



MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS

December 20, 2022

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

Commissioners Present

Commissioner Patty Hale,* President
Commissioner Ronald Ricker, Vice President
Commissioner Charlotte Haines,* Secretary

Staff and Consultants

Diane Pottinger,* District Manager
Max Woody, Director Operations & Engineering
Barbara Shosten,* Director of Finance
Toby Bigger,* Senior Field Inspector
Paulyne Perez, Utility Office Supervisor
Joe Bennett,* District Attorney

PUBLIC COMMENT

Members of the public were welcome to participate in person or via the 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. There were no members of the public present in person or by phone.

APPROVAL AND/OR ADJUSTMENTS TO AGENDA

Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted unanimously to approve the agenda as amended.

APPROVAL OF MINUTES

Commissioner Haines noted a correction to the December 13 minutes. Commissioner Haines made a motion to approve the minutes for the December 6 regular meeting and the December 13 special meeting (as corrected). Commissioner Ricker seconded the motion, which passed unanimously.

APPROVAL OF VOUCHERS

Commissioner Haines moved to approve voucher numbers 6855-6871 and 119250-119280 in the amount of \$269,230.58 from the maintenance fund and voucher numbers 756-761 in the amount of \$58,005.38 from the capital fund. Commissioner Ricker seconded the motion. Commissioner Hale and Ricker asked questions about specific invoices. The motion passed unanimously.

OLD BUSINESS

None.

NEW BUSINESS

- a. **Resolution 2022.12.44, Approving Revised Relocation and WSEA with Sound Transit.** Ms. Pottinger explained the history of negotiations. *ACTION:* Upon motion by Commissioner Haines and second by Commissioner Ricker, the Board unanimously adopted the resolution.
- b. **Resolution 2022.12.45, Close out CIP 2021-03 Water Service Replacement on 30th Street.** Mr. Woody provided some background. *ACTION:* Upon motion by Commissioner Ricker and second by Commissioner Haines, the Board unanimously adopted the resolution.
- c. **Resolution 2022.12.46, Amending Contract with BHC Consultants for CIP 2021-05: NE 200th ST Water Main Installation.** *ACTION:* Upon motion by Commissioner Haines and second by Commissioner Ricker, the Board unanimously adopted the resolution.
- d. **Resolution 2022.12.47, Setting Board Regular Meeting Dates for 2023.** *ACTION:* Upon motion by Commissioner Hale and second by Commissioner Haines, the Board unanimously adopted the resolution.
- e. **Resolution 2022.12.48, Approving Addendum No. 4 of Legal Services Contract with Hendricks-Bennett, PLLC.** Mr. Bennett explained that the Board has preferred two-

year extensions. He stated that his firm recently signed a three-year agreement with another client and will commit to the same hourly rates for three years, through the end of 2025. ***ACTION:*** Upon motion by Commissioner Ricker and second by Commissioner Haines, the Board unanimously adopted the resolution.

- f. **Resolution 2022.12.49, Adopting District 2013 Operating Budget and 2013 Wage Matrix and the 2023-2032 Capital Budget.** Ms. Pottinger introduced the topic. Ms. Shosten stated that the wage matrix was the product of extensive research and is designed to keep the District competitive for hiring in the industry. Commissioners discussed the budget and the wage matrix. ***ACTION:*** Upon motion by Commissioner Ricker and second by Commissioner Haines, the Board unanimously adopted the resolution. Staff members thanked the Board for their approval.
- g. **Resolution 2022.12.50, Amending Appendix 3A of District Code Setting Water Rates and Charges.** Ms. Pottinger provided some background. ***ACTION:*** Upon motion by Commissioner Haines and second by Commissioner Ricker, the Board unanimously adopted the resolution.
- h. **Fourth Quarter Newsletter.** Ms. Pottinger and staff reviewed a draft and made some corrections. She asked commissioner for any comments on the final draft. She spoke with the printer and they expected it to be delivered to homes in in early January.

MANAGER REPORTS

- a. **Finance Manager.** Ms. Shosten reported that the SAO audit is in process and has gone smoothly so far. She hopes that the audit will be completed by mid-January. The DRS audit is also going well. She asked for and received Board input on the recent budget workshop format so that she can plan for the coming year. Commissioners stated that the process was efficient and helpful.
- b. **Project Status and Operations Reports**
Mr. Woody provided an update. Highlights included:
- He attended a pre-application meeting with the City of Shoreline regarding the 3rd Avenue project. He stated it was a good meeting and City staff were helpful.
 - 18th Ave NE & NE 168th St. Project (CIP 2022-02): He has received 90% drawings from the consultant, expects to provide review back with a hope to go out to bid in January.
 - Bothell Way Crossing Alternatives (CIP 2022-01): He will provide a more detailed briefing at a Board meeting in January.
 - Replace Water Mains on 5th Avenue NE (CIP 2022-03): He is currently reviewing 30% drawings from the consultant.
 - Beach Drive Creek Crossing (CIP 2021-04): The consultants are currently doing geotechnical work.
 - He asked the Board about the District's typical practice regarding when the workday ends on the Friday before Christmas.
- c. **District Manager**
District Manager Pottinger updated the Board as follows:
- Thanked commissioners for attending the December All-Staff meeting
 - She congratulated Commissioner Ricker on his 50 years of service this year.
 - She reported on a productive meeting with Shoreline planning staff regarding the City's Comprehensive Plan. She and other staff were encouraged by Shoreline's reaching out to coordinate future planning.
 - The Shoreline Fire Department wants to schedule a joint meeting of the two boards. She discussed possible dates.
 - She reported on a WSEA and reimbursement agreement.

LEGAL REPORT

Mr. Bennett thanked the Board for approving his new contract. It has been an honor to serve as general counsel for the past seven years.

COMMISSIONER REPORTS

- **Commissioner Hale** asked about the staff meeting where Harold was honored for his service. Mr. Woody and Mr. Biggers both replied that Harold appreciated the recognition.

EXECUTIVE SESSION

At 4:17 p.m., the Board went into executive session for 25 minutes to discuss potential litigation with Mr. Bennett pursuant to RCW 42.30.110(1)(i). At 4:42 p.m., the Board came out of executive session and returned to open session.

Commissioner Hale concluded the meeting at 4:44 p.m.

The next regular meeting of the Board will be on Tuesday, January 3, 2023, at 3:00 p.m.

Commissioner Patricia M. Hale

Commissioner Ron Ricker

Commissioner Charlotte Haines