



MINUTES OF REGULAR MEETING OF THE BOARD OF COMMISSIONERS

May 4, 2021

The meeting was called to order at 3:00 p.m. by Board President Patricia Hale. In accordance with a motion at the March 16th Board meeting, the meeting was held in a hybrid format. Commissioners and staff had the option to attend in person or by call in. Members of the public were invited to attend via conference call.

Commissioners Participating

Commissioner Patricia Hale, President
Commissioner Ron Ricker, Vice President
Commissioner Charlotte Haines, Secretary

Staff Participating

Diane Pottinger, District Manager
Denny Clouse, Operations Manager (call in)
Theresa Harrington, Executive Asst.
Joe Bennett, District Attorney

PUBLIC COMMENT

Members of the public were invited to participate by telephone conference call. The dial-in number was posted at the drive-up window at the District administrative offices and posted with the agenda on the District website. Natalie Lecher was present on the call. She had no comments.

APPROVAL AND/OR ADJUSTMENTS TO AGENDA

Commissioner Haines made a motion to approve the agenda as presented. Commissioner Ricker seconded the motion and the motion passed.

APPROVAL OF MINUTES

Commissioner Haines made a motion to approve the minutes for the April 20 regular meeting. Commissioner Hale seconded the motion. The motion passed.

APPROVAL OF VOUCHERS

District Manager Diane Pottinger presented the vouchers which were reviewed by Commissioner Ricker on Friday and submitted to King County in accordance with the emergency voucher approval procedures set forth in Resolution 2020.04.17. Commissioner Haines moved to approve vouchers numbers 6235-6251 and 117607-117635 in the amount \$194,195.32 from the maintenance fund and voucher numbers 625-626 in the amount of \$15,891.04 from the capital fund. The commissioners discussed several vouchers with staff who answered their questions. Commissioner Ricker seconded the motion. The motion passed.

OLD BUSINESS

a. Reinstatement of Late Fees and Shut offs and Proposed Communications Plan

Continuing the discussion from the April 20 regular meeting, District Manager Pottinger presented the Board with information on the current status of the Governor's moratorium on the assessment of late fees and shut offs for water utilities, which is currently set to expire on July 31, 2021. In addition, Ms. Pottinger shared that the Utilities and Transportation Commission (UTC) has extended protections for electric and natural gas customers. Currently the UTC moratorium prevents investor-owned energy utilities from disconnecting customers for non-payment through July 31, 2021 and prevents the charging of late fees through January 27, 2022. Ms. Pottinger reported that leadership at the Washington Association of Sewer and Water Districts is currently working to develop clearer guidance for special purpose districts regarding this issue. The Board agreed that it would be premature to set a timeline for resuming late fees and shut offs due to the uncertain nature of the situation, but it would be prudent to begin communicating with customers that a return to these practices will be coming. Ms. Pottinger shared with the Board a plan for customer communications for the District's public relations consultant. The Board reviewed and affirmed the communication plan.

b. NWCD Code 03.03.030 Late Charge Fees compared to neighboring utilities

Per the Board's request at the April 20 meeting, Ms. Pottinger provided a comparison of the late fee charges and policies of near neighbor districts. The Board reviewed and discussed. Commissioner Hale indicated it might be helpful to have some demographic information on each district to inform the discussion. The Board indicated they were not ready to make a Code at this time but would be willing to reexamine it with more information at a later date.

c. Consulting Services Contract

Mr. Bennett reviewed the existing contract language, his proposed changes, and Enduris' recommendations to the contract. The Board discussed the proposed changes and agreed with the District Attorney to use his recommendation for the final document. Commissioner Ricker made a motion to approve Mr. Bennett's proposed updates for the consulting services contract. Commissioner Haines seconded the motion and the motion passed unanimously. Ms. Pottinger will bring the final draft and a resolution to approve to the May 18 Board meeting.

d. Salary and Benefits Survey

Ms. Pottinger reported that Trupp HR has sent out the salary and benefits survey to 14 neighboring water and sewer providers. The due date for response is Friday May 7. They have currently received 6 responses and anticipate the rest will be in by the deadline. Ms. Pottinger will bring the preliminary draft report of the findings to the May 18th meeting. A full report should be available the first meeting in June.

NEW BUSINESS

a. 2021.05.12 Close out of the Maintenance Facility

District Manager Diane Pottinger presented a resolution to close out Phase 2 of the construction of the new maintenance facility with Faber Construction. Operations Manager Denny Clouse agreed that this phase of the project was now completed, and we should accept this project. Commissioner Ricker made a motion to approve the resolution. The motion was seconded by Commissioner Haines then passed unanimously.

b. Voucher 627 Faber Construction Retainage

Ms. Pottinger presented the Board with voucher 627 in the amount of \$278,332.37 from the capital fund for approval. This voucher is the return of remaining retainage to Faber Construction for the Phase 2 construction of the new maintenance facility. Commissioner Haines made a motion to approve the voucher. Commissioner Ricker seconded the motion. The motion passed.

c. 2021.05.13 Declaring Certain Property Owned by the District to be Surplus and Authorizing the Disposal thereof

District Manager Diane Pottinger presented a resolution to declare District property as surplus. Commissioner Haines made a motion to approve the resolution. The motion was seconded by Commissioner Ricker then passed unanimously.

