

**WOODINVILLE WATER DISTRICT**  
**1421<sup>st</sup> Regular Meeting**  
**April 20, 2021**

**ATTENDANCE**

Commissioners: Chuck Clarke, Aleksandra Kachakov, Pamela J. Maloney, Tim Schriever, and Karen Steeb  
Staff: Patrick Sorensen, Ken McDowell, Jack Broyles, Darcie McAlister, Steve Brown, Christian Hoffman, Sandra Tachibana, and Jane Nicholls  
General Counsel: William Linton

**CALL TO ORDER**

Commissioner Clarke called the meeting to order at 5:00 p.m.

**ROLL CALL**

Commissioners Clarke, Kachakov, Maloney, Schriever and Steeb along with Attorney William Linton were all present via Microsoft Teams video conference. Dial-in information was posted with the agenda on the District's website.

**ITEMS FROM THE PUBLIC:** None.

**ADDITIONS OR DELETIONS TO THE AGENDA:** None.

**MEETING AGENDA APPROVAL**

**It was moved by Commissioner Maloney and seconded by Commissioner Steeb to approve the Meeting Agenda. Vote 5-0-0. Motion carried. So ordered.**

**MINUTES APPROVAL**

7 (a) April 20, 2021 Regular Meeting Minutes

**It was moved by Commissioner Steeb and seconded by Commissioner Maloney to approve the April 6, 2021 Regular Meeting Minutes. Vote 5-0-0. Motion carried. So ordered.**

**CONSENT AGENDA**

8 (a) Sign Monthly Vouchers

- Water Maintenance Fund (09-104-0010), Vouchers #98920 through #98961 and Payroll Advice #9137 through #9174 in the amount of \$295,507.05
- Sewer Maintenance Fund (09-104-0510), Vouchers #27208 through #27210 in the amount of \$15,636.63
- Water Construction Fund (09-104-3010), Vouchers #35427 through #35432 in the amount of \$31,658.95
- Sewer Construction Fund (09-104-3510), Vouchers #40976 through #40976 in the amount of \$13,571.50

4/26/2021 A/P and 4/12/2021 Payroll A/P

**It was moved by Commissioner Schriever and seconded by Commissioner Maloney to approve the Consent Agenda. Vote 5-0-0. Motion carried. So ordered.**

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

11 (a) Resolution No. 3980 Reimbursement Agreement Chmiel/Vu Sewer Main Extension DE-1811

Steven Chmiel and Nguyen Song Khanah Vu, (Developers), have requested that a Reimbursement Agreement be attached to properties that will benefit from the sewer extension completed as part of the Chmiel/Vu Sewer Extension project No. D1811. This sewer main extension consisted of 392 linear feet of 8-inch PVC pipe and two manholes located on 130<sup>th</sup> Ave NE and the internal private road serving the development. The developer has submitted their documentation to back up their costs, and they have been reviewed by the District Engineer. The amount of these improvements for this reimbursement agreement was calculated at \$152,281.68.

There are nine properties that have been identified as benefiting from the extension of this sewer main. Of these, seven of them are related to the Developer's short plats. The other two properties are large enough to be subdivided in the future. The City of Bothell zoning for Lot 8 is R 5400d, which designates residential lots that are 5,400 square foot minimum. The City of Woodinville zoning for Lot 9 is R-6, indicating 6 units per acre.

Three methods have been used to determine the most equitable way to distribute the costs associated with the construction of the new sewer main to the benefited properties; the Square Footage, Front Footage, and the Equal shares methods. The results have been provided below.

- **The Square Footage Method:** This method adds the entire square footage of all the property benefited by the extension and then divides into the total cost of the extension for a cost per square foot. This number is then multiplied by the square footage of each of the benefited property for their pro-rata share.  $\$152,281.68/245,487 \text{ sq ft} = \$0.62/\text{sq ft}$ .
  - Lot 1 (Chmiel) 8,066 sq ft x  $\$0.62/\text{sq ft} = \$5,003.54$
  - Lot 2 (Chmiel) 7,957 sq ft x  $\$0.62/\text{sq ft} = \$4,935.93$
  - Lot 3 (Chmiel) 7,187 sq ft x  $\$0.62/\text{sq ft} = \$4,458.28$
  - Lot 4 (Chmiel) 10,801 sq ft x  $\$0.62/\text{sq ft} = \$6,700.13$
  - Lot 5 (Vu) 7,105 sq ft x  $\$0.62/\text{sq ft} = \$4,407.41$
  - Lot 6 (Vu) 5,467 sq ft x  $\$0.62/\text{sq ft} = \$3,391.32$
  - Lot 7 (Vu) 6,139 sq ft x  $\$0.62/\text{sq ft} = \$3,808.17$
  - Lot 8 (Bureriu) 19,250 sq ft x  $\$0.62/\text{sq ft} = \$11,941.25$
  - Lot 9 (Carleton) 173,506 sq ft x  $\$0.62/\text{sq ft} = \$107,630.08$

