

**WOODINVILLE WATER DISTRICT**  
**1411<sup>th</sup> Regular Meeting**  
**November 3, 2020**

**ATTENDANCE**

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

**CALL TO ORDER**

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

**ROLL CALL**

Commissioners Knapinski, 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 Knapinski and seconded by Commissioner Steeb to approve the Meeting Agenda. Vote 4-0-0. Motion carried. So ordered.**

**MINUTES APPROVAL**

7 (a) October 20, 2020 Regular Meeting Minutes

**It was moved by Commissioner Knapinski and seconded by Commissioner Schriever to approve the October 20, 2020 Regular Meeting Minutes. Vote 4-0-0. Motion carried. So ordered.**

Commissioner Clarke joined the meeting via phone at 5:02 pm and then at 5:06 pm via Microsoft Teams.

**CONSENT AGENDA**

8 (a) Sign Monthly Vouchers

- Water Maintenance Fund (09-104-0010), Vouchers #98299 through #98353 and Payroll Advice #8701 through #8736 in the amount of \$447,249.29
- Sewer Maintenance Fund (09-104-0510), Vouchers #27160 through #27162 in the amount of \$321,149.30
- Water Construction Fund (09-104-3010), Vouchers #35370 through #35374 in the amount of \$197,446.77

11/09/2020 A/P and 10/25/2020 Payroll A/P

**It was moved by Commissioner Steeb and seconded by Commissioner Schriever 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. 3969 – Dog Policy**

Mr. Sorensen updated the Board on the history of allowing dogs in the workplace. The District has never experienced any issues with dogs in the workplace. In 2020, the State Auditor's Office advised the District that the Wellness Resolution needed to be updated. During the process of updating the Wellness policy, staff included language regarding employee dogs. Upon review of the program and early draft proposals for a revised Wellness Policy the District was advised, by legal counsel, that it needed to have a stand-alone policy for dogs in the workplace. The policy language and indemnity agreement were reviewed and recommended by legal counsel. The employee's direct Department Manager or the General Manager have the right to terminate the arrangement at any time as it relates to negatively impacting the workplace. This policy does not envision, authorize, or address other types of employee owned pets. The ability of employees to have dogs at work is a privilege that can be revoked at any time.

Commissioner Knapinski mentioned some concerns over potential liability and wanted to ensure the District has enough insurance coverage to cover liability issues that could arise from employees bringing their dogs to work. Mr. Linton recommended checking with the insurance pool to see what coverage is already provided. Commissioner Clarke asked about a policy rider and changing the language in the policy to require staff who want to bring their dog to work must have a minimum level of coverage. No motion was made. The Board instructed Mr. Sorensen to pull this item and bring it back to a future meeting.

**11 (b) Award Professional Services Agreement to the Blueline Group for the 2020 Sewer Sags Project**

The Operations department has identified two separate sections of sewer main that have sags where the entire diameter of the pipe is full of sewage. The first area is within the parking lot near the Bank of America building on NE 175<sup>th</sup> St. where a 270-foot run will be replaced. The second area is in Wood-Bothell Rd (SR 202) at its intersection with NE 175<sup>th</sup> St. At this location the portion between MH 86 and MH 87 has a bad sag that has been repaired once before and will require some geotechnical work to determine why this section is failing. The next section, between MH 86 and MH 78, is also scheduled to be replaced. This section consists of old concrete pipe that has root problems. The length of this section to repair is approximately 317 feet.

Staff have negotiated the scope of work provided by Blueline Group for the repair work to be done. At \$188,600 the proposed fee may seem high, but with the amount of work to do, along with the Geotech work that will be required and a bypass pumping system design, the higher fees are warranted.

No action was taken on this item.

Commissioner Maloney requested a five-minute break, the meeting was adjourned at 5:48 pm and reconvened at 5:52 pm.

#### 11 (c) Shut off Customers for Non-Compliance on Backflow Testing

Mr. Brown lead a discussion with the Board regarding the approximately 5,000 backflow devices within our District that property owners are required to have tested annually. There are 3,200 residential customers of which 1,800 of those tested are in the District program. This leaves approximately 1,400 residential and 1,100 commercial customers that have chosen to have their backflow devices tested by their own contractor. Every year the District sends those 2,500 customers two reminder letters to have those devices tested. If we do not receive a test report or a call scheduling to have their device tested, those customers are delivered a shut-off door tag. Before we shut any customer's water off, we attempt to call that customer and even make a visit to their residence or business to contact them. Typically, we average just two customers a year that have their water shut-off.

Since mid-March of 2020 the District has not terminated any water service for non-payment due to the Governor's Proclamation 20.23.11. Earlier this year, The Office of Drinking Water (ODW) notified the District that "Backflow Testing" is an essential function.

In October, staff emailed ODW requesting clarification regarding terminating water service for backflow testing enforcement until compliance is met. This issue is before the Board of Commissioners to see how the Board wishes to proceed for non-compliance. I have listed three options that could be considered:

1. Continue with the current program and shut non-compliant customers off.
2. Have the District's contractor test those devices and apply the charge to the property owner's bill.
3. Not have those customer devices tested in 2020 and have them tested in 2021.

In option #1, the District backflow testing program and Resolution #3841 (exhibit 2) gives the District authority to proceed with shutting off water service.

In option #2, if staff was unable to contact the property owner after calling and making a trip to their residence, the District (or contracted agent) would not have consent from the owner to access private property which could put our tester at risk of trespassing.

