1. February 5, 2020 Preliminary Agenda
   Documents:
   
   0 PRELIMINARY AGENDA.PDF

2. February 5, 2020 Agenda Packet
   Documents:
   
   02052020.AGENDA.PACKET.PDF
BOARD OF COMMISSIONERS
REGULAR MEETING
February 5, 2020 • 5:30 PM
PRELIMINARY AGENDA

Call Meeting to Order

Roll Call

Approval of Agenda

Visitors and Comments from the Audience

Minutes
1. Approve the Minutes of the Regular Meeting of January 15, 2020

Consent Agenda
2. The following items have either been previously discussed or are routine in nature. Any item may be removed at the request of a Commissioner for further discussion. The Board may approve all of these items with a single motion.
   2.1 Approve Vouchers in the amount of $
   2.2 4th Quarter Investments Report

Business Items
3. Award Possession View Place Water Main Replacement Project #28-19 Resolution No. 517-20
4. Authorization of Sole Source for UV System Switch Project #56-20 Resolution No. 518-20
5. Other Business

Additional Reports
6. Management
   6.1 General Manager’s Report
   6.2 VERBAL REPORTS: Department Head Updates
   - Legal
   - Engineering
   - Commissioners

Conclude

SCHEDULE OF UPCOMING MEETINGS
Regular Meetings are held the 1st and 3rd Wednesdays of each month at 5:30 p.m. at the District Office
February 19, 2020
March 4, 2020
March 18, 2020
BOARD OF COMMISSIONERS
REGULAR MEETING
February 5, 2020 • 5:30 PM
PRELIMINARY AGENDA

Call Meeting to Order

Roll Call

Approval of Agenda

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   6.1 General Manager’s Report
   6.2 VERBAL REPORTS: Department Head Updates
      - Legal
      - Engineering
      - Commissioners

Conclude
Minutes of January 15, 2020

The Special Meeting of the Board of Commissioners of January 15, 2020 was called to order at the District office by Commissioner McGrath at 5:30 p.m.

ROLL CALL/
IN ATTENDANCE

Commissioners: Tom McGrath, Mike Johnson, Jeff Clarke

Engineering
Eric Delfel (Gray & Osborne)

Staff:
Jim Voetberg, General Manager; Rick Matthews, Operations/Engineering Manager; Sue Parks, Finance Manager; Gil Bridges, Treatment Plant Manager; Kendra Chapman, Executive Assistant/HR

OATH OF OFFICE

New Commissioner Jeff Clarke was sworn in by Notary Public, Kendra Chapman the Executive Assistant for the District.

ELECTION OF OFFICERS

Motion by Commissioner Johnson, second by Commissioner Clarke to elect Commissioner McGrath as President of the Board.
Motion by Commissioner Clarke, second by Commissioner McGrath to elect Commissioner Johnson as Vice President of the Board.
Motion by Commissioner Johnson, second by Commissioner McGrath to elect Commissioner Clarke as Secretary of the Board.

The motions passed unanimously adopting Resolution No. 513-20, certifying the election of officers with Tom McGrath as president, Mike Johnson as Vice President, and Jeff Clarke as Secretary.

APPROVAL OF AGENDA

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

VISITORS AND COMMENTS FROM THE AUDIENCE

Mrs. Clarke was in attendance for the Oath of Office.

MINUTES

Motion by Commissioner McGrath, second by Commissioner Johnson, to approve the minutes of December 18, 2019 as presented. The motion passed with Commissioner Clarke abstaining from the vote due to his term beginning January 1, 2020.

CONSENT AGENDA

Motion by Commissioner Johnson, second by Commissioner Clarke, to approve the Consent Agenda as presented. The motion passed unanimously.
**Vouchers**

Approved Vouchers in the amount of $836,836.11

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<th>Fund</th>
<th>SubFund No.</th>
<th>Voucher No.</th>
<th>Amount</th>
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<td>9226-9295</td>
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<td>ACH</td>
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<td>Wastewater Maintenance</td>
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<td>846</td>
<td>9221-9223</td>
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**Payroll**

Approved Payroll in the amount of $176,556.24

**Report**


**BUSINESS ITEMS**

**Adopt Board of Commissioner Meeting Time & 2020 Calendar**

General Manager Voetberg presented the item requesting approval of the 2020 Board of Commissioner Regular Meetings Calendar.

