rent and utilities, including water and sewer in some cases.

Mr. Pellegrino added that Way Finders recently assisted 62 property owners by paying some or all their outstanding account balance to avoid shut-off, totaling approximately \$132,000.

Mr. Schimmel provided an update on the WIFIA program. Last week Mr. Schimmel presented at a national virtual conference on the benefits of the WIFIA program to water utilities. Mr. Schimmel and Commission leadership also participated in a virtual roundtable discussion with WIFIA program managers and a WIFIA recipient in California to discuss benefits of the WIFIA Program, and how it can continue to grow and improve, including to better serve Environmental Justice communities. Mr. Schimmel added that the WIFIA program recognizes that the Commission is unique in that its WIFIA loan is being used for a portfolio of 27 projects, rather than just one project.

Mr. Schimmel reported that this past week State Representative Nick Boldyga, who represents Agawam, Southwick, and Granville, toured West Parish Filters, Cobble Mountain Reservoir, and Borden Brook Reservoir. The tour, led by Mr. Schimmel and other Commission staff, provided Representative Boldyga with an overview of water operations, and the safety and security concerns at the reservoirs and treatment plant. As part of the redistricting plan in Massachusetts, Representative Boldyga's seat will also represent Blandford and several other hilltowns next term, an area where much of the Commission's protected watershed land is located.

Commissioner Rodriguez asked if the Town of Blandford will be getting a new Town Administrator as the current administrator recently won the mayoral election in Holyoke. Mr. Schimmel responded there will be a new Town Administrator in Blandford.

Mr. Schimmel reported that he and the Executive Director of the Massachusetts Water Works Association (MWWA) Jennifer Pederson, recently met with state auditor Suzanne Bump regarding infrastructure in Western Mass. The purpose of the meeting was to have a dialogue about the importance of water infrastructure within the larger conversation about aging infrastructure, especially in the western part of

the state. The auditor released a report on inadequate infrastructure and the need to reinvest in Western Mass, however water infrastructure was left out of the report.

Mr. Schimmel noted that tomorrow is Veterans Day, and a letter was sent to all employees to honor the many Commission employees that have served in the military. The Commission also donated 10 wreaths to Wreaths Across America at the Veterans Cemetery in Agawam.

Mr. Schimmel reported that the Commission's community water station recently wrapped up a busy event season. More than 7,000 water bottles were distributed at 15 events during the summer and fall months. It was great to be out in the community again after not being able to in 2020 due to the pandemic. Mr. Schimmel thanked Commission employees that volunteer to staff the station at community events, which are mostly on weekends.

Mr. Schimmel reported that the Basic Treatment Training Course scholarship program is continuing for the fall semester. A more targeted approach was used for marketing and promotion of the scholarship, and so far seems to be going well.

Mr. Schimmel reported that in October a Tier 2 Public Notification was issued for an exceedance of the maximum contaminant level for HAA5. There is a likelihood that exceedances will continue in the next several quarters due to the heavy rain in late summer and early fall. The Commission is moving forward into the design of the new treatment facility, having secured financing through WIFIA, to more permanently address HAA5 and improve water quality.

Mr. Schimmel reported that the Commission is moving forward with working with attorneys that specialize in FERC licensing for the planning of upgrades, and potentially in-line hydropower, at the Cobble Mountain Hydro Power Station.

Mr. Schimmel showed before and after photos of dam maintenance work, and vegetation clearing, that was recently completed at Cobble Mountain, Borden Brook, and Cherry Valley Dams. The photos highlight some of the routine maintenance that is critical for operations and safety. Mr. Schimmel noted that the Commission did receive a consent order from the Office of Dam Safety for Dam 2 at West Parish Filters as a result of the partial slope failure during Hurricane Henri in August. The Commission is now in the process of reassessing all dams and evaluating risk.

Mr. Pellegrino reported that the Commission recently had an IRS audit on a 2014 bond. Mr. Pellegrino and Atty. Guz worked on the response and provided all the information and documentation requested.

Atty. Guz reported that Attorney Jason Levine from Murphy McCoubrey is leaving the firm. Atty. Levine had represented the Commission in housing court and worked on payment agreements with landlords. Atty. Guz suggested that some of these functions could be transferred to the Director of Legal Affairs for the Commission, Attorney Theo Theocles, but that it would be helpful to keep Atty. Levine on for the transition period. Atty. Guz stated that the Commission could enter into a contract with Atty. Levine for the amount of \$175 per hour, not to exceed \$10,000, through the period of January 30, 2022. The contract would be similar to contracts the Commission has with other attorneys. If this contract is executed, the Commission would reduce the existing contract with Murphy McCoubrey by \$10,000.

**UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD**

**COMMISSIONER RODRIGUEZ  
COMMISSIONER OTERO:**

to authorize the Executive Director to enter into a contract with Attorney Jason Levine to provide legal services for housing court and related matters, through January 30, 2022, at a rate of \$175 per hour, not to exceed \$10,000, and to reduce the total cost of the existing contract with Murphy McCoubrey, for fiscal year 2022, by \$10,000.

18. Consideration of Property Acquisition on Eastern Avenue: Report by Director of Legal Affairs.

Addressed in executive session.

**AT 2:35 PM UPON MOTION DULY MADE BY COMMISSIONER LEONARD AND  
SECONDED BY COMMISSIONER RODRIGUEZ**

**VOTED YES –  
COMMISSIONER LEONARD  
COMMISSIONER OTERO  
COMMISSIONER RODRIGUEZ:**

to enter into executive session to discuss the consideration of a property acquisition. It was determined that holding the discussion in public session could be detrimental to the Commission's position in negotiations for the purchase of the property. It was announced that public session will not resume at the end of executive session.

19. Consideration and/or action on any other matters that may come before the Commission at this meeting.

(Taken out of order after item 17.)

None considered.

The next Commission meeting will be Wednesday, December 15, at 9:00 AM.

Submitted By:



Katie Shea, Acting Secretary