- **The Front Footage Method:** This method uses the total cost of the extension and divides it by the length of sewer main installed for a cost per linear foot. As properties are located on each side of the right-of-way that the sewer is installed, this number is divided by two and then multiplied by the length of frontage for each benefited property to obtain their pro-rata share.  $(\$152,281.68/392 \text{ ft})/2 = \$194/\text{ft}$ 
  - Lot 1 (Chmiel)  $104 \text{ ft} \times \$194/\text{ft} = \$20,176.00$
  - Lot 2 (Chmiel)  $73 \text{ ft} \times \$194/\text{ft} = \$14,162.00$
  - Lot 3 (Chmiel)  $70 \text{ ft} \times \$194/\text{ft} = \$13,580.00$
  - Lot 4 (Chmiel)  $9 \text{ ft} \times \$194/\text{ft} = \$1,746.00$
  - Lot 5 (Vu)  $94 \text{ ft} \times \$194/\text{ft} = \$18,236.00$
  - Lot 6 (Vu)  $71 \text{ ft} \times \$194/\text{ft} = \$13,774.00$
  - Lot 7 (Vu)  $79.72 \text{ ft} \times \$194/\text{ft} = \$14,465.68$
  - Lot 8 (Bureriu)  $45 \text{ ft} \times \$194/\text{ft} = \$8,730.00$
  - Lot 9 (Carleton)  $30 \text{ ft} \times \$194/\text{ft} = \$5,280.00$
  
- **The Equal Shares Method:** This method divides the total construction cost by the number of benefited properties to obtain the pro-rata share.  $\$152,281.68/9 \text{ lots} = \$16,920.19 \text{ per lot.}$

Looking at the results of the three methods, the Equal Shares method appears to be the most equitable as it provides for one sewer connection per lot. The Square Footage method places the burden of this extension on the two reimbursable properties that have the largest square footage. The Front Footage method does not adequately distribute the costs among the benefited properties. The two reimbursable properties in this case, do not contribute their fair share; Lot 4 has minimal frontage, and Lot 5 has frontage on two sides. There is also about 100 feet of frontage on the east side of 130<sup>th</sup> Ave NE that would not be assigned to any property.

Both reimbursable properties are large enough to subdivide in the future and will need to extend a sewer main to serve all the available property if and when they are subdivided. Using the Developer's cost per foot to construct this main (\$388/ft), if either of the reimbursable properties were to construct the same amount of sewer main on their frontage, Lot 8 would cost:  $45 \text{ ft} \times \$388/\text{ft} = \$17,460$ ; Lot 9 would cost:  $30 \text{ ft} \times \$388/\text{ft} = \$11,640.00$ . Staff have also calculated the weighted average cost of sewer main constructed by developer extensions over the last 5 years at \$311/ft which is close to the Developer's cost per foot.

If one of the benefited properties applies for connection to the District's system within 15 years from the date of project acceptance, the District will collect the reimbursement charges and keep 20% of the charges to cover administrative costs. The remainder will be paid back to the Developers, if they have satisfactorily provided the District with a current mailing address every two years during this 15-year period.

Staff recommends that the Equal Share method be used to calculate the pro-rata share per lot for this sewer reimbursement agreement. The Board agreed that the Equal Share method should be used and thanked Staff for their excellent work on this resolution.

Commissioner Clarke would like to see a fixed schedule be created for reviewing fees. Staff will email the current list to the Board and work on a schedule.