General discussion occurred about the meeting time to ensure it was convenient for public attendance as well as legal and engineering.

Motion by Commissioner Johnson, second by Commissioner Clarke to adopt Resolution No. 516-20, approving the 2020 Board of Commissioners Regular Meetings Calendar with Board meetings beginning at 5:30 pm. The motion passed unanimously.

**Appoint Sno-King Representative**

General Manager Voetberg presented the item asking the Board to appoint District representatives to the Sno-King Water District Coalition due to the retirement of Tom Rainville from the Mukilteo Water and Wastewater Board of Commissioners.

Motion by Commissioner Johnson, second by Commissioner McGrath to appoint Commissioner Clarke as the District’s representative to the Sno-King Water District Coalition and the General Manager as the alternate. The motion passed unanimously.

**Approve Legal Counsel Services**

General Manager Voetberg presented the item noting a letter from John Milne announcing his retirement and his recommendation of utilizing Bill Linton for future legal counsel needs. Voetberg gave a brief overview of Mr. Linton’s experience and recommended the District utilize Bill Linton as the District’s legal counsel.

The Board agreed by consensus to authorize Bill Linton of InsleeBest to serve as the District’s legal counsel.
Approve Engineering Services

General Manager Voetberg presented the item noting Gray & Osborne’s four scopes of work for 2020 engineering services, two of which are for construction management and two for design services.

Commissioner Clarke asked about the protocol for deciding which capital projects take priority. Voetberg explained the District’s follows the capital improvement needs identified in the water and wastewater comp plans which are reviewed and prioritized annually through approval of the capital budget.

General discussion occurred.

Motion by Commissioner Johnson, second by Commissioner McGrath to Approve Gray & Osborne’s 2020 engineering service proposals as follows:

- Construction Management for Project 28-19, 2020 Water Improvement project/ Possession View Water Main Replacement.
- Construction Management for Project 31-19, Lift Station No. 9 Replacement project.
- Design of the 2021 Water System Improvement project, Project 47-20, 8th/9th/10th Streets Water Main replacement.
- Design of Lift Station No. 5 and the Lift Station No. 5 Force Main, Projects 49-20 and 50-20.

The motion passed unanimously.

Adopt Employee Policy Handbook Update

Executive Assistant Chapman presented the item and gave a brief overview of the changes to the Employee Policy Handbook suggested by Attorney Kathy Webber of Inslee Best.

General discussion occurred regarding the need to be conservative with the Paid Family Medical Leave policy as the new State program has many uncertainties.

Motion by Commissioner Johnson, second by Commissioner Clarke to adopt Resolution No. 514-20, updating the District Employee Policy Handbook. The motion passed unanimously.

Accept as Complete: Front Counter Security Update (41-19)

General Manager Voetberg presented the item noting the Front Counter Security project is complete and the contractor did a very nice job. Voetberg reported that staff has reviewed the closeout documents and recommends the Board grant final acceptance of the project.

Motion by Commissioner Clarke, second by Commissioner Johnson to adopt Resolution No. 515-20, granting final acceptance of the Front Counter Security Upgrade project performed by Shaiman Contracting, Inc. The motion passed unanimously.
Other Business

None.

ADDITIONAL REPORTS

Management

General Manager’s Report
General Manager Voetberg reported on the following:

- The District surplus property located at 9303 4th Street in Everett is not a buildable lot per City of Everett building codes which leaves the parcel only useful to an adjacent neighbor. Voetberg noted a letter from the City of Everett was included in the agenda packet confirming the restrictions of constructing improvements on this lot. Voetberg reported an adjacent property owner has offered the District $15,000.00 for the property which Staff believes is an acceptable offer given the improvement restrictions on the property. Operations/Engineering Manager Rick Matthews mentioned the amount of Staff time maintaining this property and noted the District acquired the property many years ago at no cost. Voetberg said Staff plans to proceed with selling the property to the adjacent property owner unless otherwise directed by the Board.

