

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

August 24, 2023

The regular meeting of the Board of Commissioners of the Silver Lake Water & Sewer District was held on August 24, 2023, beginning at 5:30 p.m. Attending in person were Commissioners Anne Backstrom, John Warner, and Shauna Willner. Also present in person was General Manager Curt Brees, O&M Manager Ron Berger, and Finance Manager Brad Nelson. GIS & Asset Management Coordinator Katarina Hirai; 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 or 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 Willner called the meeting to order at 5:30 p.m.

2.) APPROVAL OF MINUTES:

The Minutes of the regular meeting of August 10, 2023, were unanimously approved as circulated.

3.) PUBLIC COMMENT:

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

4.) FINANCIAL MATTERS:

a.) 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, Vouchers (Check No. 20137 – 20192) in the amount of \$566,340.17; Revolving Fund Checks (Check No. 9223 – 9230) in the amount of \$93,942.59, were unanimously approved and signed as follows:

Fund	Amount
Water Maintenance	\$307,910.48
Water Capital Improvement	14,012.89
Sewer Maintenance	192,647.22
Sewer Capital Improvement	51,769.58
Revolving Check Fund	93,942.59
Total	\$660,282.76

5.) CAPITAL IMPROVEMENT PROJECTS:

a.) Staff Report – Snohomish County ILA for Overlay Improvements

Mr. Brees provided a Staff report to the Board of Commissioners regarding the Snohomish County ILA for Overlay Improvements.

In 2024, Snohomish County is planning to overlay the 132nd Street SE / 134th Place SE / Cathcart Way corridor between Seattle Hill Road and SR 9. This project was the impetus for completing the District's Lift Station No. 3 Force Main Replacement in 2023, avoiding a future moratorium on pavement cuts and to minimize the amount of roadway restoration that would be required.

As part of any City or County overlay project, the District is required to adjust the "iron" in the roadway to the finished grade of the new pavement; specifically, all manhole and valve box covers. This can be done as a separate District contract, which requires the preparation of plans and specifications for a bid package, as well as the typical project management and inspection staffing needs during construction which must be timed to coincide with the overlay project schedule.

Alternately, the District can partner with the roadway agency through an Interlocal Agreement (ILA) and have the design and construction of the utility adjustments included as part of the agency project. This is often the more cost-effective way to complete the utility adjustment work, both in terms of staff time and design/construction costs. However, advance planning is required since the ILA must often be completed up to a year in advance of the paving project.

As part of the 2024 County Overlay project, the District would have a combination of replacing older valve box and manhole covers, along with adjusting newer installations that meet current standards. The scope of work along the 132nd Street SE/ 134th Place SE / Cathcart Way corridor will include approximately 14 manhole cover replacements and 8 adjustments, along with 44 valve box cover replacements, and 27 adjustments. This includes the recent work done as part of the District's 2022 Valve and Manhole Adjustments and Lift Station No. 3 Force Main projects.

Snohomish County is proposing to use a new "Master ILA" for overlay projects that they have adopted for these types of projects which would be good for 10 years. With each project there would be an addendum with the specific scope and costs. This would reduce the timeline needed to include the District work and avoid reinventing the wheel each year. For the 2024 Overlay Project, the cost of the District utility adjustment work is estimated at \$156,045 including sales tax, contingency, and standard County administrative fees.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners authorized the General Manager to execute a 10-year Interlocal Agreement with Snohomish County for Overlay Improvements, and the associated Addendum for the District's Valve and Manhole Adjustments as part of the 2024 Overlay Project.

6.) MAINTENANCE & OPERATION REPORTS:

a.) Staff Report – Drug & Alcohol Policies & Procedures and Resolution No. 845

Mr. Brees provided a Staff report to the Board of Commissioners regarding the Drug & Alcohol Policies & Procedures and Resolution No. 845.

The Silver Lake Water and Sewer District (District) established a Drug and Alcohol Policy and Procedures for testing employees in safety sensitive positions on December 14, 1995, by Resolution No. 459, codified as Chapter 3.65 of the District Code. At that time, the District also joined the Association of Washington Cities (AWC) Drug Consortium to facilitate compliance with the District's Policy and Procedures.

The District needs to adopt an updated Drug and Alcohol Policy (DOT Regulated) to stay current with the testing and reporting requirements as required by Federal regulations. Such policy shall apply to all employees of the District required to have and maintain a Commercial Driver's License to perform the duties of the job. The employees performing functions for the District, involving the use of a vehicle requiring a Commercial Driver's License, will be subject to specific alcohol and drug testing required by Federal regulations.