**It was moved by Commissioner Maloney and seconded by Commissioner Steeb to adopt Resolution No. 3980 approving a Reimbursement Agreement and establishing reimbursement charges for the sewer system. Vote 5-0-0. Motion carried. So ordered.**

**It was moved by Commissioner Maloney and seconded by Commissioner Steeb to authorize the General Manager to sign the Reimbursement Agreement for the sewer improvement associated with the Chmiel/Vu Sewer Extension project, D1811. Vote 5-0-0. Motion carried. So ordered.**

11(b) Resolution No. 3981 – District Auditing Officers

The District needs to add Commissioner Aleksandra Gancheva – Kachakov as an authorized signer to the King County Authorized Signature Form. In addition, the attached resolution reaffirms the District’s auditing officers.

**It was moved by Commissioner Steeb and seconded by Commissioner Maloney to approve Resolution No. 3981 appointing Auditing Officers for the purpose of authorizing the issuance of warrants and electronic transactions prior to Board of Commissioners approval. Vote 5-0-0. Motion carried. So ordered.**

11(c) Amendment No. 4 to the PSA with DEA Engineers for the Sewer Main Extension DE-1811

In February 2018 a Professional Services Agreement (PSA) was awarded to CHS Engineers (CHS) for the Sewer Siphon 1 Reconfiguration Project. CHS was merged with David Evans and Associates Inc. (DEA) in 2020. This PSA has been amended three times before. The first amendment increased the design scope. The second amendment increased the permitting scope, and associated time delays needed to get the project through the City of Woodinville’s Shoreline Process. The third amendment increased the engineering scope to cover time delays in the construction services portion of the contract, review of shop drawings for added electrical and mechanical work, contractor requests for information and an expanded need for contractor coordination due to the investigation of the original apparent low bid and allowing them to withdraw their bid.

This Amendment No. 4 covers additional engineering needed to address change orders regarding electrical issues and differing site conditions. The original contract left some electrical components to be designed by the contractor’s SCADA Integrator chosen from a District approved list of integrators. The Integrator pointed out that he could not legally stamp certain electrical components, which need to be reviewed and stamped by the designer’s electrical engineer. The contractor’s electrician also made several good recommendations including the addition of a “seal off” vault to protect the control panel from corrosive sewer gasses. The coordination and review of these electrical components is covered in this amendment. There have also been some significant differing site

conditions on this project. The as-builts for this project lacked elevation data and incorrectly showed the location of certain components. As a result, the contractor had to stop work and re-arrange the expected construction sequence only to find that they would have to dig deeper than expected. The deeper excavation got into groundwater near the slough. This was exasperated by near record rain and snow events in the prior December and January, which increased the water table several feet from what was expected from our observations made by a ground water monitoring well. District Engineering shut the job down until we could come up with a plan to deal with the unanticipated water. These electrical and site issues have led to change orders.

Amendment No. 4 covers the added electrical engineering, as well as the additional coordination for the review and approval of change orders on this project.

The Board recommended documenting the additional costs to discuss with the city.

**It was moved by Commissioner Schriever and seconded by Commissioner Maloney to approve Amendment No. 4 to the PSA contract with DEA in an amount not to exceed \$24,400.00 and authorizing the General Manager to sign the amendment.**

**Vote 5-0-0. Motion carried. So ordered.**

11 (d) Resolution No. 3982 and Resolution No. 3983 for the Update to the WWD Standard Specification for Developer Extensions

The last major update to the Woodinville Water District Standards Specifications for Developer Extensions was brought to the Board in 2007. There have been some minor updates/changes that have been approved by the General Manager over the years with the latest having occurred in 2016. Now that we have a new Construction Inspector, we felt that it was time to go through the Standards and perform an update.

Many of the changes that occur are due to product updates or new methods that have been adopted by policy by the Board or could be changes to other agency requirements, such as paint colors, brass fittings, or application rates for fertilizer. There have been changes made to the language used for easements, the process used for submitting plans for review, and a section was added for minimum requirements for a sewer lift station. Staff have also provided additional clarification on the use of private grinder pumps and the use of pre-channeled manhole bases.

We have gone away from specifying seed and fertilizer application rates and call out the local jurisdiction's specification for these requirements. Sump pumps are now required in all vaults to keep the structures dry, additional clarification on the "pigging" process for water mains, and a design for sample stand connections has been included. Pre-packaged Pressure Reducing Valve (PRV) vaults from GC Systems have been used on a couple of the last CIP projects and staff have added them as an alternative to our standard PRV vault.