In option #3, ODW has stated in their email that they would not take any compliance action against a water system for failing to have backflow assemblies tested in 2020. If the District chooses this route and any of those devices fail in a backflow incident, the District may take on additional liability.

The Board agreed that the health and safety of the District customers is the number one priority and recommended Option 1.

**It was moved by Commissioner Schriever and seconded by Commissioner Clarke to authorize staff to continue with the current program and shut non-compliant backflow customers off. Vote 5-0-0. Motion carried. So ordered.**

#### 11 (d) NE 175 St Sewer Line Update and City Proposal

Mr. Sorensen added an addendum to Agenda Item 11d and emailed a copy of this document to the Board prior to the start of the meeting. This addendum provides updated information regarding some recent communication with the Woodinville City Manager, the developer and the property owner.

The City of Woodinville is experiencing redevelopment of properties within the 175<sup>th</sup> corridor. This includes both future higher density residential and newer commercial development as well as existing projects. In working through the update to the Comprehensive Sewer Plan (CSP) it has become clear that the sewer main located in NE 175<sup>th</sup> St. will not be able to convey the future flows in the downtown area based on the current zoning. With Growth Management, growth was supposed to pay for growth, and would imply that as demand increased for sewer in the downtown area, that the new development would pay for the upsizing necessary to accommodate that growth. Our prior conversations on this topic have included discussion regarding the concerns raised by the City of Woodinville, their contractors associated with City sponsored projects, and who is going to pay for needed improvements. This was explained in greater detail in the addendum document.

When the City updated their Comprehensive Plan in 2015, they focused their new residential development to occur in the downtown area rather than the outlying areas that are currently underdeveloped. This action increased the impact to the sewer system downtown, without getting input from Woodinville Water District on how that impact would be addressed. Now as the City is looking for their new plan to come to fruition, they are running up against the fact that the sewer in the downtown area needs to be upsized to accommodate this growth.

The proposals provided by the city do not provide any frontage improvements along any of their boundaries. Crossing the railroad tracks may become a challenge also as the City is still working out issues regarding ownership of the rail line property.

The District is continuing to work on the update to the CSP and will have a completed document in the next year that will lay out the necessary improvements throughout the District and who is responsible for those improvements. It more likely than not, will show that development should pay their fair share of these improvements, but that the District also has a role to play in these upgrades. District staff let the Board know that the redevelopment of the downtown area is projected to increase the sewer flow by approximately 11 times the current flow. The Board discussed a variety of options to resolve the

sewer flow upsizing which would provide the most fair and equitable outcome for all parties involved. No final decision was made at this time.

Commissioner Clarke took over the role of President at the request of Commissioner Maloney at 6:45 pm to take a maintenance break.

Commissioner Clarke announced that Item 11d will be brought back to a future meeting.

## **REPORTS**

- (a) General Manager's Report - Mr. Sorensen reviewed the report with the Board and requested the Board consider making a motion to cancel the January 5, 2021 regular meeting.

**A motion was made by Commissioner Steeb and seconded by Commissioner Schriever to cancel the January 5, 2021 Board meeting. Vote 4-0-0. Motion carried. So ordered.**

Mr. Sorensen mentioned a tentative date February 11, 2021 for a virtual Annual Board Retreat and asked the Board for feedback. All members in attendance said they would be available on that date. Mr. Sorensen will proceed with choosing topics and report back.

Commissioner Maloney resumed her role as President at 6:51 pm when she returned from her maintenance break and mentioned that she would be available on February 11, 2021 for the virtual Annual Retreat.

- (b) Engineering Report - No Report.
- (c) Finance Report - Mr. Broyles told the Board there are currently 162 accounts that would be eligible for shut off for a total past due of just over \$46,000.
- (d) Operations & Maintenance Report - No Report.
- (e) MWPAAC - The next Subcommittee meetings will be November 5, 2020 beginning at 8:30 am.
- (f) Seattle System Operating Board - The next meeting will be November 5, 2020.
- (g) Sno-King Water District Coalition - The next meeting will be December 14, 2020.
- (h) Snohomish River Regional Water Authority (SRRWA) - No Report.
- (i) Washington Association of Sewer and Water Districts (WASWD) - Mr. Broyles gave an update on the October 28, 2020 MWPAAC general meeting. The following items were discussed: Wastewater treatment division's operations during the Covid pandemic. WTD has been mostly unaffected by the pandemic and operations continue as normal, with added safety precautions being taken. The County gave its monthly update on the "clean water plan" which is their sewer comprehensive plan, and a report was presented on improvements that have been implemented at the Westpoint Treatment Facility since the 2017 sewer overflow incident. Commissioner Clarke mentioned the next meeting will be November 16, 2020.

Commissioner Clarke also shared highlights from the October 26, 2020 Board of Directors meeting. Wellness Committee - No Report.

(j) Attorney's Report - No Report.

**COMMISSIONER'S COMMENTS:** None.

**COMMISSIONER CALENDARS**

All Commissioners said they are available for the November 17, 2020 meeting.

**ITEMS FROM THE PUBLIC:** None.

**EXECUTIVE SESSION:** None.


**ADJOURNMENT**

Commissioner Maloney adjourned the meeting at 6:59 p.m.

ATTEST:

  
Dale Knapinski - Secretary

  
Pamela J. Maloney - President

  
Chuck Clarke - Vice President

  
Dale Knapinski - Secretary

  
Tim Schriever - Commissioner

  
Karen Steeb - Commissioner

Minutes: Jane Nicholls