

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

Minutes of November 18, 2009

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The November 18, 2009 Regular Meeting of the Board of Commissioners was called to order at 7:00 PM in the District office.

***PRESENT***

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

Attorney – John Milne

Engineer – Mike Jauhola

Staff -- Dan Hammer, Sue Parks, Gil Bridges and Mary Merriam

Audience – Alif Nurani, Shaiza Damji and Jerry O’Connell

***ROLL CALL***

Commissioner Thomasson and Johnson had advised the Board they would not be attending this meeting.

Commissioner Andrews made a motion to excuse the absence of Commissioner Thomasson and Johnson. Commissioner McGrath seconded the motion. The motion passed with three aye votes. Commissioner Caine abstained from voting.

***APPROVAL OF  
AGENDA***

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

***CONSENT AGENDA***

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

***Vouchers***

Water Maintenance Fund (741-5408666)

Beginning with 001 through 014 in the amount of \$478,207.06.

Water Maintenance Fund (741-5408666)

Beginning with 001 through 001 in the amount of \$4,511.21.

Water Maintenance Fund (741-5408666)

Beginning with 001 through 010 in the amount of \$66,804.34.

Water Maintenance Fund (741-5408666)

Beginning with 001 through 001 in the amount of \$23,831.11.

Water Capital Improvement Fund (741-5458666)

Beginning with 001 through 002 in the amount of \$741.31.

Water Capital Replacement Fund (741-5478666)

Beginning with 001 through 001 in the amount of \$104,886.93.

Wastewater PWTF Fund (741-58558666)

Beginning with 001 through 002 in the amount of \$222,508.53.

Wastewater Maintenance Fund (741-58408666)

Beginning with 001 through 001 in the amount of \$134.93.

Wastewater Capital Improvement Fund (741-58468666)

Beginning with 001 through 001 in the amount of \$2,000.00.

Wastewater Capital Improvement Fund (741-58468666)

Beginning with 001 through 001 in the amount of \$1,782.50.

Wastewater Capital Improvement Fund (741-58468666)

Beginning with 001 through 004 in the amount of \$211,759.14.

East Wastewater Maintenance Fund (741-59418666)

Beginning with 001 through 001 in the amount of \$5,184.23.

East Wastewater Maintenance Fund (741-59418666)

Beginning with 001 through 006 in the amount of \$41,694.82.

East Wastewater Capital Improvement Fund (741-59528666)

Beginning with 001 through 002 in the amount of \$1,503.10.

#### **Regular Payroll**

Regular Payroll for November 2009 in the amount of \$136,560.27 was approved.

#### **Discharge Monitoring Report**

The October 2009 Discharge Monitoring Report was reviewed.

#### **Adjustments to Customer Accounts**

The Board reviewed the October 2009 Customer Account Adjustment Form which indicated 11 accounts were adjusted. The President of the Board was authorized to sign the form.

#### **Service Connection Summary**

The Board reviewed the October 2009 Water Service Connection Report which indicated thirteen (13) new services were installed and no additional units, which increases the total new services for the year to 99. The Sewer Connection Report indicated twelve (12) new services were installed and 133 additional units.

#### **Tracking of Past Due Accounts**

Staff provided the list tracking the number of customer notices sent out each month for Board review.

**BUSINESS ITEMS**

The District's attorney was requested to attend the meeting to advise the Board on certain issues but due to a prior commitment he arrived after the meeting started; therefore items were taken out of the agenda order to keep the meeting moving.

***LIFT STATION #5  
ACCESS PROJECT***

Easements have been acquired from two property owners in order for the District to proceed with access improvements to Lift Station #5. As requested by the District, Gray & Osborne provided a Scope of Work for an environmental assessment, SEPA, developing plans and specifications and providing construction management in an amount of \$53,200.

Commissioner Caine asked about the SEPA process for this type of project. Mr. Jauhola will review the requirements and report back to the Board.