- Staff was able to negotiate a permanent and construction easement from the property owner adjacent to the Lift Station No. 9 Upgrade project. The cost of the easement was $10,300.00, which is slightly less than the standard for easement acquisitions of this size. Voetberg credited Rick Matthews and Kendra Chapman for working with the property owner to secure the easement.

- WASWD Legislative Report was included in the agenda packet.

- Out of the Office January 20th – January 27th with Rick Matthews as Acting General Manager.

- Department of Ecology meeting on January 30th in regards to nutrient removal limits. Discussion occurred about commissioner attendance. By consensus the Board appointed Commissioner Clarke to attend the meeting on behalf of the District.

Customer Past Due/Aging Report
The Board received the report. A question was asked about the spike in past due notices which Finance Manager Parks explained was due to the District moving auto-pay from Doxo to CivicPay and that not all Doxo auto-pay customers have switched, making the past due number higher than usual. Parks noted Staff has been contacting Doxo customers to help them move from Doxo to CivicPay.

Water & Sewer Connection Report
The Board received the report and had no comments.
Discharge Monitoring Report
The Board received the report and had no comments.

Verbal Reports
Finance Manager Parks reported the District has a 1.5-million-dollar bond which was called today and there are two more bonds that may be called in April and May. Parks noted bond rates are lower than the State Pool’s interest rate so the called bond money has been placed in the State Pool while other investments are explored.

Treatment Plant Manager Bridges reported staff is looking forward to the new admin-lab building. Bridges also reported the next Department of Ecology meeting for nutrient removal is on January 30th.

Operations/Engineering Manager Matthews reported the Possession View Water Main Replacement and Lift Station No. 9 Upgrade projects are out to bid. Matthews also reported the pile work for the WWTF Admin-Lab building project was slightly impacted by the weather but expects this work to be done the week of January 20th adding 10 piles have been installed ranging from 34 to 54 feet deep.

Engineering
Mr. Delfel reported there are currently 11 prime construction companies signed up for the Possession View Place Water Main Replacement Project and five for the Lift Station 9 Upgrade Project. Delfel noted that going to bid early in the year continues to be working well for the District.

Commissioners
Commissioner Clarke thanked the Board members and Staff for the warm welcome he has received. Commissioner McGrath and Commissioner Johnson welcomed Commissioner Clarke to the Board.

CONCLUDE
There being no further business, the President of the Board concluded the meeting at 6:22 p.m.

Commissioner Johnson
Commissioner McGrath

Commissioner Clarke
# Mukilteo Water and Wastewater District

## Investment Funds Report

**12/31/2019**

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<tr>
<th>Sub-Fund ID</th>
<th>Fund Description</th>
<th>Invest Type</th>
<th>Maturity Date</th>
<th>Amount</th>
<th>Rate</th>
<th>Amount</th>
<th>Rate</th>
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</thead>
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<td>740</td>
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<td>State Pool</td>
<td>N/A</td>
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<td>746</td>
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<td>1.772%</td>
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<tr>
<td></td>
<td></td>
<td>Opus MM</td>
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<tr>
<td></td>
<td></td>
<td>Opus MM</td>
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<td>$929,966.10</td>
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<td>FHLB</td>
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<td>8/5/2019</td>
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<td>$1,383,718.00</td>
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<td>846</td>
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<td>FHLB</td>
<td>8/5/2019</td>
<td>$1,631,842.08</td>
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<td>$1,905,496.36</td>
<td>2.380%</td>
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<td>2.530%</td>
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**Total Unrestricted Investments**

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**Restricted Investments**

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**Total Restricted Investments**

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**Total Investments**

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<th>Rate</th>
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<tr>
<td>$22,079,389.64</td>
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(State Pool rate is net of fees)
## Mukilteo Water & Wastewater District
### Investment Analysis - December 31, 2019

