

**MINUTES OF THE MEETING OF  
COMMISSIONERS OF THE  
SILVER LAKE WATER & SEWER DISTRICT**

September 8, 2022

The regular meeting of the Board of Commissioners of the Silver Lake Water & Sewer District was held on September 8, 2022, beginning at 5:30 p.m. Attending in person were Commissioners Anne Backstrom, John Warner, and Shauna Willner. Also present in person were Curt Brees District Manager, O&M Manager Ron Berger, Finance Manager Brad Nelson, and Eric Delfel with Gray & Osborne, Inc. Technical Services Manager James Busch and Curtis Chambers with Inslee, Best, Doezie & Ryder P.S., Attorney for the District, attended via video conference. The public was provided access to participate both in person at the meeting and via teleconference, with the telephone number and access code published on the District's website and posted at the District Administration Building (regular meeting location).

**1.) CALL TO ORDER:**

Commissioner Warner called the meeting to order at 5:30 p.m.

**2.) APPROVAL OF MINUTES:**

The Minutes of the regular meeting of August 25, 2022, were unanimously approved by the Board as circulated.

**3.) PUBLIC COMMENT:**

No members of the public participated in person or by teleconference at this time.

**4.) FINANCIAL MATTERS:**

**a.) Payroll, Vouchers, and Revolving Fund Check(s) Approval**

Following discussion of various matters, including the vouchers paid by the District, to the District, for utility services at District facilities, Payroll; Vouchers (Check No. 18655 - 18710) in the amount of \$721,863.65; Revolving Fund Checks (Check No. 8714 - 8746) in the amount of \$231,252.18, were unanimously approved by the Board and signed as follows:

<b>Fund</b>	<b>Amount</b>
Water Maintenance	\$311,463.80
Water Capital Improvement	13,405.79
Sewer Maintenance	55,441.19
Sewer Capital Improvement	341,552.87
Revolving Check Fund	231,252.18
<b>Total</b>	<b>\$953,115.83</b>

**5.) DEVELOPMENT PROJECTS:**

**a.) Staff Report – Udodik Sewer Extension**

Mr. Brees provided a Staff report to the Board of Commissioners reviewing the Udodik Sewer Extension Project.

The proposed Udodik Sewer Extension is located at 12621 Ruggs Lake Road. The existing house is on septic and will be torn down, but the owner is required to connect to sewer during the construction of a new single-family residence.

There is an existing deep sewer main in the roadway that was installed in 2007 as part of the Stonewater Creek development. Standing side sewers were installed with the original project but did not include laterals to the property line. Consequently, each property is required to go through the Developer Extension process to install individual laterals within the Right-of-Way as needed for connection to sewer.

The Udodik Sewer Extension would consist of the installation of approximately 20 feet of new six-inch pipe for a new District lateral, to be followed by a new private side sewer to the SFR.

Staff requested the Board of Commissioners accept the Developer Extension Agreement for the Udodik Sewer Extension.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners authorized the General Manager to approve the Developer Extension Agreement for the Udodik Sewer Extension.

## **6.) CAPITAL IMPROVEMENT PROJECTS**

### **a.) Staff Report – Thomas Lake Lift Station – Pay Estimate No. 4**

Mr. Delfel provided a Staff report, Project photos, Pay Estimate No. 4, and a Wet Well Cross Section Plan Sheet to the Board of Commissioners, reviewing the Thomas Lake Lift Station Project and Pay Estimate No. 4.

The District awarded the Thomas Lake Lift Station Replacement Project, in the amount of \$2,476,323.79 including sales tax, to McClure and Sons, Inc. (MSI), on November 23, 2021. Change Order No. 1, in the amount of \$18,776.11, was approved by the Board on August 11, 2022. Pay estimates will be approved by the Board monthly as needed.

