

**MINUTES**  
**City of New Berlin**  
**Utility Committee Meeting**  
**Tuesday October 28, 2008**

Members Present: Alderman Harenda, Alderman Ament, Alderman Wysocki, and Commissioner Jim Morrisey

Excused: Commissioner Bob Dude

Others Present: Rick Johnson (Utility Manager), Jim Hart (Utility Supervisor) Mayor Jack Chiovatero, City Attorney Mark Blum, Nick Roethel (IT Director), JP Walker (City Engineer), Steve Schulz and Pat Wohlers (Ruekert & Mielke) and Sue Hanley (Administrative Supervisor Utilities & Streets)

Alderman Harenda called the meeting to order at 5:04p.m. with roll call and declared a quorum with all members present except for Commissioner Dude who is excused.

**OLD BUSINESS**

**UT H-08 Approval of Minutes from the September 23rd meeting**

Motion by Alderman Wysocki to approve the minutes from the September 23rd meeting. Seconded by Commissioner Morrisey and upon voting the motion passed unanimously, with Alderman Ament voting present.

**UT 12-04 Milwaukee Water Expansion – Timeline**

Harenda: We will discuss this along with UT 13-08.

**UT 05-07 Water Conservation Measures –Potential Rate Adjustments**

Harenda: Staff is finalizing a draft plan that they will bring back to the committee in the next few months.

**UT 05-08 Westward Manor Liftstation Status – Flood Damage Repair (Update)**

Hart: We had some talks with Mr. Geipel about moving the liftstation in our easement. There were some issues with the language. We are looking at our options. Where we wanted to put it, he has come through with a four lot CSM which we did not know about. We may have to raise it in its present location or get a little easement from Mr. Geipel and put it on the north side of the road. If we don't get it done by spring, we may have to sandbag the area so that if we get heavy rains again we won't get flooding in the liftstation.

Harenda: Is it lifted or raised?

Hart: We don't want to lift it right there because if the Geipel's develop in that area, we may have the same problems again if they raise the area. We would rather move it but the site we picked doesn't work out for the four lot CSM. We are working with Planning and Mr. Geipel's consultant through our consultant to come up with a solution or possible alternatives. The alternatives are either raising it right there or if Mr. Geipel gives us an easement we will start building it as soon as the design goes through. There are some issues dealing with the planning and development with the entire area that is slowing this down. Greg Kessler and our consultant is talking with Losik Engineering are working together.

Harenda: You are proceeding with the designing and planning and working on the location.

Hart: We have the design if we can put it where we want to, but if we have to move it then it would have to be a new design.

Harenda: Are you getting some FEMA funding for damages?

Hart: For the weekend of June 6-8<sup>th</sup> we are going to be reimbursed back for the wages at least \$17,000. Scott Schulpius was working with FEMA, Sue Hanley and myself and that was the latest I heard.

**UT 07-08      New Berlin Urban Service Area Boundary**

Harenda: There is a Public Hearing scheduled at the New Berlin Plan Commission on November 10<sup>th</sup>.

**UT 09-08      Milwaukee Water and Rate Case Requirements**

Harenda: Is there anything new on this? This goes in conjunction with UT 13-08. R & M as well as our staff have put together some costs of the upgrades that are necessary for the potential rate case with respect to Milwaukee Water.

Johnson: The PSC rate forms have been filled out with the information from our consulting engineers and is ready to go. It is set to go when everything is set to move forward. They are still telling us it is 160 days for the approval on that.

Harenda: Is Ralph going to present something to us at a later date?

Johnson: I believe he is once he finalizes everything and gets everybody's approval of what the rate case will be. Right now we are looking at a 14% rate increase which is down from the original 17%.

Harenda: Is this in conjunction with the discussion we had with how we are going to pay back the \$1.5 million?

Johnson: Yes.

Harenda: So we are looking at the other options of how we are going to reduce the impact to the Utility?

Johnson: Yes.

Harenda: We will probably discuss this at a future meeting when Ralph gets all of the information and Rick passes that on to him.

Johnson: He had all of the numbers we were looking for through the new upgrades that we were going to need and had it put into the form so that we could add that into the rate case.

