



**Highline Water District
Regular Board Meeting Minutes
April 7, 2010**

ATTENDEES		
COMMISSIONERS Gerald R. Guite Daniel Johnson Vince Koester George Landon Kathleen Quong-Vermeire	HWD STAFF Matt Everett, General Manager Jeremy DelMar, Eng/Ops Manager Debra Prior, Administrative Manager Mary Fossos, Project Coordinator, CIPs	HWD ATTORNEY(S) John Milne Stanton Beck VISITORS Ken Kase, GM, Midway Sewer District Jack Hendrickson, Midway Sewer District
Strikeouts indicate absence		

1. CALL TO ORDER

President Quong-Vermeire called the meeting to order at 9:00 a.m.

2. APPROVE AGENDA

Commissioner Guite's motion to approve the Agenda as presented seconded by Commissioner Landon and carried unanimously.

3. CONSENT AGENDA

Consent Agenda items are considered to be routine and non-controversial and are generally approved as a group with one motion. Any Commissioner may remove any item from the Consent Agenda for separate discussion and action. Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.080 have been recorded on a listing which was made available to the Board of Commissioners).

Minutes: March 17, 2010 Regular Meeting; March 23, 2010 Workshop Meeting					
Fund Name	Fund No.	Warrant Date	Vouchers		AMOUNT
Maintenance	09-075-0010	04/13/10	12738	- 12804	\$ 241,349.02
Construction	09-075-3030	04/13/10	901169	- 901173	\$ 88,882.21
Maintenance - Payroll	09-075-0010	04/09/10	302332		\$ 575.35
Fund Name	Fund No.	Period Ending	EFT Transfer Date		AMOUNT
Payroll Tax	09-075-0010	03/19/10	03/31/10		\$ 23,106.92
Direct Deposit	09-075-0010	03/19/10	03/26/10		\$ 64,780.16
HRA - VEBA	09-075-0010	03/19/10	03/26/10		\$ 2,151.50
Dept of Retirement	09-075-0010	03/19/10	04/15/10		\$ 8,150.58
Dept of Retirement - Deferred Compensation	09-075-0010	03/19/10	03/26/10		\$ 3,153.00
Dept of Revenue - B&O Tax	09-075-0010	02/28/10	03/25/10		\$ 42,420.49

Commissioner Landon's motion to approve the Consent Agenda as presented seconded by Commissioner Guite and carried unanimously.

4. PUBLIC INPUT

No public comments.



4.5 EXECUTIVE SESSION – POTENTIAL LITIGATION

As permitted by RCW 42.30.110(l), the Board may adjourn to discuss specific matters. The purpose and length of time needed for the executive session is to be announced for the record. The Board may discuss with legal counsel representing the agency matters related to agency enforcement actions, or to discuss with legal counsel representing the agency, litigation or potential litigation to which the agency, the governing body or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

Salt Air Hills Project - Everett requested an executive session to discuss issues relating to the Salt Air Hills Project which could potentially involve the District in litigation. The project is a joint project with the Midway Sewer District by interlocal agreement. Midway is the lead agency and has a public works construction contract with Pivetta Construction. The Midway Board of Commissioners and its General Manager, Ken Kase, were also in attendance and Stanton Beck, an attorney representing both Highline and Midway, was present to advise the Districts regarding issues on the Project. Koester then made the motion to convene an executive session on the basis identified by Everett to discuss the matter with counsel. Landon seconded the matter which was carried unanimously. Before convening the executive session at 9:03 a.m., the Highline President advised that the executive session would be concluded at 9:20 a.m. The Highline Board, the Midway Board, Everett, Kase, Beck, District staff Jeremy Delmar, and Highline General Counsel, John Milne, then attended the executive session. At 9:20 a.m., it was publicly announced that the executive session was extended to 9:30 a.m. At 9:30 a.m., it was publicly announced that the executive session was extended to 9:40 a.m. At 9:40 a.m., the executive session was concluded and open public meeting was reconvened.