The Board thanked Mr. McDowell and Daniel Amador for their detailed work to update the Water and Sewer specifications.

**It was moved by Commissioner Maloney and seconded by Commissioner Steeb to approve Resolutions No. 3982 for sewer and 3983 for water for the 2021 update to the Woodinville Water District Standard Specifications for Developer Extensions. Vote 5-0-0. Motion carried. So ordered.**

11 (e) Change Orders on the Sewer Siphon 1 Reconfiguration Project

There are several change orders on the Siphon 1 Reconfiguration Project that will need Board Approval. The change orders fall into one of the following categories.

- Responses to contractor equipment and component recommendations which the District has agreed will benefit the project.
- Electrical components that were not clearly called out in the plans, that were expected to be provided as part of the SCADA Integration, but shown to be beyond of the scope of that task.
- Costs associated with differing site conditions.

This construction project was awarded to Gary Harper Construction (GHC) on October 29, 2020. The contractor requested to delay the project start until February 1, 2021, due to the long lead time for some components. District staff agreed to this. There was some concern that this would push construction into the wet season, but we had been monitoring the groundwater level via a monitoring well and had not noticed an appreciable change in the water level over the course of the year with the level being below the bottom of the saddle manhole to be installed on the project. The as-builts indicated that the connection point to the existing 8" HDPE siphon barrel was not much deeper than the saddle manhole. So, it was assumed that any dewatering could be handled without specialized equipment. However, in the interim we experienced near record rainfall events in December and January which brought the ground water level up two to three feet higher than expected.

GHC's was able to dewater to the depth of the saddle manhole however, the as-builts didn't properly show the location of the existing bend that we were trying to eliminate with the saddle manhole. It turns out this bend was directly on top of the 8" HDPE barrel, and was surrounded with a mass of concrete, that needed to be chipped away. The contractor also tried digging down to find the 8" HDPE barrel, but it was deeper than expected. The as-builts didn't provide a depth to the barrel, which was estimated from the outlet elevation at the upstream manhole. These issues forced GHC to re-sequence excavating so that the HDPE connection was performed before the saddle manhole was set. The combination of the depth of the HDPE and additional groundwater in this area, led to significant sloughing of soils and an unstable construction excavation. This excavation was growing wider with depth and was threatening the integrity of the existing structures. Engineering directed GHC to backfill the excavation until we could develop a revised dig plan possibly including expanded dewatering or at least waiting for the ground water to subside to expected levels.

The remaining change order covers project delays, and added materials to backfill and stabilize the site, specialized well-point Dewatering from Magna Services, and remobilization costs.

CO#	Amount	Description	Comment
1	\$ 925.65	Upgrade Pump	Pump Accepted
2	Denied	Extra pump cable	Negated by seal-off vault
3	\$ 1,695.21	Upgrade hatch and ladder	Upgrade requestee by OPs
4	\$ 3,201.60	Added electrical control	SCS (Integrator) argued out of scope
5	\$114,285.71	MH, HDPE & Dewatering	Differing site conditions, site shutdown
6	\$ 18,097.64	Electrical and seal-off vault	Items not designed in original contract
Total	\$138,205.81	Combined Change Orders	

Allow General Manager advance authorization to approve Change Orders to \$138,205.81 above the 10% limit of \$51,050.00 for the Siphon 1 Reconfiguration Project. This allows the General Manager and District Engineer to utilize the remaining \$51,050.00 for change orders below the 10% limit.

**It was moved by Commissioner Maloney and seconded by Commissioner Schriever to allow General Manager advance authorization to approve Change Orders to \$138,205.81 above the 10% limit of \$51,050.00 for the Siphon 1 Reconfiguration Project. This allows the General Manager and District Engineer to utilize the remaining \$51,050.00 for change orders below the 10% limit. Vote 5-0-0. Motion carried. So ordered.**