**UT 11-08      Water Utility Budget (tabled)**

Harenda: Are we looking to take any action on the budgets? I know you were going to meet with Bob Dude yet.

Johnson: We really didn't have the numbers to put into our budget for CIP or Operational of what were going to need. We haven't sat down again with Mr. Dude.

**UT 12-08      Wastewater Utility Budget (tabled)**

Harenda: Do we have the MMSD numbers?

Johnson: Yes. We just received those a few weeks ago. That was one part that we needed to put into our budget. I believe it went down to \$4.9 million. Last year I believe it was \$5.3 million.

Wysocki: A 2% reduction according to the paper.

Mayor Chiovatero arrived at 5:19 p.m.

## **NEW BUSINESS**

**UT 13-08      \* Discussion and possible action to recommend to the Council the award of an engineering services contract to upgrade the SCADA system to accommodate the Lake Water service expansion**

### **Approval of Professional Engineering Services Contract for the SCADA System Programming Upgrade Project for Expansion of Milwaukee Water**

Harenda: I had the agenda amended to discuss a couple of things in the 13-08 packet. We have R & M here today to discuss the contract with respect to Milwaukee Water for about \$132,000 for various phases of upgrades plus some additional information that was given to us of what the cost will be for the entire project and the upgrades that go with that. We have always discussed bidding projects out and I know we are on a tight timeline to get the other half of the Utility flowing with Lake Michigan water but at the same time we are looking at a 14% increase in the Utility rate and trying to save as much money as possible. My concern is bidding where we can. We spent significant amounts of money over the last 5 years with regards to SCADA, our computer system for Water and Wastewater and looking to possibly put out those services for public bid to other providers in the area, not to say that R & M is doing anything wrong, but to compare to see if we can get the service cheaper. As an example, the City is facing an issue with our dispatch system where we utilized a proprietary system in the past and potentially the vendor is going out of business, and we may have to look at a web-based system. We don't want to put ourselves at risk in the future if a vendor goes out of business or decides not to support those systems. We spent roughly \$136,000 over the past 5 years for our SCADA system and that does not include the \$119,000 that we need to spend this year and what is included in the Lake Michigan upgrades to our SCADA system which is another \$80,000 on top of that. I know it is a sophisticated system, not just a bunch of software and hardware put together. An electrical engineer is needed to upgrade the system. Nick Roethel our IT Director is here to answer any questions. I would like to put this out for public bid. If we bid things out, if the existing contractor is giving us the biggest bang for the buck great, then we can go back to our constituents or to the rate payers to show them we are doing what we need to be doing at this level.

Wysocki: This system is proprietary software of Ruekert & Mielke, am I correct?

Wohlers: (Pat Wohlers from R & M, Department Head for SCADA Group) No. It is an open architecture that is considered an industry standard. There is some custom programming and configuration that goes along to make this fit the Utility.

Wysocki: If we went with a different vendor, would any of the current system components not be available to us?

Wohlers: I wouldn't say they would not be available to you. It may not be cost effective for others to come up to speed and learn the system because they don't have the history of what went into its evolution. It is pretty hard for someone else to gain the knowledge that comes with years of support.

Wysocki: Does the software have system documentation as to how it works?

Roethel: There are 2 different items and concerns out there. There is the software that is being discussed from another department and there is the SCADA system. In the other department there is a fully customized application. Every screen is customized and the way it is written I can't hire another consultant to get into that system. In the computer world SCADA is considered what we would say proprietary because as an IT person, I can't go in and make changes. We need a SCADA engineer. Open Architecture is a good way to describe it. It would be like looking at the heating, ventilation air conditioning control system. I can provide access to that system through the IT department but can't provide the individual control, the motors that drive the ventilation open and closed. A heating and ventilation technician could probably figure out a way to manipulate that software but that is a specialty to those people. When we talk about proprietary there is everything from the user experience to everything

down to how the data is saved. That is proprietary in the other department. In this situation it is proprietary to IT because we don't deal with the actual pieces that control the valves and pumps.

Wysocki: If we took on another vendor, we could have everything that we currently have in place and that vendor would work with what is there to make it work for us. That's my question. Does Ruckert and Mielke still have a vested interest and get payment for what is there even if they aren't the contractor?

