



MEETING OF THE BOARD OF DIRECTORS

MINUTES

BELLEVUE CITY HALL

OCTOBER 28, 2009

1. CALL TO ORDER

At 3:30 p.m. Chair Lloyd Warren called the meeting to order.

2. ROLL CALL

Board Members or Alternate Board Members from the City of Bellevue (Degginger¹/Davidson), Covington Water District (Knight), the City of Issaquah (Kappler), the City of Kirkland (Lauinger), the City of Redmond (McCormick/Marchione²), the City of Tukwila (Haggerton), Sammamish Plateau Water and Sewer District (Warren), and Skyway Water and Sewer District (Ault) were present, constituting a quorum.

3. EXECUTIVE SESSION

At 3:32 p.m. Chair Warren announced that there would be two Executive Sessions:

- a. 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.
- b. To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

The Executive Session was expected to take approximately 30 minutes unless the time was extended by further notice.

At 4:02 p.m., the Executive Session was extended for 5 minutes.

The Executive Session adjourned at 4:07 p.m.

4. PUBLIC COMMENT

Scott Hemingway, General Manager, Ames Lake Water Association

Mr. Hemingway corrected the spelling of his name in the September 23, 2009 Cascade Water Alliance Regular Board Meeting minutes (one "m" rather than two). In addition, he explained that the Ames Lake Water Association has other options for water. However, wheeling water through the City of Redmond and the Sammamish Plateau Water and Sewer District is the most attractive option.

¹ Arrived during Executive Session.

5. CHIEF EXECUTIVE OFFICER'S REPORT

A. Staff Reports

1. Finance and Administration
2. Conservation
3. Capital Projects Report
4. Planning
5. Intergovernmental and Communications

Mr. Clarke reported on the following items:

- A tentative closing date of December 18, 2009 has been set for the Lake Tapps agreement. In addition, the operating agreement is being discussed to better define responsibilities of Lake Tapps. This agreement must be finalized prior to the closing date.
- Item 7C, Motion to retain the services of attorney Paul McDonald, is on the meeting agenda since Mr. Clarke is not authorized to sign contracts with attorneys.
- Progress is being made to complete the draft and final Environmental Impact Statement and Report of Examination for the Lake Tapps project.
- The Motion to authorize a consultant contract with Tetra Tech was deleted from the original meeting agenda. This contract was to help with the milfoil problems at Lake Tapps. Since the Washington State Department of Ecology recommends the development of an Integrated Aquatic Vegetation Management Plan (IAVMP) prior to implementation of milfoil treatments, Tetra Tech will first perform an aquatic plant survey to develop the IAVMP, and to attend public meetings to get their input and response, or incorporate into the plan. The second phase of the project will be to implement the recommended option that will eradicate/control the invasive aquatic plant species in the lake.

6. APPROVAL OF AGENDA

Motion by Mr. Degginger and second by Mr. Haggerton to approve the revised meeting agenda. Motion carried unanimously (8-0).

7. CONSENT ACTION ITEMS

- A. September 23, 2009 Regular Board Meeting Minutes and September 23, 2009 Special Board Meeting Minutes.
- B. Motion to approve payment of warrants, including payroll, for the month of October 2009.
- C. Motion to retain the services of attorney Paul McDonald (of Thorson Barnett & McDonald, P.C.) to assist with an employee retirement plan program review in an amount not to exceed \$10,000 and not to extend beyond January 2010.
- D. Motion to authorize execution of an amended agreement with DashenMusselman, Inc. for financial advising services, increasing the contract by \$37,500 to \$87,500 total for 2009.
- E. Motion to authorize execution of an amended agreement with GordonDerr, LLP for legal services, increasing the contract amount by \$120,000 to \$1,349,000 total for 2009.
- F. Motion authorizing the Chief Executive Officer to execute Amendment No. 4 to the Hainline and Associates Contract No. 2 increasing the contract amount by \$21,200 to \$340,000 total and extending the termination date from October 31, 2009 to December

² Arrived during Executive Session.

31, 2009 providing for Owner's Representative Services during the construction of the SR 900 Road Widening Reach project.

- G. Motion to authorize the Chief Executive Officer to execute Amendment No. 2 to HDR Engineering, Inc. Contract No. 6 extending the contract from August 31, 2009 to November 30, 2009 for services during construction of the SR 900 Road Widening Reach project.

Motion by Mr. Kappler and second by Mr. Haggerton to approve Consent Action Items A-G.

Mr. Kappler made the following corrections to the September 23, 2009 Cascade Water Alliance Regular Board Meeting minutes:

Proper spelling of Public Comment guest is "Scott Hemingway."

Page 2, Public Comment, 2nd and 3rd line of Mr. Hemingway's comments, should read: "In order for Ames Lake to utilize Seattle water, water could be wheeled through the City of Redmond and the Sammamish Plateau Water and Sewer District."

At the question, motion carried unanimously (8-0) to approve Consent Action Items A-G.

8. OTHER ACTION ITEMS

None.

9. STAFF PRESENTATION

None.

10. COMMITTEE REPORTS

- A. Audit Committee – No meetings held.
- B. Executive Committee – No meetings held.
- C. Public Affairs Committee – The October 6, 2009 meeting recap was included in the Board Packet. Mr. Marchione provided a recap of the recent Washington DC trip to visit with state delegation and federal agencies. Mr. Degginger added that the 2010 State Legislative agenda is being finalized.
- D. Resource Management Committee – The October 15, 2009 meeting recap was included in the Board Packet. Mr. Knight noted that the Committee received a briefing from staff reviewing how the five water rights (the Puget claim, three new municipal water rights and the water right trust donation) associated with the Lake Tapps project work together. A formal recommendation will be provided once the final Lake Tapps Environmental Impact Statement is complete.

11. NEW BUSINESS

Chair Warren announced that Mr. Clarke's performance review will be delayed until late November. Chair Warren, Mr. Degginger, and Vice-Chair Burleigh will conduct the performance review.

12. NEXT REGULAR MEETING

The next regular Board meeting will be held November 18, 2009 at 3:30 p.m.

13. ADJOURN

The meeting was adjourned at 4:34 p.m.

APPROVED BY:

Lloyd Warren, Chair

Mary-Alyce Burleigh, Vice Chair