

**MUKILTEO WATER AND WASTEWATER DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING**

Minutes of May 16, 2018

The Regular Meeting of the Board of Commissioners of May 16, 2018 was called to order at the District office by Commissioner Johnson at 7:00 p.m.

**ROLL CALL/
IN ATTENDANCE**

Commissioners:

Mike Johnson, Thomas Rainville, Thomas McGrath

Engineering:

Eric Delfel (Gray & Osborne)

Legal:

John Milne (Inslee Best)

Staff:

Jim Voetberg, General Manager; Rick Matthews, Operations/Engineering Manager; Sue Parks, Finance Manager; Gil Bridges, Wastewater Treatment Facility Manager, Kendra Chapman, Administrative Assistant

**APPROVAL OF
AGENDA**

Motion by Commissioner Rainville, second by Commissioner McGrath to approve the agenda as presented. The motion passed unanimously.

**VISITORS AND
COMMENTS
FROM THE
AUDIENCE**

None.

MINUTES

Motion by Commissioner Rainville, second by Commissioner McGrath, to approve the minutes of the regular meeting of the Board of Commissioners on May 2, 2018. The motion passed unanimously.

**CONSENT
AGENDA**

Motion by Commissioner McGrath, second by Commissioner Rainville, to approve the Consent Agenda as presented. The motion passed unanimously.

Vouchers

Approved Vouchers in the amount of \$1,005,328.67

<u>Fund</u>	<u>SubFund No.</u>	<u>Voucher No.</u>	<u>Amount</u>
Water Maintenance	740	7309-7355	\$650,965.33
Water Maintenance	740	ACH	\$3,561.61
Water Capital	746	7307-7308	\$117,107.70
Wastewater Maintenance	840	7309-7355	\$196,204.31
Wastewater Maintenance	840	ACH	\$1,413.36
Wastewater Capital	846	7306	\$36,076.36

**Investment Funds
Report**

The Board received the April Investment Funds Report.

BUSINESS ITEMS

Washington State Ferries Developer Extension Agreement

(DE #537)

General Manager Voetberg presented the item noting the Washington State Department of Transportation, Ferries Division (WSF) has submitted a Developer Extension Agreement (DE) for Board Approval.

Operations/Engineering Manager Matthews gave a brief report about the DE being amended to address legal concerns by the State, noting John Milne worked with the Attorney General's Office on the changes. Matthews also noted no changes to the District's Standards and/or Specification has been made.

General discussion occurred.

Motion by Commissioner McGrath, second by Commissioner Rainville to authorize the President of the Board to sign the Developer Extension Agreement for the Washington State Department of Transportation, Ferries Division DE #537 and Amendment No. 1 to the Developer Extension Agreement; and authorize the Engineer or General Manager to sign the plans when District requirements are met. The motion passed unanimously.

Emergency Declaration for Lift Station No. 10 Failure

Operations/Engineering Manager Rick Matthews gave a brief updated on the bypass pumping at the Lift Station No. 10 site.

General Manager Voetberg stated that due to the catastrophic failure of Lift Station No. 10, the District needed to declare an emergency to waive the formal bidding requirements set forth in RCW 57.08.050.

Motion by Commissioner Rainville, second by Commissioner McGrath to approve resolution No. 445-18, declaring an emergency relating to the failure of Lift Station No. 10, and waiving the public bidding requirements of RCW 57.08.050 to install a temporary by-pass pumping system. The motion passed unanimously.

Other Business

None.

ADDITIONAL REPORTS

Management

General Manager's Report

General Manager Voetberg reported the District's cost relating to the Interlocal Agreement with Snohomish County for their 2018 Overlay Project is \$111,005.92. Voetberg added the higher than typical overlay costs is due

to traffic control costs associated with the project, particularly the traffic control costs on 112th Street and 4th Ave West.

Mr. Voetberg reported that after Burke Electric inspected the failed Lift Station No. 10 electrical components, the decision was made to rent temporary bypass pumps until the new lift station is online. Mr. Voetberg noted the contractor for the new Lift Station No. 10 project hopes to have the new lift station online mid-July.

Customer Past Due/Aging Report

The Board received the report.

Discharge Monitoring Report

The Board received the report.

Verbal Reports

Finance Manager Parks reported one of the District's investments will mature on Friday and will be reinvested at a rate of 2.35%.

Operations/Engineering Manager Matthews reported the Lift Station No. 10 diesel pumps are finally fine tuned after some mechanical issues. Matthews also reported the 62nd and 93rd Project is moving along with tie-ins to begin and paving the following week.

Wastewater Treatment Plant Manager Bridges reported staff is preparing for the summer hires to begin in early June.

Legal

Mr. Milne gave a brief update on the King County Franchise Ordinance Litigation.

Engineering

Mr. Delfel reported he would not be in attendance at the June 6th meeting.

Commissioners

Commissioner McGrath reported he attended the retro committee meeting. He reported there are 44 member this year with the potential of 46 members next year. Commissioner McGrath also reported that due to the amount of claims this year, next year's rebate will be less and previous years.

EXECUTIVE SESSION

The General Manager reported the District received a claim from Strider Construction Company in regards to the 2017 Water and Sewer Improvements Project. Due to the matter involving potential litigation, the General Manager requested an executive session to discuss the matter.

There was a motion by Commissioner Rainville, second by Commissioner McGrath to convene the executive session at 7:33 p.m. to discuss potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i) relating to the 2017 Water and Sewer Improvements Project. The motion passed unanimously. Commissioner Johnson advised the executive session would

conclude at approximately 7:50 p.m. The Commissioners, the General Manager, the Operations/Engineering Manager, Engineer Eric Delfel and Attorney John Milne attended the executive session. At 7:50 p.m., the executive session concluded and open public meeting reconvened.

Following discussion, Commissioner Rainville made the motion to authorize staff to send correspondence to Strider Construction Company acknowledging receipt of their claim; District Engineer to prepare a detailed claim response letter; and grant acceptance of project work only. Seconded by Commissioner McGrath. The motion passed unanimously.

CONCLUDE

There being no further business, the President of the Board concluded the meeting at 7:53 p.m.



President/Commissioner Johnson



Vice President/Commissioner Rainville



Secretary/Commissioner McGrath