The main focus of work in the last month has been installation of the wet well caisson. Final depth was achieved on August 24, 2022, and the 3.5-foot-thick concrete base to seal the bottom of the wet well was poured on August 25, 2022. A plan sheet for details was provided to the Board. In addition, the large underground concrete valve vault and lid were delivered to the site on August 23, 2022.

Major work included in Pay Estimate No. 4 for the month of August consists of approximately 15% of both the lift station replacement and electrical lump sum items, along with the tree removal item from Change Order No. 1.

Staff requested the Board of Commissioners approve Pay Estimate No. 4 in the amount of \$325,276.92.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 4 in the amount of \$325,276.92.

**b.) Staff Report – Lift Station No. 3 Force Main Replacement**

Mr. Delfel presented a series of slides reviewing, the Staff report, Technical Memorandum with Cost Estimate, 30% Design Plans, and Scope and Fee for final design to the Board of Commissioners regarding the Lift Station No. 3 Force Main Replacement Project.

Lift Station No. 3 has three pumps with a capacity of 3,000 gpm and was constructed as part of the District's original ULID formation in 1969. The station has been upgraded several times, including replacement of the station in 2000, additional electrical and site improvements in 2013, and upgrade of the motors, impellers, and variable frequency drives in 2020.

The Lift Station has two discharge force mains that are both approximately 3,700 feet long and can pump through the original 10-inch cast iron force main to the District's Lift Station No. 2, or to a newer 12-inch ductile iron force main that discharges into the Pioneer Trails Lift Station. The 10-inch cast iron force main is over 50 years old and has reached the end of its useful life. The District has identified the replacement of the 10-inch force main in the Wastewater Comprehensive Plan as Project No. LS-10.

Snohomish County has planned an overlay of the 132<sup>nd</sup> Street, 134<sup>th</sup> Place SE and Cathcart Way corridor in 2024, which would put a five-year moratorium on any work in the right-of-way. Consequently, the District would like to replace the force main in 2023 ahead of the County's overlay project. This would enable the District to complete the force main replacement work with relatively minimal pavement restoration and avoid the requirement of a full roadway overlay and expensive ADA ramp upgrades.

On February 24, 2022, the Board awarded a Predesign Contract to Gray & Osborne in the amount of \$84,700 to perform the initial survey work; downstream basin analysis; determine sizing, capacity, and alignment of the new force main; and analyze some ongoing pump operational issues. There are still some pump operational issues that need to be discussed internally that could affect the final design scope.

Recommendations of the Predesign report are that the existing 10-inch force main would be replaced with a new 12-inch pipe in the same location, the existing crosstie valves in 132<sup>nd</sup> Street SE would be reconfigured, and a new meter vault would be installed on site. A new odor control facility will also be included with the site work, as well as possible piping and valve work at the lift station for the new 12-inch force main. The total estimated project cost, including design and construction, for the Lift Station No. 3 Force Main Replacement Project is \$2,594,000.

The original Predesign work was completed under budget, and the project was advanced to at least the 30% design level. G&O prepared a Scope of Work and Fee to complete the design of the Lift Station No. 3 Force Main Replacement Project. The design work would consist of 90% plans, specifications, and cost estimates; permitting with the Snohomish



County; and preparation of the final bid documents with bidding support. The project could be advertised for bid in Spring of 2023.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners authorized the General Manager to execute a consultant contract with G&O in the amount of \$97,600, for final design of the Lift Station No. 3 Force Main Replacement Project.

**c.) Staff Report – 2021 Asphalt Paving Unit Price Contract – Pay Estimate No. 4**

Mr. Brees provided a Staff report to the Board of Commissioners regarding the 2021 Asphalt Paving Unit Price Contract and Pay Estimate No. 4.

The District awarded the Asphalt Paving Unit Price Contract to JB Asphalt Paving, Inc. on March 25, 2021. The District's paving work is performed under a master unit price contract with a not-to-exceed amount of \$500,000, with individual task orders that have a defined scope and cost for each task.

