

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

January 12, 2023

The regular meeting of the Board of Commissioners of the Silver Lake Water & Sewer District was held on January 12, 2023, beginning at 5:30 p.m. Attending in person were Commissioners Anne Backstrom, John Warner, and Shauna Willner. Also present in person were General Manager Curt Brees, District Engineer Scott Smith, and O&M Manager Ron Berger. Technical Services Manager James Busch, Eric Delfel with Gray & Osborne, Inc., and Curtis Chambers with Inslee, Best, Doezie & Ryder P.S., Attorney for the District, attended via teams meeting. 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.) ELECTION OF OFFICERS:

Following discussion, by motion made, seconded, and carried unanimously, the Commissioners elected Shauna Willner as President, Anne Backstrom as Vice President, and John Warner as Secretary, for 2023. Commissioner Willner then presided over the remainder of the meeting.

3.) APPROVAL OF MINUTES:

The Minutes of the regular meeting of December 22, 2022, were unanimously approved by the Board as circulated.

The Minutes of the special meeting of December 30, 2022, were unanimously approved by the Board as circulated.

4.) PUBLIC COMMENT:

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

5.) 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. 19141 - 19216) in the amount of \$1,846,438.05; Revolving Fund Checks (Check No. 8901 - 8913) in the amount of \$230,160.34, were unanimously approved by the Board and signed as follows:

Fund	Amount
Water Maintenance	\$549,369.61
Water Capital Improvement	6,909.05
Sewer Maintenance	891,643.15
Sewer Capital Improvement	398,516.24
Revolving Check Fund	230,160.34
Total	\$2,076,598.39

6.) CAPITAL IMPROVEMENT PROJECTS:

a.) Staff Report – Asphalt Paving Unit Price Contract – Retainage Payment

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Asphalt Paving Unit Price Contract – Retainage Payment.

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

A fifth task order was completed in 2022 for restoration of some emergency water main repair sites. The total cost of the completed contract paving work (all five task orders) was \$255,237.15, including sales tax.

After the final prevailing wage paperwork was completed by the contractor and their sub-contractors, District staff sent the project Notice of Completion to the State Departments of Revenue, Employment Security, and L&I.

All three release letters have been received from the state agencies, and the contractor's 5% retainage in the amount of \$12,722.95 can be released. In addition, the sales tax amount of \$778.21 was listed but not actually included in Pay Estimate No. 3 but is corrected with this final payment.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 5 for omitted sales tax and retainage release in the amount of \$13,501.16

b.) Staff Report – Lift Station No. 4 – Pay Estimate No. 2

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Lift Station No. 4 – Pay Estimate No. 2.

The District awarded the Lift Station No. 4 Generator Replacement Project, in the amount of \$423,641.04, to Colvico, Inc. on January 13, 2022. Pay estimates will be approved by the Board monthly as needed.

Payment No. 1 in the amount of \$27,529.09 was approved by the Board on June 9, 2022, for the delivery of the canopy structural steel components. The critical path item for construction is delivery of the generator, which is tentatively scheduled for February 2023. The new lift station control panel was fabricated by QCC, a local supplier in Lynnwood, and shop tested with District staff on November 9, 2022. The contractor has requested payment for materials on hand that have been ordered and delivered as allowed for in the contract documents.

For Pay Estimate No. 2, this consists of the control panel in the amount of \$55,250, including sales tax.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 2 for initial materials on hand in the amount of \$55,250.00.

c.) Staff Report – Thomas Lake L.S. – Pay Estimate No. 8

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Thomas Lake L.S. – Pay Estimate No. 8.

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, and Change Order No. 2 in the amount of \$16,119.60 was approved by the Board on December 8, 2022. Pay estimates will be approved by the Board monthly as needed.

The new pipe between the Rock Catch manhole and the wet well, as well as the side sewer stub for the City of Mill Creek, were installed and backfilled at the beginning of the month. The CMU block for the electrical control building was finished and the structural roofing elements were installed.

Piping work continued in the wet well between the new pumps and the valve vault. The structural steel frame members for the generator canopy were assembled but will be put in the final location after the generator delivery in April 2023. Some working time was lost during the month, due to the snowy weather.

Work included in Pay Estimate No. 8 for the month of December consisted of additional percentages of the lump sum bid items for the Lift Station Replacement, shoring, erosion control, electrical, and the modified bypass connection item from Change Order No. 2. The staff report included several photos showing the current work undertaken at the site. The photos were reviewed during the meeting.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 8 in the amount of \$299,148.05.

d.) Staff Report – Pioneer Trails Lift Station Replacement – Design Contract – Addendum No. 1

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Pioneer Trails Lift Station Replacement – Design Contract.

