

**MINUTES OF THE
REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF COAL CREEK UTILITY DISTRICT
OF KING COUNTY, WASHINGTON**

Held on January 24, 2024

A regular meeting of the Board of Commissioners of Coal Creek Utility District was held in-person and by remote means at the District Office, 6801 – 132nd Place SE, Newcastle, Washington, on January 24, 2024. Commissioner Doug Kunkel, Board President, attended by Zoom, and called the meeting to order at 2:00 p.m. Commission Suzi O’Byrne, Board Secretary, attended in person. District staff Robert Russell, General Manager, Patrick Martin, Operations Manager, and Jamie Crookston, Finance Manager, and Rosemary Larson, legal counsel, attended in person. Bill Reynolds, District Engineer, attended by Zoom.

The District provided the public with ability to attend the meeting by Zoom or conference call, and provided notice of the call-in and remote access information to the public and a speaker in the meeting room which allowed all persons attending to hear each other at the same time.

APPROVAL OF AGENDA – ADDITIONS OR DELETIONS

Commissioner O’Byrne made a motion to approve the agenda. Commissioner Kunkel seconded the motion, which passed unanimously.

CONSENT AGENDA

Approval of Minutes -- Regular Meeting of January 24, 2024

2024 Manager Contracts - Approval

Weaver Short Plat (water and sewer) – Design Approval

Commissioner O’Byrne made a motion to approve the consent agenda. Commissioner Kunkel seconded the motion, which passed unanimously.

APPROVAL OF VOUCHERS

Commissioner O'Byrne made a motion to approve the following Vouchers. Commissioner Kunkel seconded the motion, which passed unanimously:

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 5243 to 5257 in the amount of \$36,207.10.

Water/Sewer Maintenance Fund – Accounts Payable - Voucher Nos. 5258 to 5270 in the amount of \$32,396.23.

Water/Sewer Maintenance Fund – Payroll in the amount of \$21,550.00.

Water/Sewer Maintenance Fund – EFT in the amount of \$15,117.85.

CITIZENS' COMMENTS AND CONCERNS

There were no citizens in attendance.

FIRE HYDRANT ART

Mr. Russell reported that recently, one or more Newcastle Arts Commissioners approached Commissioner O'Byrne and again requested that the District allow District fire hydrants to be used for artwork. Mr. Russell described several forms in the agenda materials, including examples of fire hydrant art applications and indemnification agreements. Ms. Larson commented on the documents, including that any indemnification agreement would need to be provided by the City, not an individual art commissioner.

Commissioner Kunkel commented that the example hydrant art guidelines seem vague and hard to enforce, unlike construction standards and specifications. He noted that even if the District had approval authority over the artwork, that would require staff time and legal costs at the ratepayers' expense. While that may be appropriate for a city with an arts commission and an arts budget, it is not within the District's mission.

Commissioner O'Byrne commented that some ratepayers and other citizens may not like a particular design and complain. She questioned whether the Bellevue Fire Department would need to be involved in approving the hydrant art. She agreed that spending ratepayer funds on hydrant art is not appropriate for the District, which provides a more limited set of services than a city.

The Commissioners and staff discussed liability that could result from using District fire hydrants for art. Commissioner Kunkel stated that it is a safety issue, as well as being inappropriate to use ratepayer funds on a non-water matter. He is opposed to spending ratepayer funds on a program that is not related to the District's mission. Commissioner O'Byrne agreed. Both Commissioners agreed that the safety and potential liability issues were a big concern. Mr. Martin stated that for all the reasons discussed, he was not in favor of using District hydrants for art.

After extensive discussion, the Commissioners' consensus was to continue not to allow District facilities to be used for fire hydrant art. Mr. Martin stated that he would inform the Arts Commissioner of the Commissioners' consensus on this matter.

ACTIVOV ASSET MANAGEMENT

Mr. Russell informed the Commissioners that the Activov invoice is in the agenda packet. Ms. Crookston commented that staff is pleased with the service provided by Activov and would like to continue working with them. Commissioner Kunkel noted that the invoice amount was not a big increase over last year's amount.

Commissioner O'Byrne made a motion to approve payment of the Activov invoice in the amount of \$21,053.46. Commissioner Kunkel seconded the motion, which passed unanimously.