Four paving task orders were identified for 2021, including an overlay of 131st Street SE, deferred manhole and valve cover replacements, two maintenance repair patches, and some site paving at Reservoir No. 4. The cost of the paving work completed in 2021 was \$227,833.74.

The unit price contract was extended into 2022 as Task Order No. 5, for restoration of some emergency water main repair sites. For the two sites on 116th Street SE at 27th Avenue SE and 43rd Drive SE, Snohomish County required some grind and overlay work that was beyond the capabilities of District staff. A smaller third site was originally planned with JB Asphalt consisting of a small asphalt patch and some concrete work but will be done by District staff due to contractor schedule conflicts.

After some delays in obtaining the County traffic Control permits, the paving work was completed at both sites on August 2, 2022. All physical work has been completed by the contractor on the project. The extended expiration date of the unit price contract was August 12, 2022, and no further work is planned.

After the final prevailing wage paperwork is completed by the contractor and their subs, District staff will send the project Notice of Completion to the State Departments of Revenue, Employment Security, and L&I. After release letters are received from all three agencies, the contractor's retainage can be released. A separate action item will be brought to the Board for the final retainage release.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 4 in the amount of \$25,293.94 for work associated with the restoration of two emergency water main repair sites on 116th Street SE.

**7.) MAINTENANCE & OPERATIONS REPORTS:**

**a.) Staff Report – Resolution No. 833 – District Surplus**

Mr. Brees provided a Staff report to the Board of Commissioners reviewing Resolution No. 833 regarding District Surplus.

This year the District took delivery of a new EOS Arrow Gold GPS Kit and a trailer mounted bypass sewage pump. In addition, the District adopted a new water meter standard and new meter reading technology which rendered a small quantity (1-2 months' supply) of in stock spare water meters obsolete for the District's future use.

The old Trimble GPS equipment consists of two antennas, two handheld computers, and various accessories. The staff recommendation is to offer the old equipment for sale via intergovernmental posting services such as the WASWD Classifieds where the equipment might be sold to another public agency. This is also the recommendation for the various water meters that are new and unused but obsolete for the District's future use and surplus lift station motors. It is anticipated that these items would fetch higher sales price if sold directly to another public agency if a buyer is found. If we are unable to sell these items to another public agency using a posting service, they will be sold in lots or individually at public auction. RCW 39.33.010 authorizes the transfer of property to another public agency upon mutually agreed terms.

The District's surplus bypass pump which is of 1980s vintage will be directly sent to public auction for sale.

RCW 57.08.015 requires the District's Board of Commissioners to declare property as surplus, before selling the property by private or public sale.

Staff recommended that the Board of Commissioners approve and adopt Resolution No. 833, declaring the equipment identified in Attachment "A" and "B" as surplus, and direct staff to dispose of the property through a sale to another agency or sale at public auction.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners adopted Resolution No. 833, declaring the equipment identified in Attachment "A" and "B" as surplus, and directed staff to dispose of the property through a sale to another agency or sale at public auction.

**b.) Staff Report – Set Special Meeting Time for 9/22/2022.**

Mr. Brees opened a discussion with the Board of Commissioners to set a Special Meeting time for the September 22, 2022, Board of Commissioners Meeting.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners set a special meeting for 4:30 PM on September 22<sup>nd</sup>, 2022, and cancelled the regular meeting scheduled for 5:30 PM that same day.

A reception and introductions will be held between 4:00 and 4:30 PM, for the District's newer employees and the Board of Commissioners, during this reception no official business will be conducted.

**8.) INTERAGENCY REPORTS:**

**a.) Staff Report – Authorize Agreement – WASWD L&I Retro Program**

Mr. Brees provided a Staff report to the Board of Commissioners reviewing the WASWD L&I Retro Program Agreement.