On March 11, 2021, the Board approved a consultant contract with Murraysmith, now Consor, for the design of the Pioneer Trails Lift Station Replacement (Project No. LS 3 in the Sewer Comprehensive Plan). The new lift station facility will consist of a wet well and three submersible pumps with an increased capacity of 3,100 gpm, along with new meter and valve vaults, upsized force main onsite, a new covered generator and fuel tank, and an enclosed electrical building. The latest estimated construction cost of the new Pioneer Trails Lift Station Replacement is \$3,770,000.

Design and permitting work are essentially complete, and the project should be ready to advertise for bids in early 2023, assuming prompt issuance of County permits that are in process. There have been a few necessary changes to the design scope along the way to accommodate what has become a more complex project than originally thought, especially on the environmental permitting side.

Due to the deep 35' wet well and limited space on the existing site, there was little choice but to expand the footprint of the lift station into the adjacent open space. This required some property acquisition from the Pioneer Trails Homeowner Association (HOA) to expand the lift station boundaries 30 feet to the east and 10 feet to the north, plus another 10-foot temporary construction easement. This was originally planned to be done with a Boundary Line Adjustment (BLA) process and just adjust the existing lot lines.

However, after the HOA consulted with their legal counsel, it was determined that a BLA would be a lengthy and expensive process that would require a vote and signature of all HOA members instead of just the representative Board. The switch was made to permanent easements instead of the BLA, which was much easier to execute, but required additional consultant work for the legal descriptions and exhibits.

The biggest scope change was due to the fact that the existing lift station site is in the buffer area of a designed Bog, which is a higher-class environmental feature than a wetland. From a process and regulatory standpoint, a wetland area has defined mechanisms to work and mitigate when inside a buffer. For a Bog, there was no clear path to permit any work actions at all outside the existing site boundary.

After working with County staff and explaining the lack of other options, as well as the importance of this regional sewer facility, a reasonable path forward was established to permit the project. However, this required a significant amount of extra consultant work to revise the Critical Area report and mitigation plans. A formal tree survey was also needed by a licensed arborist to assess the condition and recommend removal of several trees along the boundary of the construction zone.

Lastly, several changes have been made to the design as staff refine and update the District lift station standards as other projects (i.e., Brasswood and Thomas Lake) are designed and constructed. The District's electrical and communication requirements have evolved quite a bit over the past year, as well as other smaller onsite and piping items, along with all new standard details.

All of these changes have resulted in the need for an Addendum to the Consultant Design Contract to address the extra scope of work and associated costs. The cost of the extra consultant work done to date is approximately \$48,700. An allowance of \$3,700 is also included in the Addendum to incorporate any last County permitting and staff comments into the final bid documents.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved the proposed Consultant Design Contract Addendum No. 1 with Consor with a scope and fee in the amount of \$52,438.00 for the Pioneer Trails Lift Station Replacement Project.

7.) MAINTENANCE & OPERATIONS REPORTS:

a.) Staff Report – Waldenwood Force Main Break and Repair

Mr. Berger provided a Staff report to the Board of Commissioners regarding the Waldenwood Force Main Break and Repair.

This report summarized recent District efforts repairing a 10" Cast Iron Sewer Force Main. This pipe was installed in 1969. As Mr. Berger reviewed the timeline, photos of the work were presented in the meeting.

- **12/25/2022**, the District received a call that sewage was appearing along the roadway at 116th Street and 40th Avenue SE.
- Responding District Staff determined that it was a broken Force Main using SCADA, and the pump was running with sewage flow to the surface.
- **12/26/2022**, Assembled a crew to find the leak and make repairs. Four Vector loads were removed from the excavation site and crews were down 12' without yet seeing the broken Force Main. The roadway was steel sheeted temporarily.
- **12/27/2022**, De-briefed with General Manager and a decision was made to declare an emergency and bring in a contractor to make the repair, due to the depth of the 10" Force Main. District crews don't have large enough equipment and protective systems to operate in deep situations such as this.
- **12/30/2022**, Special Board of Commissioners meeting held to approve emergency repair work.
- **12/30/2022**, Universal Land Construction was contacted and agreed to assist the District make emergency repairs on a cost plus basis. Contracts were signed and traffic control permit obtained from Snohomish County. Work would commence after the New Years Holiday, due to manpower needs on this project.
- **1/3/2023**, Universal Land Construction moved in and excavating began at 10:00 a.m. District crews assisted using two Vector trucks throughout the excavation. Two truck and trailer loads of dirt and numerous Vector loads were excavated from

the site. At approximately 3:00 p.m., the top of the pipe was exposed at 15' deep, showing a full circumferential break on the 10" Cast Iron pipe. A repair band was used to make the repair and a Locate Point was installed on the pipe.