Wohlers: The City owns the systems.

Wysocki: There is some documentation so if we brought in another vendor they could see how the current system works?

Wohlers: With time and money.

Morrisey: So a SCADA program is a program you bought and customized for us?

Wohlers: There is a software interface product called Wonderware that is commercially sold software that we configure, create graphics and customize it to your system that is the front end. The back end at all of the facilities that monitors 30 remotes and controls, there is PLC's, Programmable Logic Controllers that in themselves have control logic that monitor the alarms and control the equipment, gathering the data. There are 2 separate entities involved.

Morrisey: Where is the main computer located?

Wohlers: At the Water Utility.

Morrisey: Have you put together systems like this at other facilities?

Wohlers: We have a couple dozen SCADA clients and various municipalities in southeastern Wisconsin.

Morrisey: Is SCADA your name for the product?

Wohlers: SCADA is an industry acronym – Supervisory Control and Data Acquisition.

Morrisey: Typically engineering firms put together this for Utility companies or are there other companies that do this work independently? What do other Water Utilities use?

Wohlers: Ruckert & Mielke is unique because we do that level of programming and software customization. Most other consulting engineers would just performance specify the systems and then pushes off the programming component to a system integrator. There are some drawbacks in that in getting a low bid entity from a company you aren't sure where. We came to find the key component to the SCADA system is the ongoing support. SCADA's systems are not typical construction where you built it, turn it on and walk away. There is ongoing maintenance, support, additions, enhancements and having an entity that the operational staff can call at times of emergencies during the day, weekends, whenever. Rick's staff keeps a list of 5 of our R & M staff people's 24-hour telephone numbers and we have been called many times after hours to support the Utility. When you contract a SCADA support entity, it is typical for Utilities to establish and maintenance a relationship.

Morrisey: You provide the design, spec all of the equipment, do the installation and all of the software programming and customization and going forward operate the system for us.

Wohlers: We aren't electricians. We don't mount the hardware and wire up the IO. We will design it and the things that make sense to bid out, the work by an electrical engineer, the purchase of the equipment; we have helped New Berlin bid out those components.

Wysocki: If I read correctly, our proposed schedule for the final Milwaukee Water project, the critical component relative to SCADA comes in February. It seems in February we install and update the control logic, onsite programming charges, testing the controls. If we were to consider a timeline for the bid it

would have to be something before then. Correct me I'm wrong Steve that would be the major timeframe in which that decision should have been made.

Schultz: We've made the leap here to the other contract. That SCADA control on that chart is the controls that have to be installed and programmed in conjunction with the piping and controls for Milwaukee Water. The SCADA upgrade that Pat was speaking of is an upgrade to the entire system that is 10 years old and bringing it up to standards in advance of that so we don't have to do it after the Milwaukee project. That figure would be higher if we did it after. Rick had budgeted this and it just so happened it came to the Committee on the same night. Pat's project doesn't have to be done to allow Milwaukee Water but it makes sense to do it before and the fact it was budgeted for this year.

Morrisey: What are the amounts that you are asking for?

Johnson: The upgrade is \$119,000. The other part is for the \$33,000 and the \$47,000. A year ago we had a different engineering firm give us a proposal to assess our SCADA system and for them to tell us what we have and probably make better and not do anything else for us, for a 2 month period they were going to charge us \$25,000. If you put that in perspective, just for an assessment of what we have right now for a 2 month period, and get somebody else in here to write a spec for what we need to have done to get the upgrades done, you could be pushing this project off a lot longer.

Harenda: The \$119,000 is not included in what we are talking about tonight. It is totally separate.

Morrisey: The \$132,000 is for the Milwaukee Water part.

Harenda: I would like to see the SCADA system bid out. There is nothing wrong with R & M. I talked with Staff and they said you do an excellent job in responding. I look at the cost and it is an expensive system to run. We've got a contract on the maintenance from 2003 that keeps rolling over. Then you look at the maintenance contract was \$5400 in 2008 and \$4900 in 2003, but we spent over \$136,000 over the past 5 years. The contract doesn't cover the unknowns. You guys talk about being available 24/7 and that was not included in the original contract and I don't know why it wasn't negotiated when we updated it. I would like to look at other comparable firms that are out there. We put this out for bid and R & M is comparable and Rick says it might be more dealing with someone else, great. I can go back to my constituents and rate payers who we look out for.