In the State of Washington, all employers must pay the Department of Labor and Industries (L&I) premiums for Industrial Insurance to provide for employees' medical care and wages in the event of a workplace injury. Most other states allow employers to shop the private market to provide this coverage. Rates are dependent on the classifications of workers (by risk) and risk factor for claims assigned specific to the employer. Despite these factors in general, workplaces with a good Safety Program and record like the District, generally subsidize other employers that are not as safe.

L&I offers a program where an employer can obtain a rebate on premiums if the actual claims are lower than premiums paid. A very large employer can participate individually, while other employers, like the District, participate in a pool with other similar employers. Washington Association of Sewer and Water Districts (WASWD) administers a program using a third-party administrator (Archbright) that the District is eligible to join.

Had the District joined this pool In a previous plan year we would have received a \$24,000 rebate this year. There is a risk in join a program in that the pool of employers could have claims that exceed premiums paid, in which case there would be an assessment rather than a rebate. The fee to join the pool is 5% of the premium paid to L&I, which is approximately \$2,000 for the District.

A presentation further explaining the program and plan agreement were provided for the Board's review and consideration.

Staff recommended that the Board of Commissioners authorize the General Manager to execute the Agreement with the Washington Association of Sewer and Water Districts (WASWD) to join the Retrospective Rating Program.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners authorized the General Manager to execute the Agreement with the Washington Association of Sewer and Water Districts (WASWD) to join the Retrospective Rating Program.

**9.) STAFF REPORTS:**

**a.) Finance Manager:**

Mr. Nelson reported that there is only \$40,000 remining in installment balances. Most of this remaining sum will bill out over the next four billing cycles. The installment plans



were created to assist customers that had accrued significant balances during the shutoff moratorium.

Mr. Nelson reported that staff is hearing from some customers regarding affordability, generally these customers make too much to qualify for assistance or are indicating that they need more assistance than the low-income senior/disabled rate provides.

**b.) O&M Manager:**

No further report.

**c.) Technical Services Manager:**

Mr. Busch reported that the camera worked for the duration of the meeting. Mr. Busch next provided a brief update on the Smart Locks that are being deployed to the Districts remote facilities to improve access control.

**d.) Attorney:**

Mr. Chamber provided an update to the Board of Commissioners regarding the communications with, and records request to, the City of Everett regarding the expiration of the Bio-Solids Tolling Agreement. Mr. Chambers also requested the Board authorize the General Manager to call for arbitration pursuant to the Tolling Agreement if the General Manager considers it is in the best interest of the District.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners authorized the General Manager to request arbitration as stated in the Tolling Agreement with the City of Everett, if it is believed to be in the best interest of the District. The motion passed unanimously.

**e.) General Manager**

Mr. Brees reported that Governor Inslee has set an end date of October 31, 2022, for the remaining emergency declarations still in place related to the Covid-19 pandemic. Mr. Brees reported that he will work to end the District's programs to coincide on or about this same time.

Mr. Brees reported that two employees are out of work following an accident and a medical emergency. Both incidents occurred outside of work over the labor day weekend.

**This ends the Minutes of the September 8, 2022, regular meeting. The following signature page is a scanned image of the original signature page of the Minutes and certifies these are the approved Minutes by the Secretary of the Board.**

### Minute Certification

I, the undersigned, Secretary of the Board Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of the Minutes of the Meeting of Commissioners (the "Minutes") is a full, true and correct copy of the Minutes of the September 8, 2022, regular meeting of Commissioners, duly adopted at a special meeting of the Board of Commissioners of the District, held at the regular meeting place thereof on September 22, 2022, as these Minutes appear on the Minute book of the District; and;

2. A quorum of the members of the Board of Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the approval of these Minutes.

IN WITNESS WHEREOF, I have hereunto set my hand this 22<sup>nd</sup> day of September 2022.

**SILVER LAKE WATER AND SEWER DISTRICT  
SNOHOMISH COUNTY, WASHINGTON**



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Anne Backstrom, Secretary