d. NCWD COVID-19 Vaccination Policy Draft

Ms. Pottinger presented the Board with a draft NCWD Covid-19 vaccination policy for district employees and a draft form for staff to sign to acknowledge receipt and understanding of the policy. Ms. Pottinger proposed that the District encourage but not require the vaccine or attestation of vaccination status at this time. The Board reviewed and discussed the proposed policy and directed Ms. Pottinger to incorporate suggestions and bring the policy to the next meeting for official adoption by resolution.

e. Interlocal Agreement with the City of Shoreline for Water Usage Data

In 2017, the District entered into an interlocal agreement with Ronal Wastewater District (Ronald) to provide usage data for billing purposes. This agreement expired upon the assumption of Ronald by the City of Shoreline. Ms. Pottinger shared with the Board a draft agreement prepared by the District Attorney, with the City of Shoreline for this purpose. The agreement includes a provision allowing the District to charge for the staff time required to provide this service. The Board directed staff to send the agreement to the City of Shoreline for review and approval. Ms. Pottinger also recommended a review of similar agreements the District holds with the City of Lake Forest Park to ensure consistency.

f. Brokers' Services Request for Proposal

Ms. Pottinger reported that the District has received three responses to the RFP for brokerage

services to help with the marketing and sale of the old maintenance facility. She and Operations Manager Denny Clouse will be reviewing and scoring the proposals and hope to make a selection this week.

g. 2021 Consumer Confidence Report

Ms. Pottinger provided the Board with a draft of the 2020 Consumer Confidence Report. The Board reviewed and discussed. Ms. Pottinger plans to send the CCR to the printers by Thursday and customers should receive it later this month.

h. SPU Request for Letter of Support for Water Nominee

Ms. Pottinger shared a request from SPU for letters of support to the U.S. Senate Environment and Public Works Committee for the confirmation of Radhika Fox for the position of Assistant Water Administrator for the U.S. Environmental Protection Agency. The Board affirmed their support and directed the District Manager to send a letter on behalf of North City Water District.

MANAGER REPORTS

a. Finance Manager

District Manager Diane Pottinger reported that the audit preparation is complete and that the hiring process for a new Finance Manager will begin as soon as the salary and compensation study is done.

b. Project Status Report/Operation Manager

Mr. Clouse reported on development within the District. A developer has purchased 8 lots on NE 180th St. between 5th and 7th Avenues NE with plans for a number of multifamily units. The proposed development will require water system improvements. The developer will need to pay for system modeling to determine the water needs and improvements necessary to serve the new development. This site is near the new Sound Transit station and there may be the possibility to tie into the 8-inch main Sound Transit is placing to bring the needed services to this site.

Mr. Clouse also updated the Board on **CIP 2021.06 - PAX Mixer Replacement 3.7 MG Tank**. The new PAX mixer for the water reservoir has been delivered and the divers are scheduled to install the system on June 24th.

Lastly, Commissioner Hale commended Mr. Clouse on his article in the AWWA PNWS magazine reflecting on his career in the water industry as he approaches his retirement in the coming year.

c. District Manager

District Manager Pottinger updated the Board on the following:

- Ms. Pottinger reported that she has received official notice from the Department of Health that the North City Water District Water System Plan has been adopted and approved.
- Ms. Pottinger and Mr. Clouse are working to complete the Environmental Protection Agency (EPA) Risk and Resiliency Certification for small water systems due on June 30, 2021. The District will be using a consultant to assist with the Emergency Management Plan due at the end of the year. Ms. Pottinger and Mr. Clouse have solicited RFP's for this project from the District's engineering roster and will bring recommendations to the next meeting.
- The District has submitted the final information for the AWWA Benchmarking Survey.
- The new work order, purchase order and inventory modules for the District's accounting system are almost ready to go live. Staff has been working hard to successfully implement this new system and accompanying procedures. In addition, Ms. Pottinger has completed the streamlining of process with Paychex Flex the District's payroll service provider.

Lastly, Ms. Pottinger informed the Board that the Shoreline Neighborhood Association will not be pursuing the hanging basket program in North City this season as they did not have enough time to implement. They will be working to bring the program back next year hopefully.

COMMISSIONER REPORTS

Commissioner Ricker had no report at this time.

Commissioner Haines had no report at this time.

Commissioner Hale reported that she attended a meeting regarding the Washington State ShakeAlert program and she attended the final meeting of the Ronald Wastewater Commissioners via Zoom. The City of Shoreline will be honoring the former Ronald Wastewater District Board of Commissioners at the May 10th council meeting.

LEGAL REPORT

Mr. Bennett requested the Board go into an executive session for the purpose of considering pending or potential litigation per RCW 42.30.110(1)(i). The Board left the public session at 4:37 p.m.

EXECUTIVE SESSION

The Board resumed in an executive session at 4:38 p.m. for 16 minutes for the purpose of considering pending or potential litigation per RCW 42.30.110(1)(i). The Commissioners, Mr. Bennett and the District Manager Diane Pottinger were present.

PUBLIC SESSION RESUMED

The executive session concluded at 4:54 p.m. The meeting went into a short recess and resumed for public session at 4:55 p.m.

Board President Patricia Hale called a special meeting of the Board for Tuesday, May 25, 2021 from 12:00 p.m. – 2:00 p.m. for the purpose of meeting in executive session per RCW 42.30.110(1)(i) to consider pending or potential litigation.

Commissioner Hale concluded the meeting at 5:10 p.m.

The next regular meeting of the Board will be on May 18, 2021 at 3:00 p.m. in a hybrid remote/in-person format. The public is invited to attend via telephone conference call.

Patricia M. Hale

Ron Ricker

Charlotte Haines