



MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS

July 2, 2024

1. CALL TO ORDER

The meeting was called to order at 3:00 p.m. by Board President Patricia Hale. All persons attended in person, except for any who joined by telephone as noted (*).

Commissioners Present

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

Staff and Consultants

Diane Pottinger, District Manager
Max Woody,* Director Operations & Engineering
Toby Bigger,* Senior Inspector
Joe Bennett, District Counsel

Others Present

Peter Eglick*

2. PUBLIC COMMENT

Peter Eglick is on the board of the Sheraton Beach Community Club (SBCC). He stated that the District should proceed with the project and the easement compensation requested by SBCC is modest. There was a general discussion about the issue.

3. APPROVAL AND/OR ADJUSTMENTS TO AGENDA

Ms. Pottinger stated that Item 7.c has been removed from the agenda. Upon motion by Commissioner Ricker and second by Commissioner Haines, the Board unanimously approved the agenda as adjusted.

4. APPROVAL OF MINUTES

Upon motion by Commissioner Haines and second by Commissioner Ricker, the Board voted unanimously to approve the minutes of the June 18 regular meeting.

5. APPROVAL OF VOUCHERS

Commissioner Haines moved to approve voucher numbers 7465-7480 and 120702-120742 in the amount of \$187,815.21 from the maintenance fund, and voucher numbers 902-906 in the amount of \$20,106.96 from the capital fund. Commissioner Ricker seconded. Mr. Woody and Ms. Pottinger provided additional information about specific vouchers in response to email questions from Commissioners Hale and Haines. The motion passed unanimously.

6. OLD BUSINESS.

- a. Resolution 2024.06.18, approving Water Service Extension Agreement (WSEA) with Shoreline School District (SSD). Ms. Pottinger explained that this WSEA was previously approved by motion at the June 18 Board meeting. Both the District and SSD have signed the WSEA. Mr. Woody provided some background for the project.

ACTION: Upon motion by Commissioner Ricker and second by Commissioner Haines, the Board unanimously adopted the resolution.

7. **NEW BUSINESS**

- a. **Customer Comments.** Ms. Pottinger and Mr. Woody shared customer comments complimenting Bob Heivilin and Mr. Woody. Ms. Pottinger also shared a recent email from the SBCC regarding the 41st Ave to Beach Drive project. She is disinclined to proceed with the project in light of SBCC's request for easement compensation.
- b. **Enduris Board.** There were two nominees for the two positions on the Enduris Board. *ACTION*: Upon motion by Commissioner Hale and second by Commissioner Haines, the Board directed the District Manager to vote for the two nominees.
- c. Deferred.
- d. **Resolution 2024.07.20, approving increased scope for Third Ave Water Main Project.** Mr. Woody explained the project background. *ACTION*: Upon motion by Commissioner Hale and second by Commissioner Haines, the Board unanimously adopted the resolution.
- e. **Resolution 2024.07.21, approving revised bill of sale for WSEA with WZL Enterprises.** Ms. Pottinger explained the changes since the original bill of sale. Notice of the July 16 public hearing will be mailed to neighboring property owners tomorrow. *ACTION*: Upon motion by Commissioner Haines and second by Commissioner Hale, the Board unanimously adopted the resolution.

8. **DIRECTORS' AND MANAGER'S REPORTS**

a. **Director of Operations and Engineering**

Mr. Woody:

- Provided an update on the Sunrise 12 WSEA.
- Reported on other ongoing projects.

b. **District Manager**

Ms. Pottinger reported:

- She expects a contract amendment from Sound Transit approving the additional funds owed to the District. She requested the Board authorize the Board President to sign the contract amendment after review and recommendation of the District Manager and District Counsel. *ACTION*: Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted 3-0 to authorize Board President Hale to sign the Sound Transit Lynnwood Link contract amendment.
- She expects the final punch list items, easements and other paperwork to close out the Sound Transit Lynnwood Link project in the near future.
- She asked commissioners if they plan to attend the WASWD fall conference.
- She expects that she, Mr. Woody and Mr. Bennett will present at the conference on latecomer agreements.
- She highlighted the upcoming SPU water contract negotiating meeting next Thursday, July 11 at 10:00 at Mercer Island followed by the regular Operating Board meeting onsite at 1:00.
- The next staff lunch is scheduled for August 21. Commissioners are welcome to attend.

9. **LEGAL REPORT** Mr. Bennett reported on the Court of Appeals decision in *West Terrace Golf LLC v. City of Spokane*.

10. **COMMISSIONER REPORTS**

- Commissioner Hale spoke with a customer who requested to speak at a future District hosted gardening class.

11. **EXECUTIVE SESSION**. None.

12. **WORDS FOR THE GOOD OF THE ORDER** None.

13. **NEXT MEETING**

- Regular meeting of Board of Commissioners, Tuesday, July 16, at 3:00 p.m.

14. **CONCLUSION**

Commissioner Hale concluded the meeting at 4:17 p.m.

Commissioner Patricia M. Hale

Commissioner Charlotte Haines

Commissioner Ron Ricker