Ament: I tend to agree. We have the time to do this. In the letter of October 22<sup>nd</sup> from Steve from Ruckert & Mielke in the first paragraph it says, "This work is all inclusive of what needs to be accomplished to finish the Milwaukee Water project and bring water to all areas of the City ..." When we bid this, we would have the bid worded so that we are comparing apples to apples that something wouldn't be left out and would be comparable.

Harenda: We would look at updating our contract with whatever provider we would go with and going forth as well as putting out for bid based on Wonderware in conjunction with the other efforts we are making with the upgrades to the Utility on the other services that we provide.

Schultz: The October 22<sup>nd</sup> letter is separate project for the Milwaukee Water. I believe what Alderman Harenda is speaking to is just the SCADA contract for the upgrade of the existing SCADA system which is separate from the Milwaukee Contract.

Morrisey: We are actually also talking about a 3<sup>rd</sup> thing, a maintenance contract?

Harenda: They are all tied together and my thought was to look at it as a big picture. We have to spend money to upgrade the SCADA system. Steve pointed out for Milwaukee Water for the other half of the Utility and we have an existing maintenance contract and we apparently have some upgrades that were approved. I would still like to go through the exercise of trying to bid this out and find out if it is the best deal. We are in a hurry for certain things but it is not going to put us out a year or two. If it adds a month or two to the process, it might go faster.

Morrisey: Rick do you have a problem waiting a month or two?

Johnson: The biggest issue that I see is by the time you are going to spec out how the system is going to work that we already have done, and get an electrical engineer and SCADA people in here to figure out how the system works and get an assessment which will take a few months and get whoever we decide trained on the system and the Wonderware system. I don't know any other engineering firms that use this; you may be talking 6 months.

Harenda: Basically we have money in here for the Milwaukee Water portion. We are not redesigning the entire system, we are working to bid out the maintenance and functionality of the existing system and somebody picking it up what has already been done. We switch between vendors for construction projects for designing road projects.

Johnson: I don't know of any other engineering firms, I haven't really checked into it, that work exclusively with Wonderware. You have to have someone spec it out that would be qualified in Wonderware software, make an assessment of all of the set points and alarm points that we have throughout all of our Utilities, that includes Water and Wastewater and get someone in there to program it to make it work.

Chiovatero: Everyone says we have time, but I am going to caution you on that time factor. I know Alderman Harenda how you feel about bidding things out and getting the best bang for the buck, but a couple years ago I brought the same things up. A couple years ago we contacted a firm out of Illinois to look at the services and just to analyze what we have was a 60 day timeframe and \$25,000. If we are going to do that, we have to have someone write the bid because we don't have anyone capable of doing that. We can renegotiate and update the contract to include those you say are missing, but it is a very complicated system. We are still under DNR/EPA mandates and the pressure is a little off right now because we are moving forward and we did get permission for Lake Water, but they will wonder what we are doing. It is very critical to stay with what we are familiar with. When we had the issue 2 years ago, R & M was there immediately and worked with the City of Milwaukee to find out where the water problems were. The contract is written, if we go over and under our flow rate, we need to find out where this is and make the adjustments or we will be paying some major penalties. R & M has been there "Johnny on the spot" where we need them. We can update the contracts, but I'm worried that in order to get a good assessment and have someone come in to write the bid will take a lot of time. I did talk to Nick about this and based on the bid that we had received, it will take a couple of months to write the bid, then bid it out, approve it and then put the system in. Now you are talking February, March and we want to get the water flowing.

Harenda: Not put the system in. We have a system, but to have somebody else take over if they can give us a better deal and support services or not.