LAKE BOREN GENERATOR INSTALLATION – ENGINEERING PROPOSAL

Mr. Martin reported that he requested that PACE submit a proposal to provide engineering services necessary for the Lake Boren Generator Installation Project. The PACE proposal is in the

meeting materials. Mr. Martin explained that the District would benefit from having a generator at the Lake Boren Lift Station site. Because the site is in proximity to the lake, Staff is considering changing the power source to natural gas, to decrease the risk of environmental harm from diesel fuel. Mr. Reynolds commented that the PACE Proposal includes Project design, preparation of bid documents, permitting and construction support, and investigation of the potential use of natural gas at the site. The Commissioners, staff and Mr. Reynolds discussed the pros and cons of various fuels, including cost, potential for environmental harm, noise impacts, and other factors.

After discussion, Commissioner O'Byrne made a motion to approve the PACE Lake Boren Sewer Lift Station Generator Installation Proposal for Engineering Services in the amount of \$66,587.03. Commissioner Kunkel seconded the motion, which passed unanimously.

SE 76TH PRV RELOCATION PROJECT – ENGINEERING PROPOSAL

Mr. Martin reported that the PRV on SE 76th Street is in a precarious position, as the land is slowly sliding in that area. Staff have determined that the PRV should be relocated to 111th Place SE. Mr. Russell presented photographs of the current and proposed PRV locations. Mr. Martin commented that for the PRV's annual maintenance, it would be better to have the PRV on 111th Place SE, which is a residential street with less traffic than SE 76th. PACE has submitted a Proposal to provide the engineering services necessary for this Project, and staff recommends approval of the Proposal. Commissioner Kunkel agreed that this relocation is necessary.

After discussion, Commissioner O'Byrne made a motion to approve the PACE SE 76th Street PRV Station Relocation Project Proposal for Engineering Services in the amount of \$55,296.85. Commissioner Kunkel seconded the motion, which passed unanimously.

ATTORNEY'S COMMENTS

Ms. Larson reviewed the timeline for the steps for appointing a candidate to the vacant position on the Board of Commissioners under RCW 42.12.080 and other laws. District staff have posted the required Notice in three public places in the District, including the District's website. District staff and Ms. Larson have prepared application materials for the nominees. After the 15-day posting period, the Commissioners may appoint one of the nominees to the vacant position. The 15-day period will be concluded before the Board of Commissioners' meeting on February 14, so the nominations and potential appointment may be discussed at that meeting. The Board's appointment must occur by no later than March 11.

ENGINEER'S COMMENTS

Mr. Reynolds reported that the District has received the signed contract from the contractor for the Sewer Rehabilitation Project, so that Project will begin in the near future. Mr. Russell noted that the Project contract designates the Board President as the position to execute the contract. Mr. Russell requested that the Commissioners authorize the Board Secretary to execute this contract.

Commissioner Kunkel made a motion to authorize the Board Secretary to execute the Sewer Rehabilitation Project contract and any related documents on behalf of the District. Commissioner O'Byrne seconded the motion, which passed unanimously.

Mr. Reynolds reported that the Vactor Decant Facility Project and the Windtree Project will be ready to advertise for bids in the next month. He also reported that the Water and Sewer Comprehensive Plan Project is underway.

MANAGERS' COMMENTS

Ms. Crookston commented that the District's Audit is close to completion. An exit conference will be scheduled.

Ms. Crookston informed the Commissioners that she attended a Waterworks Basics Class, which was very informative. She reported that the new janitorial services contract is being negotiated. In response to a question from Commissioner O'Byrne, Ms. Crookston stated that the Carpet Project bid packet has been sent to six potential contractors.

Mr. Martin reported that the District has received one application for the vacant employee position, and hopes to receive additional applications.

Mr. Russell had no additional comments.

COMMISSIONERS' COMMENTS

Commissioner O'Byrne reported that she will attend the upcoming Commissioners' Workshop.

Commissioner Kunkel had no additional comments.

OTHER DISTRICT BUSINESS

None.

ADJOURNMENT

As there was no further business or persons to be heard, the meeting concluded at 3:20 p.m.

BOARD OF COMMISSIONERS



Douglas Kunkel, Commissioner



Suzi O'Byrne, Commissioner

Commissioner