



MEETING OF THE BOARD OF DIRECTORS
MINUTES
BELLEVUE CITY HALL
DECEMBER 16, 2009

1. CALL TO ORDER

At 3:32 p.m. Chair Lloyd Warren called the meeting to order.

2. ROLL CALL

Board Members or Alternate Board Members from the City of Bellevue (Degginger), the City of Issaquah (Kappler), the City of Kirkland (Burleigh), the City of Redmond (McCormick), the City of Tukwila (Haggerton), Covington Water District (Knight¹), Sammamish Plateau Water and Sewer District (Warren), and Skyway Water and Sewer District (Ault) were present, constituting a quorum.

a. Recognition of Retiring Board Members

Chair Warren recognized the following Board Members and Alternate Board Members that are leaving the Cascade Board:

- David Kappler, City of Issaquah
- Mary-Alyce Burleigh, City of Kirkland
- Jim Lauinger, City of Kirkland
- Nancy McCormick, City of Redmond

Chair Warren presented the outgoing members with tokens of appreciation. Board Members expressed their appreciation to the outgoing members for their years of service and dedication to Cascade and the community.

Break for cake and recognition 3:43-3:54 p.m.

Ms. McCormick introduced Hank Margeson, who will be Cascade's new Alternate Board Member for the City of Redmond.

3. EXECUTIVE SESSION

At 3:56 p.m. Chair Warren announced that there would be three Executive Sessions:

- a. 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.
- b. 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.
- c. To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.

¹ Departed during the Executive Session.
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The first two Executive Sessions were expected to take approximately 50 minutes in length unless extended by further announcement. The third Executive Session was expected to take approximately 20 minutes unless extended by further announcement.

The Executive Session was adjourned at 5:08 p.m.

4. PUBLIC COMMENT

None.

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 that the purchase price for Lake Tapps has continued to decrease. There is a transition team for the operations of Lake Tapps. A check for \$34,797,893.20 will be wired for the purchase of Lake Tapps on December 18, 2009. This is approximately \$4-5 million less than the original purchase price. There will be an official celebration and transfer for Lake Tapps on February 5, 2010.

6. APPROVAL OF AGENDA

Motion by Vice-Chair Burleigh and second by Mr. Degginger to approve the meeting agenda with the following changes:

- **Delete Consent Action Items 7C-7E.**
- **Delete Other Action Item 8C.**
- **Add Resolution 2009-16 to Other Action Item 8C to authorize the negotiation for certain real estate interests in the Woodinville Subdivision rail corridor.**
- **Add Resolution 2009-25 to Other Action Items 8D to authorize modification of the Chief Executive Officer's contract.**

At the question, motion carried unanimously (7-0) to approve the revised meeting agenda.

7. CONSENT ACTION ITEMS

- A. November 18, 2009 Regular Board Meeting Minutes.
- B. Motion to approve payment of warrants, including payroll, for the month of December 2009.
- C. Motion to adopt Resolution No. 2009-23 authorizing the Chief Executive Officer to execute a Cost Reimbursement Agreement with the Washington State Department of Ecology to fund and expedite application processing for Lake Tapps.

Motion by Vice-Chair Burleigh and second by Mr. Haggerton to approve Consent Action Items A-C. Motion carried unanimously (7-0).

8. OTHER ACTION ITEMS

- A. Motion to authorize the Chief Executive Officer to renew contracts for consulting services in an amount not to exceed \$2,164,000 for the period of January 1 through December 31, 2010, in accordance with the adopted 2010 Cascade budget.

Motion by Vice-Chair Burleigh and second by Mr. Haggerton to authorize the Chief Executive Officer to renew contracts for consulting services in an amount not to exceed \$2,164,000 for the period of January 1 through December 31, 2010, in accordance with the adopted 2010 Cascade budget.

Mr. Clarke explained that the contract amounts are all within the approved 2010 budget.

At the question, motion carried unanimously (7-0).

- B. Motion to approve a contract with Courier-Herald Newspapers in the amount of \$50,000 for the purpose of reaching out to communities in the Lake Tapps area and to provide conservation tips and news to the member communities.

Motion by Vice-Chair Burleigh and second by Mr. Haggerton to approve a contract with Courier-Herald Newspapers in the amount of \$50,000 for the purpose of reaching out to communities in the Lake Tapps area and to provide conservation tips and news to the member communities.

Ms. Kraft explained that the outreach efforts include the Reporter newspapers and the Bonney Lake Courier-Herald. The newspapers cover most of the member service areas and is a cost effective way to reach members. Other vehicles for targeting the Skyway and Tukwila areas are being determined.

At the question, motion carried unanimously (7-0).

- C. Motion to authorize the negotiation for certain real estate interests in the Woodinville Subdivision rail corridor.

Motion by Vice-Chair Burleigh and second by Mr. Haggerton to approve Resolution 2009-16 authorizing the Chief Executive Officer to negotiate such documentation as is necessary to acquire easement interests in a portion of the Woodinville Subdivision, as further described in the MOU, for an amount not to exceed \$9,500,000. Motion carried unanimously (7-0).

- D. Motion to authorize modification of the Chief Executive Officer's contract.

Motion by Vice-Chair Burleigh and second by Mr. Haggerton to approve Resolution 2009-25 authorizing an increase to the Chief Executive Officer's benefits package for 2009 only by Cascade making an additional one-time contribution to either or both of the Chief Executive Officer's §401(k) or §457 Defined Contribution Plans in the total amount of 7 ½ percent of his current annual salary. The allocation of the total aggregate contribution between the plans may be selected by the Chief Executive Officer subject to applicable contributions limits and other applicable laws and regulations.

Chair Warren explained that the CEO performance review is complete. He added that Mr. Clarke has done an outstanding job for Cascade. A copy of the performance summary has been included in Mr. Clarke's employment file.

9. STAFF PRESENTATION

None.

10. COMMITTEE REPORTS

- A. Audit Committee – No meetings held
- B. Executive Committee – No meetings held.
- C. Public Affairs Committee – No meetings held.
- D. Resource Management Committee – The meeting recap from the December 10, 2009 meeting was included in the Desk Packet.

11. NEW BUSINESS

None.

12. NEXT REGULAR MEETING

The next regular Board meeting will be held January 27, 2010 at 3:30 p.m.

13. ADJOURN

The meeting was adjourned at 5:21 p.m.

APPROVED BY:

Lloyd Warren, Chair

Mary-Alyce Burleigh, Vice-Chair