Chiovatero: I don't think I'm against that except that time is critical right now. If we were talking this last summer, I couldn't be standing here with concerns. The reason we never came forth to the Utility to analyze the system, when I saw the price of \$25,000, I asked Rick, nothing is broken is it and Rick said no, except for the system being old. They were going to make recommendations to upgrade the system; they are known to do that. I got the name from Chicago Water Works that highly recommended them. They were talking a couple of hundred dollars to put a new system in. If we are going to upgrade the system and go through this work, we may want to look at that. I just want to caution you with the sensitivity of Milwaukee water and not going over our allotment, having someone familiar with the system is going to be a big plus.

Wohlers: The goal of the upgrade project is to extend the useful life of your existing system which is 10 years old. We want to take advantage of the higher processor speed, more accurate data transmission techniques, security enhancements. I think we can get another 5-10 years out of this system if we take this intermediate upgrade step. The appropriate time in my mind to do the evaluation, do we want to stay with R & M is at that 5 year down the road stage when you are due for a complete replacement. That's typically when we compete for work when it is a new system from scratch or system replacement. When going into an existing system to make enhancements, it is hard for us and our competitors to go into each other's systems. The analogy is you have a Dell computer and go to a Compaq store to tweak your computer. I don't go into my competitors' systems and say you can tweak something here or there. I think it is a disservice to the Utility crossing into each other's Utility.

Harenda: I appreciate your opinion, but I want to see that information, our backs are against the wall. I wasn't aware it will take \$25,000 to do that. It may be the right time it may be the wrong time but I want to do that.

Wysocki: We don't be without a system during this process; we have a SCADA system in place. If I hear you correctly, it will cost us \$25,000 to write out a spec to bid on the package.

Johnson: We had a company stop in and give us a proposal for an assessment. It was for \$25,000 just to tell us what we have and if there were any type of improvements we could do. They wouldn't do it but they would discuss doing it.

Wysocki: The assessment is a document from which we could put out a request for proposal.

Johnson: No, that would just give you the information of what we have in our system.

Wysocki: Nick, if we put this out for bid, do we have to go through a full blown spec or can we tell someone come and look at our system and tell us what it would cost to take over the system and update it.

Roethel: Anytime you are doing something this sophisticated that has a risk associated you need to write a spec. Rick and I have had a couple of conversations with regard to what function this is serving with regard to pipe infrastructure, the last thing you want to do is to miss something that you need completed in the actual upgrade process. I would always recommend someone assess the flow of information and what they call the alarm points.

Johnson: Alarm points are part of the SCADA program that if there is a problem at one of the liftstations or pumphouses it will call out different individuals anytime during the day. If it doesn't get that right remote signal to our SCADA alarm, it won't send out a signal.

Wysocki: That's why I asked if we have some system documentation.

Roethel: The issue that concerns me, if this was a system that IT was dealing with, let's say our Financial/HR package that we use, when you've got a company that has been handling the system as long as R & M there are a lot of pieces and parts handling under the hood hopefully are documented that are specific to that company, the last thing that you want to do is miss something.

Wysocki: But we own it – it is our system. We should have documentation for that.

Harenda: It is all information that a vendor can take a look at and write a spec around that.

Roethel: I understand what you are saying and it would be great if that is how it worked, but I can tell you from a software perspective, if you told me that we need to know everything done in the Munis system, I would have to go to Munis and say what are these parts and pieces, how do they work. We know how we use them, but...

Wysocki: That is not our system. That is Munis' system. We own it so there should be documentation.

Roethel: I would certainly hope that it is complete.

Wohlrs: There is ability for documentation. You could spit out a hard copy of the PLC program and we would probably be the best ones to create the documentation for you.

Wysocki: Hopefully you have created that for us because it is our software.

Roethel: I don't think the issue in a situation like this is the documentation, but the interpretation of the documentation because what the documentation says is great; however, Company B is going to say we do that this way, Company C says we do it this way. I think the original question of the necessity of having a bid spec, you need to have that written in neutral terms so that it is an apples to apples comparison. One of the things we see all the time, we'll put together a design internally of how we want a

system to operate. We'll get a vendor say, this is great, but we do it this way. I would absolutely 100% recommend having a bid spec written by a 3<sup>rd</sup> party vendor outside of the City of New Berlin and outside of Ruekert & Mielke.

Morrisey: The software isn't like Microsoft Excel where there is "Help"; it is fairly low level language stuff so it's not something that documentation would do anybody any good.

