



MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS

September 18, 2023

1. CALL TO ORDER

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

Commissioners Present

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

Staff and Consultants

Diane Pottinger, District Manager
Max Woody, Director Operations & Engineering
Joe Bennett, District Counsel

2. PUBLIC COMMENT

None.

3. APPROVAL AND/OR ADJUSTMENTS TO AGENDA

Ms. Pottinger and Mr. Bennett proposed taking legal report and executive session after Item 6, old business. Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted unanimously to approve the agenda as revised.

4. APPROVAL OF MINUTES

Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted unanimously to approve the minutes of the September 5 regular meeting as presented.

5. APPROVAL OF VOUCHERS

Commissioner Haines moved to approve voucher numbers 7151-7166 and 119936-119971 in the amount of \$556,559.21 from the maintenance fund and voucher number 844-847 in the amount of \$40,046.00, from the capital fund. Commissioner Hale asked questions about a particular invoice. She then seconded the motion, which passed unanimously.

6. OLD BUSINESS

- a. **Fircrest Campus Project Updates.** Ms. Pottinger provided an update regarding the permit applications for the health lab. There was an extended discussion about Fircrest's water storage and fire flow needs for both the existing and proposed redevelopment as known today.

9. LEGAL REPORT. Mr. Bennett reported on the Court of Appeals decision in *Tacoma, et. al vs. Department of Ecology*.

11. EXECUTIVE SESSION.

Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted unanimously to go into executive session for 15 minutes to discuss potential litigation with Mr. Bennett pursuant to RCW 42.30.110(1)(i). The executive session started at 3:20 p.m. and concluded at 3:35 p.m.

7. NEW BUSINESS

- a. **Resolution 2023.09.27, Declaring District Property Surplus.** Mr. Woody explained that after the recent delivery of two new F-150 District trucks, one of the existing vehicles is eligible for surplus. It will be sold through Murphy Auctions. *ACTION:* Upon motion by Commissioner Haines and second by Commissioner Hale, the Board unanimously adopted the resolution.
- b. **District Water System Plan Amendment 2.** Ms. Pottinger and Mr. Woody explained the updates of the District's existing Plan from the first amendment. The engineering consultant will provide assistance including the SEPA process.
- c. **SPU Water Supply Contingency Plan (WSCP).** Ms. Pottinger shared some draft language proposed by SPU should they move to the Voluntary Conservation Phase of the WSCP. This is consistent with the SPU's existing plan. *ACTION:* Upon motion by Commissioner Haines and second by Commissioner Hale, the Board voted unanimously to authorize District staff to activate the District's water shortage contingency plan upon SPU's activation of the SPU water shortage contingency plan.
- d. **SPU Contract Negotiations.** Ms. Pottinger provided a status update. The next meeting for the purveyors will be early next week. There was an extended discussion.
- e. **Boardroom Use Policies.** Ms. Pottinger shared a draft of the previously agreed conditions of use for the District boardroom. Commissioners shared their comments and suggestions to update the agreement. Ms. Pottinger will incorporate the suggestions into an updated draft for the Board's consideration. Commissioner Haines said the District should look carefully at the liability and indemnity requirements.

8. DIRECTORS' AND MANAGER'S REPORTS

- a. **Finance Director.**
No report.

Mr. Bennett left the meeting at 4:30 p.m.

- b. **Director of Operations and Engineering**

Mr. Woody reported:

- He is reviewing the applications for the open position and will likely conduct interviews next week.
- Paramount Apts WSEA: A leak was discovered earlier this week on NE 152nd. The Contractor is in the process of repairing the leak.
- 3rd Avenue NW WM Installation Project (CIP 2022-04): nearing completion. Pavement to occur the week of September 25.

- c. **District Manager**

Ms. Pottinger reported:

- The District's Savvy Gardener Class the prior Thursday, had nearly 50 attendees and good feedback.

- The District had recently completed an IT audit with a third party.
- Staff was working with the Highlands Utility District on a Service Agreement and hoped to be bringing it to the Board for discussion before the end of the year.
- She has been sitting on the Capital Projects Advisory Review Board zoom meetings to discuss SHB 1621. She had been asked to formally be on the Review Board which she said she could do as it was a limited commitment primarily during Tuesday lunch hours.

9. COMMISSIONER REPORTS

- Commissioner Haines – no report.
- Commissioner Hale – discussed staffing.
- Commissioner Ricker - no report.

12. NEXT MEETING

The next regular meeting will be on Tuesday, October 3, 2023, at 3:00 p.m.

13. CONCLUSION

Commissioner Ricker concluded the meeting at 5:08 p.m.

Commissioner Ron Ricker

Commissioner Patricia M. Hale

Commissioner Charlotte Haines