## REPORTS

- 12 (a) General Manager's Report - Mr. Sorensen requested feedback from the Board on the timing of reopening the District Office to the public. It was decided to keep the District Office closed for the time being and continue monitoring the Covid situation. Most Staff members are working onsite as they have been for quite some time and they will continue to assist customers via phone. The Commissioners agreed holding the Regular Board Meetings virtually is working adequately and will be continued, pending updates from the Governor's office. Staff will continue looking for the best video and sound equipment to efficiently serve both the virtual attendees and the in-person attendees at future meetings.
- 12 (b) Engineering Report - No Report.
- 12 (c) Finance Report - Mr. Broyles reviewed the Finance Report. There have been no changes to the current mandates affecting utilities, so the District will not change any of their current customer service practices.
- 12 (d) Operations & Maintenance Report - Mr. Brown mentioned that typical water usage for this time of year is 4 mgd and current usage is at 5.3 mgd probably due to some warmer weather. He also mentioned a film crew has requested the use of the Kingsgate Reservoir site to use for filming a TV movie for the Nickelodeon network.

12 (e) Quarterly Reports - Staff reviewed the report with the Board. Kudos to staff for their work on cross-departmental training and support. Mr. Brown was applauded for his coordination of cost-sharing the verification process of the chlorine colorimeters to meet DOH requirements with Coal Creek and Mercer Island.

12 (f) MWPAAC - Mr. Broyles reported on the April 1, 2021 meeting. The County Wastewater treatment planned rate increase over the next few years and the staggering costs projected for the Clean Water Plan were discussed. Mr. Sorensen will send some slides to the Board with additional information.

12 (g) Seattle System Operating Board - The primary discussion at the April 1<sup>st</sup> meeting involved a proposed 40-year plan to convert wastewater to potable water.

12 (h) Sno-King Water District Coalition - Mr. Sorensen shared the latest updates from Lobbyist Steve Lindstrom with the Board and staff.

12 (i) Snohomish River Regional Water Authority (SRRWA) - No Report.

12 (j) WASWD (Washington Association of Sewer & Water Districts – Mr. Sorensen mentioned intended to sign the invoice from Highline Water District for Woodinville Water District's portion of the Section IV Consulting Services in the amount of \$2,500.00.

Commissioner Clarke mentioned that he felt the virtual conference was not quite as well done as the Fall 2020 conference. Commissioner Maloney thought the sessions she attended were hit and miss with one session each day being worthwhile. Commissioner Steeb felt the Ecology session she attended was beneficial.

12 (k) Wellness Committee - No Report.

12 (l) Attorney's Report - No Report.

### **COMMISSIONER'S COMMENTS**

Commissioner Steeb reminded the Board that Mr. Sorensen's contract will be up for review soon and will be discussed in executive session at the May 4, 2021 meeting.

Commissioner Maloney said since she will not be in attendance, she will support any decision the other Board members agree to.

### **COMMISSIONER CALENDARS**

Commissioner Maloney will not be available for the May 4, 2021 meeting but all other Commissioners are planning to attend. All Commissioners expect to be available for the May 18, 2021 meeting.



**ITEMS FROM THE PUBLIC:** None.

**EXECUTIVE SESSIONS**

The Board of Commissioners convened an Executive Session pursuant to RCW 42.30.110(1)(I)(C) at 6:45 p.m. for 30 minutes to discuss potential litigation. The Commissioners, Attorney William Linton, Mr. Sorensen, Mr. McDowell, Mr. Hoffman, and Ms. Tachibana attended the Executive Session.

At 7:15 p.m. the Executive Session was extended 30 minutes., which was publicly announced.

The Executive Session concluded at 7:45 p.m. Mr. McDowell, Mr. Hoffman, Ms. Tachibana, and Attorney William Linton left the executive session. No formal action was taken.

The Board of Commissioners convened an Executive Session pursuant to RCW 42.30.110(1)(I)(C) at 7:50 p.m. for 15 minutes to discuss qualifications for public employment. The Commissioners, and Mr. Sorensen attended the Executive Session.

At 8:05 p.m. the Executive Session was extended 5 minutes, which was publicly announced.

The Executive Session concluded at 8:10 p.m. and the open public meeting was reconvened. No formal action was taken.


**ADJOURNMENT**

Commissioner Clarke adjourned the meeting at 8:11 p.m.

  
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Chuck Clarke – President

  
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Pamela J. Maloney - Vice President

ATTEST:

  
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Tim Schriever - Secretary

  
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Tim Schriever – Secretary

  
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Aleksandra Gancheva-Kachakov- Commissioner

  
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Karen Steeb - Commissioner

Minutes: Jane Nicholls