

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

Minutes of May 20, 2009

---

The May 20, 2009 Meeting of the Board of Commissioners was called to order at 7:00 PM in the District office.

***PRESENT***

Commissioners -- Dick Andrews, Ed Caine, Mike Johnson, Thomas McGrath and Thomas Rainville

Attorney -- John Milne

Engineers -- Ken Enns, Mike Jauhola & Eric Delfel

Staff -- Dan Hammer, Gil Bridges, Rick Matthews & Mary Merriam

Commissioner Andrews made a motion to excuse Thomasson absence due to illness. Commissioner McGrath seconded the motion. The motion passed with four yes votes. Commissioner Caine abstained from voting.

***APPROVAL OF  
AGENDA***

Commissioner McGrath made a motion to approve the Agenda as presented. Commissioner Andrews seconded the motion. The motion passed unanimously.

***MINUTES  
APPROVED***

Commissioner Caine made a motion to accept the Minutes from the May 6, 2009 Board Meeting. Commissioner Andrews seconded the motion. The motion passed unanimously.

***CONSENT AGENDA***

After review of the Consent Agenda Items, Commissioner Andrews made a motion to approve the items listed. Commissioner McGrath seconded the motion. The motion passed unanimously.

***Vouchers***

Water Maintenance Fund (741-5408666)

Beginning with 1272 through 1313 in the amount of \$436,394.37.

Water Capital Improvement Fund (741-5458666)

Beginning with 1270 through 1271 in the amount of \$6,664.65.

Wastewater Maintenance Fund (741-58408666)

Beginning with 1261 through 1275 in the amount of \$31,601.82.

East Wastewater Maintenance Fund (741-59418666)

Beginning with 0181 through 0184 in the amount of \$711.26.

Wastewater Capital Improvement Fund (741-58468666)

Beginning with 1251 through 1254 in the amount of \$25,563.02.

East Wastewater Capital Improvement Fund (741-59528666)

Beginning with 0179 through 0180 in the amount of \$1,148.79.

Wastewater Public Works Trust Fund (741-58558666)

Beginning with 1255 through 1260 in the amount of \$433,977.11.

**Adjustments to Customers Accounts**

The Board reviewed the April 2009 Customer Account Adjustments which indicated 15 accounts were adjusted in that month. The President of the Board was authorized to sign the Customer Account Adjustment Form.

**Treatment Plant Discharge Permit**

The April 2009 Discharge Monitoring Report was reviewed and accepted by the Board.

**Service Connection Summary**

The Board reviewed the April 2009 Service Connection Report which indicated twenty-four new services were installed, plus ten additional units, increasing the total new services for the year to 46.

**Investment Report**

The Board reviewed the April 30, 2009 Investment Funds Report.

**Approve Developer Extension Agreement as Complete**

**RESOLUTION  
098-09**

***Evergreen Townhomes, Ext. #450*** – The developer built a multi-family 20-unit townhome project on 112<sup>th</sup> Street SW, Everett. The water and sewer improvements have been completed and the project is ready to be accepted by the District. A deposit of \$4,000 was made; all invoices have been charged and paid leaving no balance to be refunded. A Cash Completion Bond in the amount of \$10,000 was paid by the developer in order to purchase water and sewer permits prior to the project being finished. The bond is ready to be released.

Resolution 098-09 was signed by the Board accepting the Developer Extension Agreement as complete and authorizing staff to release the Cash Completion Bond.

**Authorize Purchases**

The Board approved staffs request for authorization to proceed with the purchase of the Trimble GPS Equipment at a cost of \$10,054.29, including tax, which is available through the Washington State Purchase Agreement. The Commissioners also approved the purchase of shelving to be installed in the operations building and the garage at 806 5<sup>th</sup> Street for a cost of approximately \$8,267.00. Both purchases were approved in the 2009 Budget.