A new Workplace Reasonable Suspicion Drug & Alcohol Policy will apply to all District employees, when the employer, those staff who have received training and are qualified to make reasonable suspicion determination, has reasonable suspicion that an individual is observed to be under the influence of alcohol or a controlled substance while working.

Pre-employment testing will be required for any position that is a "safety sensitive" position. Examples of these positions may include Field Staff, Electricians, Mechanic, Grounds & Maintenance, Seasonal Workers, and Utility Maintenance Worker (Apprentices).

The District has significant interest in the health and safety of its employees and citizens of the state. It is the policy of the District to take the necessary steps to ensure that its employees are free of the influence of alcohol and drugs.

Staff requested the Board of Commissioners review the Drug and Alcohol Policy (DOT Regulated), the Workplace Reasonable Suspicion Drug & Alcohol Policy; require a Pre-employment Drug Test for all "safety sensitive" positions, and approve and execute Resolution No. 845.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved the Drug & Alcohol Policy (DOT Regulated); approved the Workplace Reasonable Suspicion Drug and Alcohol Policy; will require a Pre-employment Drug Test for all "safety sensitive" positions, and approved and executed Resolution No. 845.

b.) Staff Report – District Boundary Review

Ms. Hirai provided a Staff report to the Board of Commissioners regarding the District's Boundary Review.

In January of this year, Snohomish County Elections sent a district survey asking if the District's boundaries have had any changes. Upon review of the County Election's recorded boundary for Silver Lake Water & Sewer District, it was determined there were some discrepancies between the County's recorded boundary and the District's published

boundary. Staff reviewed the legal boundary descriptions of the District annexations from the formation of the District in 1934 to the District's last annexation in 2010. Staff then reviewed the legal boundary descriptions for City of Everett annexations that occurred between 1988 and 2014. The legal boundary descriptions for the District's interlocal agreements were also reviewed.

Following the review of legal boundary descriptions of the annexation documents, it became clear the District's published boundary was incorrect. The Snohomish County Election's recorded boundary for the District contained only one (1) inaccuracy. The County had excluded a 2.5-acre (109,919 sq. ft.) area of the District near Holly Hills that excluded 11 properties from being included in District's elections. District staff notified Snohomish County Elections on March 29, 2023, by email, of the error in their recorded boundary for the District. On August 8, 2023, District staff received confirmation that the County's recorded boundary for the District had been corrected in their system.

The review of the legal boundary descriptions of the District's annexations and City of Everett's annexations revealed discrepancies between the legal boundary and the published boundary of the District. These discrepancies could be explained by:

- Boundary Drift – inaccuracies in boundary placement when initially entered into the GIS.
- Everett Annexations – inaccurate representations of City of Everett's annexations.
- Serviced Areas Not Annexed – inaccuracies created in the boundary from the District servicing the area, but not annexing the area.

A listing of these discrepancies along with an explanation and recommended action for the adjustment of the District's published boundary was provided to the Board of Commissioners. Staff reviewed each of the areas listed on the attachment during the Board meeting and identified options to correct the discrepancies at a future meeting.

The Board of Commissioners thanked Ms. Hirai for the detailed review and presentation. The Board of Commissioners concurred with the staff recommendations, correcting the discrepancies, and directed staff to return with a new boundary description reflecting the changes for consideration at a future meeting.

7.) **INTERAGENCY REPORTS:**

a) **Staff Report – EWUC Meeting**

Mr. Brees provided a Staff report to the Board of Commissioners regarding the EWUC meeting.

General Manager Curt Brees and District Engineer Scott Smith attended the Everett Water Utility Committee (EWUC) Meeting on August 17, 2023. The meeting was held in a hybrid format with a virtual option using Teams. The EWUC Meeting topics included: updates from the Department of Health, an overview of the Water Supply Situation, and updates on Everett Capital Projects. A brief Sewer Wholesale Customer discussion was held after the EWUC meeting to review the planned capital project spending at the wastewater treatment plant.

The Spada Reservoir storage level is below normal for this time of year. Water use for the year has been about 5% higher than the 5-year average and while the basin started the year with above normal snowpack, precipitation overall is below normal. In the past week reservoir level dipped below Stage 4, where the priorities are fish flows and drinking water supply and power production is curtailed. The Cities of Seattle, Everett, and Tacoma are scheduled to meet soon and may issue a drought advisory, for unified messaging across the region.