Wohlers: That is probably a fair assessment.

Morrisey: It is not like I am going to open up a book and start playing with it.

Harenda: I still want Nick to work with Rick and go out for bid. This is the time to do this. We just authorized \$9,000 in the last payment cycle. We just spent \$136,000 over the past 4 ½ years and have to spend another \$119,000 plus another \$132,000.

Morrisey: What would it cost to replace the entire system in 5 years?

Wohlers: It is going to be well over \$300,000. The intent of the SCADA system is in my mind to save the Utility. It is automating your system. Your staff is only on 8 hour days. If you did the analysis, you are getting excellent bang for the buck for the automation.

Wysocki: I'm not debating that. I think we've expressed satisfaction, but there may be even more savings.

Morrisey: I have to disagree with that. It isn't that much money. It is a quarter of a million dollars yes, but compared to the total cost of the Water and Wastewater budget, it is a small amount. The money we spend for maintenance is a small amount of money compared with the amount to pay people to come out and work overtime, it is a small amount. I think the time to do this is 5 years from now when we put in a whole new system and have competitive bids. I think we do need to renegotiate our maintenance contract.

Wysocki: There are no guarantees in those 5 years there won't be annual costs for additional upgrades or maintenance costs.

Morrisey: We have maintenance costs every year. Have we had any upgrades in the last 10 years?

Johnson: No.

Motion by Alderman Harenda to direct staff to compare and solicit outside bids for maintaining and operating our SCADA system in conjunction with potential upgrades that may be needed to this year and next year. Seconded by Alderman Wysocki and upon voting the motion passed 3 to 1 with Commissioner Morrisey voting no.

Harenda: I don't understand why the RAS is written to approve the SCADA contract because it has more to do than the SCADA contract. What you have is an RAS from Rick for \$132,000 to award the contract to R & M for funding with respect to various phases to implement Milwaukee Water to the western half of the existing system and part of that is the SCADA upgrade for that portion. Can you update on this and the other letter that was received for the rest of the \$478,566?

Johnson: This was a letter brought to us by R & M for upgrading our Grange Avenue pumpstation for controls, install reservoir piping and the SCADA upgrades to make all of stuff work together to backfill the reservoirs and towers ready for Milwaukee water to the rest of the Utility. We have ordered the pumps and motors direct purchase because the lead time was 26 weeks. We are looking at how long it will take to get the accurate valves but we have the costs of that. That is where the \$478,566 comes in.

Harenda: The \$132,152 is included in the \$478,566?

Schultz: Yes.

Morrisey: The cost of all the hardware to do the upgrade is included in this?

Schultz: The letter to Mr. Chipman was prepared at his request so that he could use the most current numbers to work on the rate case request.

Johnson: Those numbers will put in the rate case to the PSC.

Harenda: The contract that you are looking to approve is the one in our binder.

Johnson: The one that you have right now is for the SCADA programming. The other one I haven't received yet.

Schultz: It is in the packet attached to the October 22<sup>nd</sup> letter.

Harenda: This is the one you are looking at for approval.

Morrisey: The one with the project timeline attached?

Schultz: Yes.

Harenda: Can you please change the references in the contract from Utility Director to Utility Manager?

Schultz: Yes.

Harenda: On Page 2 there is a reference to Exhibit A that includes a date of February 23, 2007.

Schultz: That is a typo that I will change.

Schultz: Exhibit A is the Scoping Statement and Narrative Proposal. Exhibit B is the Fee Statement and Estimated Schedule which is the timeline.

Harenda: The City Attorney has a concern that the way it is agendaized is discussion with the SCADA system upgrade and we are talking about construction so we are stretching the discussion.

Wysocki: We could schedule another Utility meeting. I would like the City Attorney to check out in the contract under Section 6 E the general liability amounts to make sure he is comfortable with those limits.

Harenda: We will set up a special meeting.

Ament: There is a way to separate these issues. But we have also got this under 13-08

Harenda: They are separate, but the one we want to act on is under this as well.

Ament: Is there a way we can separate them out?