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<th>Principal Cost</th>
<th>Market Value</th>
<th>Yield Rate</th>
<th>ID #</th>
<th>Broker</th>
<th>Type</th>
<th>Maturity</th>
<th>Days to Maturity</th>
<th>Rate x Cost</th>
<th>Days x Cost</th>
<th>Interest to Maturity</th>
<th>Current Period Int on Curr Invest</th>
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<td>10/15/2021</td>
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<td>45,883.56</td>
<td>10,850.00</td>
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<td>2.000%</td>
<td>3130AHZ4</td>
<td>DADCO</td>
<td>FHLB</td>
<td>10/17/2022</td>
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<td>1,531,500,000</td>
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<td><strong>$5,883,718.00</strong></td>
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<td></td>
<td><strong>$162,958.33</strong></td>
<td><strong>$43,400.00</strong></td>
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### Other:
- **Average Yield:** 2.00%
- **Weighted Average Maturity (WAM) days:** 527
- **Total Securities:** $117,508.07, 3,100,499,622, $162,958.33, $43,400.00

### Investment Diversification Constraints:

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<th>Issuer Type</th>
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<th>Per Issuer Constraints</th>
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<tr>
<td>1. US Treasury Obligations</td>
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<td>100%</td>
<td>Under 30 days 10% 63%</td>
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<tr>
<td>2. GSE-Agency Obligations</td>
<td>100%</td>
<td>20%</td>
<td>Under 1 Year 25% 80%</td>
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<tr>
<td>3. Local Government Investment Pool</td>
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<td>Under 5 Years 100% 100%</td>
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<td>4. Municipal Debt Obligations</td>
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<td>5%</td>
<td>Weighted Average Maturity 2 Yrs Max 1.45 Years</td>
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<td>5. Bankers Acceptance</td>
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<td>DADCO - DA Davidson &amp; Co.</td>
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<td>6. Time Deposits</td>
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<td>10%</td>
<td>Suntrust-Suntrust Robinson Humphrey</td>
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*At time of purchase
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<td>(2,428,150.00)</td>
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SUBJECT: Award of the Possession View Place Water Main Replacement Project #28-19

MEETING DATE: February 5, 2020

FROM: Jim Voetberg, General Manager

CURRENT YEAR

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<tr>
<th>Amount Budgeted</th>
<th>Amount Committed</th>
<th>Amount Available</th>
<th>Spent to Date</th>
<th>Expenditure Requested</th>
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<td>$0</td>
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<td>$309,587.85</td>
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EXHIBITS ATTACHED

- Resolution No. 517-20, Awarding the Possession View Place Water Main Replacement Project.
- Review of Bids & Recommendation of Award

SUMMARY STATEMENT/ISSUES:

On January 23, 2020, the District received 13 bids for the Possession View Lane Water Main Replacement project. The bids ranged from $309,587.85 to $428,519.00. The Engineer's Estimate was $389,319.13. Each proposal was checked for correctness of extensions of the prices per unit and the total price.

District Engineer, Eric Delfel has reviewed the bids and recommends award to the low bidder Kar-Vel Construction of Renton, WA in the amount of $309,587.85 including sales tax. Engineer Delfel will be attending the meeting of February 5th to report on the bids and address any questions the Board may have.

SUGGESTED/RECOMMENDATION:

Adopt Resolution No. 517-20, awarding the Possession View Place Water Main Replacement Project #28-19 to Kar-Vel Construction in the amount of $309,587.85 including applicable Washington State sales tax.
MUKILTEO WATER AND WASTEWATER DISTRICT
SNOHOMISH COUNTY, WASHINGTON

RESOLUTION NO. 517-20

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MUKILTEO WATER AND WASTEWATER DISTRICT, SNOHOMISH COUNTY, WASHINGTON, AWARDING A CONTRACT FOR THE POSSESSION VIEW PLACE WATER MAIN REPLACEMENT PROJECT, PROJECT #28-19.

WHEREAS, included in the Mukilteo Water and Wastewater District Capital Budget is funding for the Possession View Place Water Main Replacement Project; and

WHEREAS, construction documents for the Possession View Place Water Main Replacement Project were prepared by the District's Engineer Gray & Osborne, Inc.; and

WHEREAS, on January 6th and January 13th, 2020, a call for bids was published for the Possession View Place Water Main Replacement Project; and

WHEREAS, sealed bids for the Possession View Place Water Main Replacement Project were opened on January 23rd at 2:00 p.m.; and

WHEREAS, District Engineer Gray & Osborne has reviewed the bids and determined Kar-Vel Construction submitted the lowest responsible bid in the total amount of $309,587.85, including state sales tax; and

WHEREAS, the District General Manager and District Engineer recommend award of the Possession View Place Water Main Replacement Project to Kar-Vel Construction in the total amount of $309,587.85, including state sales tax; now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Mukilteo Water and Wastewater District, Snohomish County, Washington as follows:

1. The recitals set forth above are incorporated herein by this reference.

2. The Possession View Place Water Main Replacement Project is hereby awarded to Kar-Vel Construction, as the lowest responsible bidder in the amount of $309,587.85, including state sales tax, subject to the execution of the project contract and providing the performance and payment bonds and insurance as required by the project bid.