- **1/4/2023**, Universal crews finished backfilling the break/repair site and paved the roadway.
- **1/5/2023**, District crews cleaned all of the County Storm lines that were impacted by the leaking Force Main.
- Work and cleanup is completed. Estimated 10,500 gallons of sewage leaked from this break until the pipe was repaired.
- Obtain ROW permit for restoration of the right of way, this is required after the fact.
- To minimize potential future problems, exercise the valve intertie at the Waldenwood entrance and then conduct performance testing with Gray and Osborne using the 16" Lift Station No. 2 Force Main and adding the Waldenwood 10" station flows to determine if they can be operated jointly in the same force main. This information will be valuable for station operation and long range planning for eventual Force Main replacement.
- Future Capital Project to replace 10' cast iron forcemain (not included in the current Comprehensive Plan which runs through 2026).

b.) Staff Report – Draft Remote Work Policy & Technical Services Requirements

Mr. Brees provided a Staff report to the Board of Commissioners regarding the Draft Remote Work Policy & Technical Services Requirements.

At the October 27, 2022, Board of Commissioners meeting, development of a Remote Work Policy was discussed. As a part of the District's response to the Covid Pandemic, District employees were permitted, and at times encouraged, to work up to 50% of their schedule remotely. For the most part, Administrative staff worked remotely and upon occasion field crews worked remotely on tasks such as training or in circumstances where it was recommended that they quarantine.

Remote work, together with other measures, effectively minimized the spread of Covid in the District's workplace, and productivity by the District's employees has remained high.

As the District's and State declarations of emergency ended in October, we are overdue to adopt an ongoing Remote Work Policy. Objectives of the policy will be to establish limits and guidelines that ensure equity, productivity, and adherence to the District's other policies and procedures when working remotely.

Staff developed a draft policy and distributed the policy for the Board of Commissioners review, prior to adoption at an upcoming meeting.

Mr. Brees provided an overview of the of the Draft Remote Work Policy and the Technical Services Requirements for Remote Work. No formal action was be taken at this time. The Board reviewed and discussed the draft policies.

8.) INTERAGENCY REPORTS:

a.) Staff Report – CWSA Meeting

Mr. Smith provided a Staff report to the Board of Commissioners regarding the CWSA Meeting.

Commissioner John Warner and District Engineer Scott Smith attended the Clearview Water Supply Agency (CWSA) Meeting held on December 21, 2022. The meeting was held virtually via MS Teams. The meeting agenda included an exit conference for the State Auditor's Office (SAO), a report on operational issues, approval of disbursements and vouchers, and a contract time extension for the CWSA long-range facilities plan.

Tiffani Anderson and Courtney Amonsens from the SAO provided a brief presentation and summary of the CWSA audit findings. The subject areas of the audit were Accounts Payable, Open Public Meetings, and general Financial Condition. Overall, the SAO issued a clean unmodified opinion and found no deficiencies, misstatements, signs of financial distress, or issues with management control. The audit was completed \$1,000 under budget, and the next CWSA audit will be in Fall 2024.

AWWD M&O Superintendent, Joe Skeens, provided an update on the operations of the Clearview Pump Station during the months of November and December. It was reported that there was only one afterhours callout during this period for a communication failure. Several routine preventative maintenance tasks were completed at the site by AWWD staff and vendors, including new generator batteries and replacement of the uninterruptible power supply for the control system.

AWWD's Finance Manager, Loretta Smith Kelty, provided a brief Financial Report for the months of November and December. The Board was asked to approve disbursements in the amount of \$573,821.77, and vouchers in the amount of \$426,557.39. The 2023 budget for the CWSA was also approved, with the biggest difference in costs coming from the increased purchase price of water from the City of Everett.

The last item was approval of a no-cost contract time extension to December 31, 2023, for completion of the CWSA long range facility plan. Both AWWD and the consultant, BHC, have lost key staff members over the last year, which has delayed progress on the plan. Work is underway, and a draft of the report should be completed in the next three to six months.

The next meeting of the CWSA is scheduled for Wednesday, February 23, at 3:00 p.m., via MS Teams.

9.) STAFF REPORTS

a.) District Engineer

No further report.

b.) O&M Manager

No further report.

c.) **Technical Services Manager**

No further report.

d.) **Attorney**

Mr. Chambers reported that he recently met with John Milne, former Attorney of the District (now retired), and that Mr. Milne sends his regards to the Board of Commissioners and staff of the District.

e.) **General Manager**

Mr. Brees reported that two minor scribes errors have been discovered in Resolutions passed by the Board.

- Resolution No. 833, two attachments to the resolution (A&B) are referenced in the resolution. Attachment B had been inadvertently left off; it will now be included as intended. Attachment B listed an item authorized for surplus at Public Auction.
- Resolution No. 836, a table included in Exhibit 1 of the resolution was missing the last row of the table, detailing the 2023 wages for the Utility Maintenance Worker position; Exhibit 1 has been corrected to include the last row of the table shown on the exhibit.

This ends the Minutes of the January 12, 2023, 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 January 12, 2023, regular meeting of Commissioners, duly adopted at a regular meeting of the Board of Commissioners of the District, held at the regular meeting place thereof on January 26, 2023, 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 26th day of January 2023.

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


John Warner, Secretary