Commissioner Andrews asked if independent engineering services cost estimates are done on the Scope of Work provided. He believes the costs should be reviewed by a second party.

Mr. Hammer explained that the District selected Gray & Osborne as their consulting engineer to work with the District to save the time and expense of having to select an engineering firm for each project. Mr. Hammer reviews the Scope of Work in depth for each project. He believes this Scope is reasonable and recommends the Board approves it.

Commissioner McGrath made a motion to authorize Gray & Osborne to perform the work as outlined in the Scope of Work at a cost not to exceed \$53,200. Commissioner Andrews seconded the motion. The motion passed unanimously.

***AWWD WATER  
SUPPLY HARBOUR  
POINTE  
CONNECTION***

Mr. Hammer reported that Mukilteo Water and Wastewater District is nearing the completion of negotiating an agreement with Alderwood Water and Wastewater District (AWWD) to supply the MWWD wholesale water. A meeting is scheduled for November 19<sup>th</sup> to discuss the agreement with staff and consultants.

The Pre-Design Report recommends two connections to the AWWD system:

- One connection at Beverly Park Edmonds Road and Center Road. This will extend to the Paine Field Reservoir where a pump station will be built to pump water to elevation 715.
- The second connection is planned to be in Harbour Pointe, close to the boundary line of the two districts at St Andrews Drive. The connection will provide gravity water from AWWD's 635 Zone to the MWWD's 620 Zone.

Mr. Hammer stated the agreement would be recorded and the as-built drawing would be flagged with the agreement recording number so in the future District staff will be able to identify this is an unusual arrangement.

Commissioner McGrath made a motion to authorize the General Manager to enter into an easement encroachment agreement with Staybridge Suites for the Porte-Cochere as recommended by the engineer, attorney and management. Commissioner Caine seconded the motion. The motion passed with three ayes. Commissioner Andrews voted nay.

***WWUC 2010  
MEMBERSHIP***

Discussion was held at the November 4, 2009 Meeting regarding the District becoming a member in the Washington Water Utilities Council (WWUC). The Board had questions regarding the WWUC and asked staff to obtain the answers before they made their final decision.

Mr. Milne stated he had reviewed the WWUC Bylaws and there is no way for the Council to compel the District to pay any more than dues and only dues if the District wishes to participate.

By consensus the Board agreed that Mukilteo Water and Wastewater District should become a member in WWUC and authorized staff to budget \$750 for the 2010 membership dues.

***WASWD BYLAWS  
AMENDMENT***

***RESOLUTION 128-09***

At the November 4, 2009 Meeting the Board reviewed and discussed adopting a resolution requesting the WASWD Association to amend Article 8B of their Bylaws to allow the highest management level employee of a general member district to vote on all Association business. The Board requested staff to put the resolution in final form and have the Districts' attorney review it.

During the November 10, 2009 WASWD Section III Meeting, Mr. Patrick Curran, General Manager of Silver Lake Water District made a presentation related to petitioning the Association to amend the bylaws as stated above and there didn't appear to be any opposition to the idea.

Staff provided a resolution that had been revised and reviewed by Mr. Milne.

Commissioner McGrath made a motion to approve Resolution #128-09 setting forth the Districts' position on amending Section 8B of the WASWD Bylaws to authorize the highest management level employee of a general member district to be authorized to vote on all Association business. Commissioner Andrews seconded the motion. The motion passed unanimously.

Mr. Hammer stated he would like to have a water supply connection with the AWWD system before the peak season begins in 2010. The 2009 Budget provided funds for the design of the project. Gray & Osborne prepared a Scope of Work to permit, design, bid and provide construction management service at a cost of \$73,100. Mr. Hammer has reviewed the cost estimate and believes it is reasonable and fair and recommends the Board authorize the project to proceed.