**Requests to Attend Workshop**

The Board authorized four employees to attend the PNWS-AWWA Western Washington Regional Short School & Trade Show in Edmonds Washington on June 24<sup>th</sup> and 25, 2009 at a cost of \$430.00.

**Regular Payroll**

Regular Payroll for May in the amount of \$136,871.14 was approved.

**BUSINESS ITEMS**

***112<sup>th</sup> STREET  
WATER SUPPLY  
PRE-DESIGN  
REPORT***

Mr. Eric Delfel, from Gray & Osborne, gave a power point presentation on the draft 112<sup>th</sup> Street Water Supply Pre-Design Booster Station Report. He discussed the proposed pipe line routes from the Alderwood Water & Wastewater District's supply line in the Bev-Park/Edmonds Road to the Paine Field Reservoir and a connection in Harbour Pointe, the water supply pipe line size and the preferred location of the pump station.

Discussion was held. Some questions arose regarding water quality and reserve water supply on fire flow storage for Tramco. Mr. Hammer will have Mr. Milne review the Tramco Agreement and bring back information to the Board.

The Board agreed with the concept as outlined by Mr. Delfel.

***REQUEST TO  
PROVIDE SERVICE  
OUTSIDE  
DISTRICT  
BOUNDARY***

The April 29, 2009 City of Everett letter to the District requested that property identified as the Metropolitan Mortgage Property receive water and sewer service from Mukilteo Water and Wastewater District. The site is on the west side of Japanese Gulch (west side of 40<sup>th</sup> Avenue West; north of 78<sup>th</sup> Street SW). Current City ordinances and agreements allow the City of Everett to waive the right to serve the property. Mr. Hammer discussed the request and how service could be obtained. The improvements would be installed by the property owner and agreements would need to be entered into regarding providing service outside District boundaries. Mr. Hammer stated he believes providing service to the area would be beneficial to the District. Discussion was held.

Commissioner McGrath made a motion authorizing the General Manager to respond to the City of Everett's letter indicating that the District would consider serving the area providing agreements with the City and property owner outlining the conditions of service could be agreed upon. Commissioner Caine seconded the motion. The motion passed unanimously.

***HCWL CONTRACT  
SUPPLEMENT #13***

Hammond Collier Wade Livingstone (HCWL) entered into a contract for the Big Gulch project in December 2006. The master contract has been modified several times. The purpose of Supplemental #13 is too:

- Modify Section 5.6 Billing and Payment section of the master contract to more clearly define information that will be submitted to the District with each invoice from HCWL.
- Add Staheli Trenchless Consultants as a sub-consultant to assist with monitoring, inspection and consulting services related to horizontal directional boring activities.
- Reassign budgeted funds to tasks that need additional funding.
- Reduce the overall authorized contract budgeted amount by \$280,840; from \$5,526,321 to \$5,245,481.

Discussion was held.

Commissioner Caine made a motion to accept HCWL Big Gulch Contract Amendment #13 and authorize the General Manager to execute the Agreement. Commissioner McGrath seconded the motion. The motion passed with four votes for the motion. Commissioner Johnson opposed the motion stating he does not believe that HCWL should be performing the construction management for the project.

***BIG GULCH  
CONSTRUCTION  
REPORT***

Mr. Hammer reported that on May 8, 2009, the District was notified that the north-cut slope of Staging Area #1 had moved. The area is at the bottom of a landslide area that is identified in the plans. After reviewing the situation with District consultants, it was decided to ask the contractor to propose a fix to protect the work area. All work on the 36-inch conductor casing was suspended.

At this time, progress includes:

- the grading on the staging area is mostly completed
- the 20-inch conductor casing has been installed
- the 20-inch fusible PVC pipe has been delivered
- some pipe has been fused together
- the fusing machine is not working properly

The contractor developed a design for a soldier pile wall with sheets and gravel to protect the work site. The City and District approved the plan; therefore the contractor was authorized to install the wall and the wall has been installed.