Harenda: I agree to separate this out. The contract issue we want to discuss has to be worded differently. Steve, if you can make those changes on the contract please. I will talk to you about some other concerns I have after the meeting or talk to you tomorrow.

#### **UT 14-08 I & I Cost and Flow Meter Study (Information only)**

Johnson: This is the information that we for the flow monitoring with our Wastewater system. We are moving our flow meters next year and taking the data that we have from that report and move the flow meters on the other end of the flow systems that we have done and we can evaluate how much flow we lost. In the packet is the cost of what we spent over the past 20 years on the I & I.

Harenda: In these 2 extra forms that you gave us are in conjunction with the report?

Johnson: That was a draft letter from MMSD what they are trying to accomplish to get the laterals inspected which are a lot of cause of the inflow and infiltration into our system. I think they are trying to make some kind of ruling instead of the City's pursuing it they would put something out there that will make it mandatory that we could look into investigation of I & I in the laterals.

Harenda: This will take this out of our jurisdiction and put it in their hands and force us to comply?

Johnson: It will make the homeowners comply instead of us making that decision. MMSD will make that decision for us. It is still in a draft phase. A few ideas came across and such as taking certain areas in various communities and do a pilot study.

Harenda: Is this going to be uniform across including the City of Milwaukee and Shorewood. That is going to be a lot of money.

Johnson: I don't know, this is just a draft I don't know how they are going to implement it and how fair they will be from one community to the next.

Wysocki: They still refer to basins, so we still have basins because I was corrected.

Johnson: Yes. In the report that is how it was originally started so it was kept in the same format so that everyone can relate to that.

Wysocki: When we try to relate this into the future. Did they change basin areas?

Johnson: They just renamed them basically.

Wysocki: They are not called basins, they are called...

Johnson: In the last meeting they were even thinking about what they are calling them now.

Harenda: It is for informational purposes only. For budget purposes for the Wastewater Utility that can come into play when we talk about this next month on how much money we are spending with the I & I.

**UT 15-08 Identity Theft Policy - Discussion and possible action on compliance plan and policy for the City as a Creditor under the Fair and Accurate Credit Transactions Act of 2003 to detect, prevent and mitigate identity theft**

Johnson: The last thing I heard is from the Federal Trade Commission is that they are going to delay this 6 months.

Blum: In the Fair and Accurate Credit Transaction Act of 2003 there is a little known provision that the law provided for municipalities is that by November 1<sup>st</sup> of this year policies were requiring to be reviewed by the governing body and implemented by those entities that had those covered accounts. Covered accounts are defined as accounts that have timed payments, payments on a regular basis or information is being provided that subject that is personally identifiable and subject to potential identity theft issues. The whole concept is to require review and to have policies in place by those entities receiving that credit information to make sure the exposure for individuals providing that information to identify theft as limited exposure as possible. Last thing we heard yesterday is that they delayed implementation of this for 6 months but what we have done is a draft policy that Ralph Chipman put together based on his review of the act and I can summarize this. My suggestion is that you move forward as I don't know anything is going to change but it is something that ultimately you will have to provide because at the Utility we do have special assessments that have installment payments and we are receiving information that would arguably be covered in the act.

Harenda: From the RAS from Mike, it states there is no fiscal impact. It isn't going to cost us more than what we are already doing.

Johnson: Apparently not.

Harenda: And according to Mark we should move forward because we are going to have to do this in 6 months either way.

Blum: That is correct. You are going to have to do this. You have to do this because in my opinion you are a covered entity.

Motion by Alderman Wysocki to recommend to the Common Council to adopt the Identify Theft Policy and Resolution 08-35 supporting the policy. Seconded by Commissioner Morrissey and upon voting the motion passed unanimously.

Wysocki: I think this Committee should congratulate Sue Hanley on her Employee of the Year Award.

Harenda: That wraps up our agenda. We will try to schedule another meeting as soon as possible.

Motion by Alderman Wysocki to adjourn at 6:11 p.m. Seconded by Alderman Ament and upon voting the motion passed unanimously.

Privilege of the Floor – no one was present to talk

Please Note: Minutes are not official until approved by the Committee

Respectfully submitted,  
Suzette Hanley – Administrative Supervisor, Utilities & Streets