Commissioner Caine made a motion to authorize Gray & Osborne to permit, design, bid and provide construction management service for the Harbour Pointe AWWD Supply Project in accordance with the November 2009 Scope of Work at a price not to exceed \$73,100. Commissioner McGrath seconded the motion. The motion passed unanimously.

***STAYBRIDGE  
SUITES EASEMENT  
ENCROACHMENT***

Mr. Hammer reviewed his November 11, 2009 Memo with the Board providing more information regarding the Porte-Cochere at Staybridge Suites encroaching into the existing water main easement as requested by the Board at the previous meeting.

Mr. Jauhola discussed the structural load created on the water main by the roof supports and stated that the water main is adequate as installed for the structure footing weight not to create a problem for the stability of the water main.

Mr. Milne revised the easement encroachment agreement to provide the District with more protection if the pipe should ever fail.

Discussion was held.

Mr. Milne recommended the Board enter into an Executive Session.

At 7:40 PM Commissioner Rainville stated the Board would recess to an Executive Session under RCW 42.30.110(1)(i) due to potential litigation until 7:45 PM. At 7:45 Commissioner Rainville extended the Executive Session to 7:55 PM. At 7:55 PM the executive session was concluded and the open public meeting was reconvened.

Commissioner Rainville asked Mr. Jauhola if he believes there is any problem with the water main if the Board of Commissioners approved the easement encroachment agreement. Mr. Jauhola stated that with the agreements the District is protected and he had no problem with the solution suggested.

Commissioner Rainville asked Mr. Milne if he had any concerns with the suggested solution. Mr. Milne stated that the agreement protects the District from liability if the water main should fail due to the encroachment or District access to the water main was delayed or restricted due to the encroachment.

**2010 CONFERENCE  
SCHEDULE**

Staff provided a 2010 Conference Schedule for Commissioners to review. In an effort to complete the 2010 Budget staff asked which conferences the Board would be planning on attending. The Board will review the list and report back to staff at the next meeting.

**MANAGEMENT REPORTS**

Mr. Hammer reported that the Big Gulch main line sewer flows have been converted to the new trunk line. The 101<sup>st</sup> sewage flows are expected to be switched over to the new line by the end of the week. The upper end of the old 18-inch line was flushed today. The only thing left connected to the old line is the line on 101<sup>st</sup>. Street. The contractor is doing a good job.

Mr. Milne and Mr. Hammer will be attending a meeting tomorrow at Alderwood to discuss the water supply contract. The contract is for a 45-year period. Mr. Hammer requested Mr. Milne hire a rate consultant to check the formula in the contract for major flaws. Mr. Milne recommended Mr. Art Griffith at R. W. Beck to review the contract.

Staff is working toward presenting the 2010 Budget at the next meeting.

On November 30<sup>th</sup> at 10:30 AM the County Council will discuss the District's Water Comprehensive Plan.

**COMMISSIONERS REPORTS**

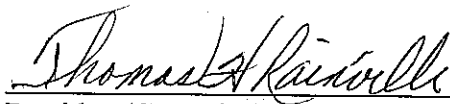
Commissioner McGrath stated he liked the revised Sewer Service Connection Report.


Commissioner McGrath will be out of town the first week in December and requested his absence at the first meeting of the month be excused.

Commissioner Rainville discussed the General Manager's Annual Review with the Board and requested other Commissioners email or bring their comments to him by the December 2<sup>nd</sup> meeting in order to complete the review by the end of the year.


**ADJOURN**

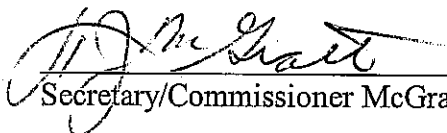
There being no further business the President of the Board adjourned the meeting at 8:25 PM.


  
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President/Commissioner Rainville

  
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Commissioner Andrews

  
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Vice-President/Commissioner Caine

  
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Commissioner Johnson

  
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Secretary/Commissioner McGrath

  
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Commissioner Thomasson