A written update on the sewer main replacement and high flow main bypass was provided for the Board

***BIG GULCH HDD  
CHANGE ORDER #1***

For the Horizontal Directional Drilling Project HCWL prepared Contract Change Order #1 which included:

- New Item 44, Slope Stabilization Wall
- New Item 45, Segment 2 Recovered Quarry Spalls
- New Item 46, Concrete Debris Removal

The total Change Order with tax is \$113,127.80.

Mr. Hammer stated that if possible the wall will be left in place to protect the sewer system from landslides activities. The City could require the wall to be removed if 4-feet of cover is not provided over the wall. Mr. John Parnass reviewed and made some revisions to Change Order #1. Mr. Hammer authorized the contractor to proceed with the Change Order to avoid delay. Discussion was held.

Commissioner Caine stated he believes the engineer should have anticipated the need for the wall and he would vote against the Change Order.

Mr. Milne said that if HCWL had anticipated the need it would have been included in the bid and the expense would have been paid by the District.

Commissioner Andrews made a motion to authorize the General Manager to sign Change Order #1. Commissioner Johnson seconded the motion. The motion passed with four votes. Commissioner Caine voted against the motion.

***TELEMETRY  
IMPROVEMENT  
UPDATE***

***RESOLUTION 099-09***

At the April 15, 2009 Meeting staff requested to proceed with the purchase of telemetry items from S& B Inc., as approved in the 2009 Budget. The Board had questions and asked for more information. Mr. Rick Matthews prepared a memo and attended this meeting to address the issues the Board had regarding the purchase.

At the time of the merger each District was utilizing a different supervisory control and data acquisition (SCADA) system for telemetry monitoring. The wastewater treatment plant and ten westside sewer lift stations are monitored by a Wonderware system. A WinnCC system is utilized to monitor four eastside sewer lift stations, four reservoirs with pump stations and four inlet meter sites. Neither system is dependent on the brand or manufacturer of equipment providing them with inputs. The two systems used by the District are the most commonly used in this industry.

Mr. Matthews provided information explaining the WinnCC System, how it has been fine tuned and upgraded to meet current needs. The purveyor participated in the Security Assessment performed by Kroll.

S&B has provided services during several emergencies and have never failed to respond in a timely manner. Staff requested authorization to proceed with the upgrades.

Mr. Hammer explained the need to expedite procurement of the SCADA system equipment replacement so it could be installed prior to high water demands during summer months, Mr. Milne advised that a resolution be approved declaring an emergency.

Discussion was held.

It was agreed to authorize the purchase of the WinnCC SCADA Computer Upgrade and the Data Management System (DMS) Replacement under emergency status. The Addition of a Weather Station to SCADA System and Power Meter Addition for Holly Drive Lift Station were authorized to be purchased separately.

Commissioner Johnson made a motion to approve Resolution 099-09 declaring the existence of an emergency pursuant to 39.80.060 and RCW 39.04.280 as to telemetry and supervisory control and data acquisition (SCADA) system upgrades for the District's water distribution and sewer collection systems, waiving the qualifications procurement requirements of Chapter 39.80 RCW, and waiving the competitive bidding requirements of Chapter 57.08 for the purchase of WinCC SCADA Computer Upgrade and Data Management System (DMS) Replacement in the amount not to exceed \$25,190 plus sales tax. Commissioner Andrews seconded the motion. The motion passed unanimously.

Staff will revise the resolution and place it on the consent agenda at the next meeting for signing.