3. The General Manager is hereby authorized to execute the contract on behalf of the District.

4. District staff is directed to notify the contractor of the award, have the necessary documents executed, issue a notice to proceed, and follow through
with supervision and inspection of the work to its completion.

ADOPTED by the Board of Commissioners of the Mukilteo Water and Wastewater District, Snohomish County, Washington, at the regular open public meeting held on the 5th day of February 2020.

President/Commissioner McGrath  Secretary/Commissioner Clarke

Vice President/Commissioner Johnson
On January 23, 2020, the District received 13 bids for the 2020 Water Improvements Possession View Lane Water Main Replacement project. The bids ranged from $309,587.85 to $428,519.00. The Engineer’s Estimate was $389,319.13. Each proposal was checked for correctness of extensions of the prices per unit and the total price. One correction was made; however, this correction did not change the position of the low bidder. We have provided a bid summary with this letter. The bidders and their respective bid amounts, including sales tax where applicable, are as follows:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Kar-Vel Construction (Renton, WA)</td>
<td>$309,587.85</td>
</tr>
<tr>
<td>2. B&amp;B Utilities &amp; Excavating, LLC (Bothell, WA)</td>
<td>$316,757.09</td>
</tr>
<tr>
<td>3. Konnerup Construction, Inc. (Stanwood, WA)</td>
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</tr>
<tr>
<td>4. Rodarte Construction, Inc. (Auburn, WA)</td>
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<tr>
<td>5. D &amp; G Backhoe, Inc. (Lake Stevens, WA)</td>
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</tr>
<tr>
<td>6. Laser Underground &amp; Earthworks, Inc. (Snohomish, WA)</td>
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<td>7. Colacurcio Brothers, Inc. (Blaine, WA)</td>
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<td>8. Oceanside Construction, Inc. (Bellingham, WA)</td>
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<td>9. SRV Construction, Inc. (Anacortes, WA)</td>
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</tr>
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<td>10. Shoreline Construction Company (Woodinville, WA)</td>
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<tr>
<td>11. Pacific Sitework (Clinton, WA)</td>
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</tr>
<tr>
<td>12. Trico Companies, LLC (Burlington, WA)</td>
<td>$419,010.48</td>
</tr>
<tr>
<td>13. Pellco Construction, Inc. (Mukilteo, WA)</td>
<td>$428,519.00</td>
</tr>
</tbody>
</table>
The lowest responsive bidder, Kar-Vel Construction of Renton, Washington, is currently a Washington State registered and licensed contractor and appears to have the relevant qualifications and experience to successfully perform the work the project will require. To our knowledge, the lowest bidder has not claimed bid error and no formal bidding protests have been recorded. In accordance with RCW 39.04, we have verified the lowest bidder, Kar-Vel Construction of Renton, Washington, has met the responsibility criteria. The Mandatory Bidder Responsibility Checklist, including documentation, is attached for the District’s file. We have also reviewed the Supplemental Bidder Criteria information submitted by Kar-Vel Construction and they appear to meet the requirements of the Supplemental Bidder Responsibility Criteria.

Based on our evaluation, we recommend that the project be awarded to the lowest responsive, responsible bidder:

Kar-Vel Construction
P.O. Box 58275
Renton, Washington 98058

Please contact us if you have any questions and/or require additional information.

Sincerely,

GRAY & OSBORNE, INC.

Eric Delfel, P.E.