The Water Situation Fact Sheet and a Water Storage Elevation Graph, showing storage levels in the reservoir, were provided to the Board of Commissioners.

Mr. Soheil Nasr and Mr. Jeff Marrs, City of Everett, provided updates on a few water CIP projects. The Reservoir 3 project is proceeding with design with plans for construction in 2024. In this project, 8 MG of new storage will be built first, then the existing 20 MG reservoir will be demolished. In the final phase, additional storage of at least 12 MG will be built. Emergency repairs on the Existing Reservoir 3 roof are currently underway. The repairs were proceeding according to plan and were completed later that day. Photos of the repair work were shared in the meeting. Everett provided advance notice and email status updates to the wholesale customers about this emergency repair work.

At the Water Filtration and Treatment Plant, the generator project is ongoing, and anticipated to be completed before the end of the year. Supply chain issues are impacting this project, but rented generators are in place until the project is complete.

The Wholesale Sewer Customer Meeting followed the EWUC Meeting. The most recent 2nd Quarter Billing Summary Sheet of sewer capital projects was briefly reviewed and was provided to the Board of Commissioners. There is only one project that the City is currently working on.

b) Staff Report – CWSA Meeting

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

Commissioner John Warner, District Engineer Scott Smith, and General Manager Curt Brees attended the Clearview Water Supply Agency (CWSA) Meeting held on August 16, 2023. The meeting was held virtually via MS Teams. The meeting topics included reports on operational issues, financial report with approval of disbursements and vouchers from June and July, and approval of the Long-Range Facility Plan.

Operations Superintendent, Joe Skeens, provided an update on the operations of the Clearview Pump Station, during the months of June and July. It was reported that there were two afterhours callouts during the period, both were quickly resolved. Routine maintenance work has been ongoing at the pump station and average pumping rates during the period ranged between 8-12 MGD. AWWD staff have been cleaning the mezzanine area at the pumpstation to prepare for the installation of the secondary air compressor which was previously approved.

Betsie Devenny, Interim Finance Manager, provided a brief Financial Report for the months of June and July. The Board was asked to approve disbursements in the amount of \$469,021.20, and vouchers in the amount of \$482,888.59. The District's utilization was 43.72% of the total volume in July. Assets of the CWSA totaled \$876,165.89 on July 31, 2023.

Engineering Director, Paul Richart provided a summary of the edits made to the draft Long Range Facility Plan, a planning effort that has been underway for more than a year with the goal of forecasting future demand, reviewing existing infrastructure, and developing a Capital Facilities Plan for the Clearview Water Supply Agency. Following discussion, the Board approved the Final Long Range Facility Plan.

Mr. Richart next recommended that the Board authorize staff to prepare an RFP to select a consultant for the initial projects identified for the Clearview Pump Station. Following discussion, the Board authorized staff to conduct an RFP process to select a consultant.

The next meeting of the CWSA Board is scheduled for Wednesday, October 18, at 3:00 p.m. The meeting will be held virtually via Teams.

8.) STAFF REPORTS:

a.) Finance Manager:

Mr. Nelson reported that the District's scheduled shut off day was rescheduled due to staffing availability. Field crews were engaged in several large projects and unable to support the effort. Staff noticed all the customers that were delinquent of the deferral and included notice of the new payment deadlines and shut off date. A similar process will be used if heat advisory were to be in effect on a scheduled shut off date.

Mr. Nelson reported that the Federal LIHWAP Assistance Program is scheduled to end in September but may be extended for a brief period to utilize unspent funds.

Mr. Nelson, following a customer complaint regarding difficulty in signing up for autopayments, reviewed the process for both the District's program and the program available via Invoice Cloud (District's vendor for online payments).

b.) O & M Manager:

Mr. Berger reported on and shared photos from a large pavement repair that was completed by the District's O&M team. The location of the repair was on 116th Street SE adjacent to the location of the force main that broke this past winter. A contract overlay is schedule for both lanes at this location to complete the District's repairs.

c.) Attorney:

No further report.

d.) General Manager:

Mr. Brees reviewed a study which had been completed by Duke University regarding affordability of water and sewer services. The study provides a great overview of the issues and challenges that impact water affordability and included an online dashboard of

hundreds of utilities across the country including the District and many others in Washington State.

This ends the Minutes of the August 24, 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 August 24, 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 September 14, 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 14th day of September 2023.

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


John Warner, Commissioner