***REQUEST FOR  
SIDE SEWER  
VAIANCE, LOT 9  
SUNSET HILL***

The Plat of Sunset Hill was developed in 1979. The owners of Lot 9, Mr. & Mrs. Scott Minnig, plan to build a single family home on their property and applied for a Water & Sewer Availability Letter. When staff reviewed the site and plan it revealed that the original sewer design allowed four side sewers off a single 6-inch sewer line. Lots 7, 8, 9 & 10 utilized a joint side sewer. Lots 7, 8 and 10 have homes already built and are connected to the 6-inch sewer. The current Sewer Administrative Code allows for a maximum of three connections on a 6-inch line. The availability letter sent to the Minnig's on April 23, 2009 stated that they would need to install a new 6-inch stub to serve their property. In December 2008, an availability letter was sent to the builder, before it was determined that the line was not an 8-inch line, stating that a joint sewer stub was available and that they would need to enter into a Side Sewer Release

and Hold Harmless Agreement with the District. Mr. Minnig has submitted a letter to the District requesting a waiver or variance to connect to the existing sewer stub.

Mr. Hammer and Mr. Matthews discussed the situation with the Board. There is concern regarding a possible sewer backup with four homes on one 6-inch line. Staff discussed three options with the Board to resolve the situation as follows:

- 1 Approve the Minnig's request to utilize the existing stub if they can obtain a Joint Side Sewer Agreement from Lots 7, 8 and 10.
- 2 Deny the Minnig's request and have them hire a contractor to install a new stub to District standards.
- 3 The District would hire a contractor to install a new stub.

Mr. Hammer stated he recommended the District hire a contractor and install a stub to the property to avoid the possibility of being held liable for clean up and repair if a sewer backup occurred.

Discussion was held.

The Board requested staff to provide estimated cost if the District hired a contractor to perform the work at the next meeting.

***LEAK  
ADJUSTMENT  
POLICY***

At the May 6, 2009 Meeting changes to the leak adjustment policy was discussed and staff was directed to provide a resolution implementing the revisions.

Mr. Hammer stated that one change suggested is for authorization for the General Manager to approve adjustments up to \$500 rather than \$150 as previously suggested.

Commissioner Andrews made a motion to approve Resolution 100-09, revising and adopting a policy for adjustments to water and sewer service billings relating to private water leak repairs.

Commissioner Johnson seconded the motion. The motion passed unanimously.

***MANAGEMENT REPORTS***

Mr. Hammer advised the Board that he had contacted the City of Mukilteo's Assistant City Engineer, Mr. Jim Niggemyer, to discuss Mr. Wolfe's storm water being diverted into the sewer system. Mr. Niggemyer and Mr. Larry Waters, the City's Public Works Director, will set up a meeting to visit the site and review options. A copy of Mr. Hammer's letter was given to the Board.

BOARD OF COMMISSIONERS MEETING

May 20, 2009

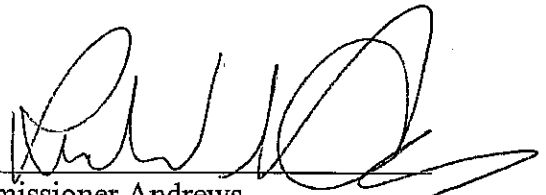
Page 8

Previously the District partnered with Snohomish County to prepare a Natural Hazards Mitigation Plan as required by the Department of Emergency Management. Mr. Matthews and Mr. Hammer reported that the Plan is required to be updated within the next eight months. Mr. Matthews attended a meeting today from 4 to 6 PM.


**ADJOURN**

There being no further business the President of the Board adjourned the meeting at 9:30 PM.

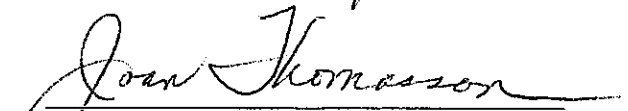
  
\_\_\_\_\_  
President/Commissioner Rainville

  
\_\_\_\_\_  
Commissioner Andrews

  
\_\_\_\_\_  
Vice-President/Commissioner Caine

  
\_\_\_\_\_  
Commissioner Johnson

  
\_\_\_\_\_  
Secretary/Commissioner McGrath

  
\_\_\_\_\_  
Commissioner Thomasson