ED/hh
Encl.
BUSINESS OF THE MUKILTEO WATER AND WASTEWATER DISTRICT
BOARD OF COMMISSIONERS

SUBJECT: Sole Source UV System Switch (Project #56-20)

MEETING DATE: February 5, 2020

FROM: Jim Voetberg, General Manager

CURRENT YEAR

<table>
<thead>
<tr>
<th>Amount Budgeted</th>
<th>Amount Committed</th>
<th>Amount Available</th>
<th>Spent to Date</th>
<th>Expenditure Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

EXHIBITS ATTACHED:

- Resolution No. 518-20, authorizing the sole source procurement of an electrical bypass switch at the process logic controller for the Wedeco UV light disinfection system.

SUMMARY STATEMENT/ISSUES:

The wastewater treatment facility utilizes an ultraviolet (UV) light disinfection system to disinfect treated wastewater prior to discharging to Puget Sound. The existing UV light system was manufactured by Wedeco, a brand of Xylem.

The existing Wedeco UV light disinfection system does not have an electrical power by-pass switch at the process logic controller (PLC) to allow the system to operate in the event the PLC fails. Since disinfection is a critical treatment process required by DOE, reducing the risk the UV light system fails is a high priority for the Wastewater Treatment Facility.

Included in the 2020 Capital Budget are funds to purchase and install a UV light disinfection system PLC electrical by-pass switch called a “Wedeco Timer Relay”. Since the “Wedeco Timer Relay” will be a component of the Wedeco UV light disinfection system, it will need to be purchased and installed by Wedeco. A resolution authorizing this sole source purchase has been prepared for Board consideration.

Wastewater Treatment Manager Gil Bridges will be attending the Board meeting and is prepared to address any question the Board may have.

RECOMMENDATION/SUGGESTED MOTION:
Approve Resolution No. 518-19, authorizing the sole source procurement of an electrical bypass switch for the Wedeco UV light disinfection system.
RESOLUTION NO. 518-20

MUKILTEO WATER AND WASTEWATER DISTRICT
SNOHOMISH COUNTY, WASHINGTON

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MUKILTEO WATER AND WASTEWATER DISTRICT, SNOHOMISH COUNTY, WASHINGTON, WAIVING BIDDING REQUIREMENTS AND AUTHORIZING SOLE SOURCE PROCUREMENT FOR A WASTEWATER TREATMENT FACILITY ULTRAVIOLET LIGHT DISINFECTION SYSTEM “WEDECO WATCHDOG TIMER RELAY” FROM WEDECO, A BRAND OF XYLEM (PROJECT #56-20)

WHEREAS, the Mukilteo Water and Wastewater District (“District”) is a water/sewer district organized and operating pursuant to Chapter 57 RCW; and

WHEREAS, the District owns and operates a wastewater treatment facility pursuant to its authority; and

Whereas, the District utilizes an ultraviolet (UV) light disinfection system to disinfect wastewater prior to discharge into Puget Sound; and

Whereas, the UV light disinfection system was manufactured by Wedeco, a brand of Xylem; and

WHEREAS, to improve operation and maintenance capabilities of the UV light disinfection system, a “Wedeco Watchdog Timer Relay” needs to be installed that allows power to by-pass the system’s project logic controller (PLC) in the event the PLC fails; and

WHEREAS, to ensure compatibility with the existing Wedeco UV light disinfection system, the “Wedeco Watchdog Timer Relay” needs to be supplied and installed by Wedeco; now, therefore

BE IT RESOLVED by the Board of Commissioners of Mukilteo Water and Wastewater District, Snohomish County, Washington, as follows:

1. The recitals set forth above are incorporated herein by this reference.
2. Wedeco, a brand of Xylem, is the sole supplier of a “Wedeco Watchdog Timer Relay”.
3. The competitive bidding requirements set forth in RCW 57.08.050 for the purchase of a “Wedeco Watchdog Timer Relay” is hereby waived pursuant to RCW 39.04.280(1) (a) and (b), and shall be supplied and installed by Wedeco, a brand of Xylem.

ADOPTED by the Board of Commissioners of the Mukilteo Water and Wastewater District, Snohomish County, Washington, at the open public meeting thereof held on the 5th day of February, 2020.