5. BOARD RESOLUTIONS

Resolution 10-4-7A accepting developer extension as complete (Port AV Warehouse).
(Approved under Consent Agenda Item 3.1)

Resolution 10-4-7B authorizing Release of Easement (Lakeridge Development for Highline View Estates Developer Extension). Commissioner Koester's motion to approve was seconded by Commissioner Johnson. After discussion, the motion carried unanimously.

Resolution 10-4-7C awarding Landscape Maintenance Contract #10-50-03 to Barry Landscape & Maintenance, Inc. for bi-monthly maintenance at the following District sites: Mansion Hill, Bow Lake, McMicken Heights, Crestview, Star Lake, Angle Lake and Pump Station #5. Commissioner Johnson's motion to approve was seconded by Commissioner Koester. After discussion, the motion carried unanimously.

Resolution 10-4-7D authorizing amendment to PACE Contract #09-80-05 for the survey, design, construction staking, and construction administration for Project 07-1 490 Zone, addition of S. 223rd St. Water Main Replacement and as-building of the entire 490 Zone project. Commissioner Koester's motion to approve was seconded by Commissioner Landon. After discussion, the motion carried unanimously.



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5. BOARD RESOLUTIONS

Resolution 10-4-7E authorizing contract revision to Project 07-1 490 Zone for additional pipe work at S. 223rd Street and miscellaneous flow control modifications at Pump Station No. 3 (Buno Construction, LLC). Commissioner Koester's motion to approve was seconded by Commissioner Landon. After discussion, the motion carried unanimously.

Resolution 10-3-17F awarding design contract to PACE, Engineers, Inc., for Project 10-2 360 Zone P.R.V. Stations. Commissioner Koester's motion to approve was seconded by Commissioner Landon. After discussion, the motion carried unanimously.

Resolution 10-4-7G authorizing the General Manager to enter into an interlocal agreement with the City of Des Moines for the North Twin Bridge Project. Commissioner Landon's motion to approve was seconded by Commissioner Guite and carried unanimously.

6. MOTIONS/MINUTES ENTRIES

Commissioner Koester's motion to cancel the April 21, 2010 Regular Board Meeting and schedule a Special Board Meeting on Monday, April 19, 2010, for all District business that may come before the Board, was seconded by Commissioner Landon. The motion carried unanimously.

Commissioner Landon's motion to send a revised letter to the WASWD Board of Directors was seconded by Commissioner Johnson. After discussion, the motion carried with three (3) ayes (Landon, Johnson, Quong-Vermeire), one (1) nay (Guite) and one (1) abstention (Koester).

7. STAFF/COMMISSIONERS/ATTORNEY

Matt Everett

Matt commented on the following item(s) from the General Manager's Report of 4/7/2010:

- ◆ Matt asked the Board for a motion to cancel the regular board meeting on 4/21/2010 due to a scheduling conflict with the WASWD Spring Conference and schedule a special meeting on Monday, April 19, 2010 at 4:00 PM to conduct all District business. (See Section 6 -Motions/Minute Entries).
- ◆ Letter to WASWD Board of Directors from the HWD Board: Matt distributed two versions of the letter for the Board to review. (See Section 6 – Motions/Minutes Entries).

Jeremy DelMar

- ◆ Project 06-1 Southcenter Parkway Extension Interlocal Agreement (ILA) with Tukwila Jeremy and Matt met with the City of Tukwila last week to discuss the City's fees to administer the project. The fees will be based on time and materials not-to exceed 8 percent.



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7. STAFF/COMMISSIONERS/ATTORNEY

The District's draft developer extension agreement with Segale includes Highline's construction costs at 51% and Segale's at 49%.

John Milne said the City committee approved the ILA on 4/5/2010. The ILA will now go before the City Council. The City's agreement with Segale will include a Letter of Credit from Segale for 110% of the Developer's construction costs.

Scarsella Construction was the low bidder.

There being no further business of the District, President Quong-Vermeire concluded the meeting at 10:37 PM.

BOARD OF COMMISSIONERS


Kathleen Quong-Vermeire, President


Gerald R. Guite, Secretary


Daniel Johnson, Commissioner


Vince Koester, Commissioner


George Dandon, Commissioner