President/Commissioner McGrath
Secretary/Commissioner Clarke

Vice President/Commissioner Johnson
MEMORANDUM

To: Board of Commissioners
From: Jim Voetberg, General Manager
Date: January 31, 2020
Subject: Manager’s report for the meeting of February 5, 2020

Surplus Property – 815 Mukilteo Lane: One of the surplus properties the District has advertised for sale is located at 815 Mukilteo Lane. As shown on the attached map, the property is located adjacent to the City’s Fowler Pear Tree Park and due to its size, shape and location the property has no real benefit other than to the City. Concurrently, one of the impacts associated with the Lift Station No. 9 Upgrade project (the project is also located adjacent to the Fowler Pear Tree Park) is the loss of two City parking spaces. As mitigation for the loss of these parking spaces, Staff intends to offer the transfer of the District’s 815 Mukilteo Lane property to the City which would allow the creation of two parking spaces, essentially offsetting the loss from the project. Unless otherwise directed by the Board, staff will proceed along the process of transferring the District’s 815 Mukilteo Lane property to the City as mitigation for the loss for parking spaces associated with the Lift Station No. 9 Upgrade project.

Lift Station No. 5 easement/land acquisition for above ground improvements: Included in this year’s capital budget is design of improvements to Lift Station No. 5 and the Lift Station No. 5 force main. Interestingly, when Lift Station No. 5 was originally constructed, the District only received easement rights for below ground improvements. Recognizing installing electrical equipment and controls in below ground vaults only increases the risk or water/sewer intrusion and potential catastrophic failure (example: Lift Station No. 10 failure) Staff has been communicating with the property owner where Lift Station No. 5 is located to explore options of securing rights for above ground improvements. At this early stage, Staff has told the property owner all options are on the table for discussion and consideration. As options are more fully explored and evaluated, the Board will be updated accordingly.

T-Mobile Cell Tower Lease at Reservoir No. 2: Several months ago, Staff discussed with the Board T-Mobile’s request for additional land lease area at their Reservoir No. 2 cell tower site. At that time, T-Mobile expressed this request was due to their desire of installing a back-up generator for their equipment. Concurrently T-Mobile requested a reduction of the annual escalator from 5% to 4%, requested an extend to the lease term, and was offering $40,000 as a part of this deal. Based on the increased revenue associated with the increased land lease, the upfront $40,000, and taking into consideration the reduction of the annual escalator from 5% to 4%, the breakeven year for total revenue received was 2043. Given the current lease agreement expires in 2028 and the unknown cell tower needs in 2043, the Board was supportive moving forward with T-Mobile’s request.
As the negotiation with T-Mobile proceeded, they tried to insert language that would not commit them to the additional lease area. After further discussions, it was clear T-Mobile was not interested in the additional lease area but was using this a carrot to reduce their annual escalator and extend the lease term. At this point, Staff informed T-Mobile the District was not interested in further negotiations.

T-Mobile has recently contacted the District again with Staff confirming they do not desire additional lease area but may be able to offer an increase of the upfront money to $45,000 in exchange for a term extension to 2058 and a reduction of the annual escalator from 5% to 4%. Under this scenario, the financial break-even point (assuming the District was successful in retaining the 5% escalator past 2028) is 2032/2033. Putting aside the frustration of dealing with T-Mobile and looking at this through a financial lens, there is some rationale to seriously consider their latest request. First, if the District was to continue with the existing agreement and renegotiate an extension in 2028, it must be recognized T-Mobile will strongly try to reduce the annual 5% escalator and there is no guarantee the District could maintain this annual increase. Second, without an extension, T-Mobile may explore relocation to another site that will meet its long-term needs. Third, with rapid advancement of technology, the use and types of future cell towers is anyone’s guess. It also needs to be acknowledged the District is getting well compensated for the lease of this area at Reservoir No. 2 which has no long-term need by the District (by the break-even year 2032/2033 the lease revenue is around $64,000 per year).

Staff would like a brief discussion on the Board’s desire of any further negotiations with T-Mobile.

**WASWD Legislative Report:** Attached for Board review is the January 2020 WASWD legislative update.

**Department of Ecology Nutrient Forum:** Commissioner Clarke, Gill Bridges and I attended a Nutrient Forum held by the Department of Ecology (DOE) regarding DOE’s desire to regulate wastewater treatment facility nutrient discharge. The three of us will provide a verbal report of our observations of the meeting.
Map Title

Legend
- Parcel
- Recent Sales 2020
- Recent Sales 2019
- Recent Sales 2018
- City Boundary
- County Park
- National Forest
- Water

Street Types
- Interstate
- State Route
- Local Road

An image, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an authorization to or representation of the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty regarding the correctness, accuracy, currency, completeness, or reliability of the Data; contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose, and shall not be responsible for any consequences of use of the Data. The Data may not include all parcels of record, and the Data contains parcel IDs and names that may not appear as in the Snohomish County Code. Snohomish County shall not be liable for errors or omissions in the Data, or for any incorrect or incomplete results obtained from its use. No warranty is made of any kind regarding the Data or any portion thereof.

February 5, 2020
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* Assumes District can negotiate a 5% escalator
2020 LEGISLATIVE SESSION BEGINS

The Washington State Legislature 2020 session began on Monday, January 13. All bills from last session are reintroduced and could have action. Already there are several new bills introduced that are of interest to districts, including WASWD’s bill related to commissioner per diem and the wipes labeling bill we’ve been working on with Representative Fitzgibbon and other stakeholders. As expected, Representative Pollet introduced a bill on accountability for special purpose districts, which is specifically targeting “unauditable” districts. There is a bill proposing state water planning. Ecology is proposing a water banking bill as well as a bill related to using water rights in trust for drought mitigation. Another bill could change posting requirements for District Commissioner meetings. Look for legislative updates every two weeks starting next week. If you want to learn more about or track specific bills you can go to leg.wa.gov.

SECTION REPORTS

All Section meetings are cancelled this month and most of the sections didn’t meet in December. Following are actions from the past two Board meetings you would have heard about.

1. Curt Brees was sworn in as the new Section III Director
2. Columbia Bank was approved as a new associate member.
3. A Workforce Development Program was adopted. It consists of two components:
   a. adapting the WASWD scholarship fund to also allow for scholarships for aspiring operators.
   b. WASWD will facilitate district participation in career fairs to increase awareness of current and future job opportunities in the water and sewer industry.
4. Committees were approved and members were appointed. This includes re-establishing the Audit and Membership Committees. If you missed the sign-up, you can still sign up for a committee of your choice

UPCOMING TRAININGS, CONFERENCES, AND EVENTS

WASWD Commissioners Workshop. Cost: $110.
Saturday, January 18, 2020, 8:30 a.m.-3:00 p.m.
Check out the agenda at this link.
Embassy Suites (Tukwila)
15920 West Valley Highway
425-227-8844 for reservations or visit your favorite travel webpage.

**Friday, January 24, 2020, 1:00 – 2:00 p.m.**

Webinar

Learn how the LOCAL Program’s financing can help finance a variety of equipment and property, including: commercial vehicles; real estate buildings (i.e. district offices); machinery; office equipment; and portable buildings. Program benefits include low fees and expenses, technical assistance, and access to the public bond markets. Learn more and register at this [link](#).

“What will you do IF...?” Cost: $100-$150 depending on if member and when you register. Sponsored by PNW AWWA Utility Management Committee.

**Thursday, January 30, 2020, 7:30 a.m. to 4:30 p.m.**

Olympia Center- 222 Columbia St. NW, Olympia

Topics include intrusion alarms, boil water events, a Washington state tornado event, WARN, emergency sewer main replacement and discharge, and operator recruitment. Approved for .7 CEUs. Register at this [link](#).

WASWD Member Webinar. No Cost.

**Wednesday, February 12, 2020, 10:00 a.m.-11:30 a.m.**

Webinar- Registration information coming soon.

WA State Auditor’s Office will review audit features, lease accounting, and new reporting features.

Emergency Preparedness Workshop. Cost: $75 or $100, depending if you are a member. Sponsored by PNW AWWA.

**Friday, February 14, 2020, 7:45 a.m. to 3:45 p.m.**

Brightwater Environmental Education Center

22505 State Route 9 SE, Woodinville, WA

Training includes basic understanding of emergency preparedness and response of water utilities in the event of an emergency or disaster. Approved for .7 CEUs. Learn more and register at this [link](#).