

Board President Ryika Hooshangi called the regular meeting to order at 3:31 p.m. A quorum represented by Commissioners Ryika Hooshangi, Mary Shustov, Tom Harman, and Nav OtaI was present. Also present were District staff Jay Krauss, Angel Barton, Kevin Fuhrer, Jay Regenstreif, Shelley Jurgensen, Kyle Wong, Andy Tuchscherer, Tammy Whipple, Janet Upegui, Janet Sailer, Jim Konigsfeld, Dalton Langlois, and Marissa Huntley. Eric Frimodt, District legal counsel, was also present. Commissioner Lloyd Warren, arrived later, as these minutes indicate. Due to the COVID-19 pandemic emergency, meetings of the Board of Commissioners are currently being conducted via remote meetings.

APPROVAL OF THE AGENDA

- **Motion:** Commissioner OtaI made a motion approving the agenda as presented. Commissioner Shustov seconded the motion.
The motion carried by a vote of 3-1, with Commissioner Harman voting no.

PUBLIC COMMENTS

Mary Wictor – 408 208th Ave NE, Sammamish, WA

- Provided comment on the upcoming City of Sammamish Council meeting agenda.

Commissioner Warren joined the meeting at 3:35 p.m.

Huntley advised that no written comments were received.

CONSENT AGENDA

<i>Minutes:</i>
March 7, 2022 Regular Meeting
March 14, 2022 Special Meeting and Board Retreat
March 21, 2022 Regular Meeting
<i>Approval:</i>
Customer Billing Dispute Request - Hild
<i>Developer Extension Agreement:</i>
Amendment to Gill Mason's Lakeside Water Developer Extension Agreement – Parcels 5197100110, 0115, 0120

- **Motion:** Commissioner Warren made a motion approving the consent agenda as presented. Commissioner OtaI seconded the motion.
The motion carried unanimously.

A. CONSIDERATION OF COMPENSATION AND BENEFIT SURVEY IMPLEMENTATION

Jurgensen and Krauss reviewed staff's presentation titled 2021 Compensation Study & 2022 Implementation.

Shustov requested that District staff review a more incremental approach to the vacation accrual rate than the suggested rate.

Warren requested that the language regarding the proposed increase to the housing and transportation allowance clearly state that the stipend increase only applies to those staff whose positions require a daily office presence rather than those who will be allowed to work remotely but may choose to come in more often. Staff being allowed to work remotely will see no increase in the stipend.

- **Motion:** Commissioner Warren made a motion to support District staff's recommendations to implement the 2021 Compensation Study, in addition to the Board's input regarding vacation accrual and the housing and transportation allowance. Commissioner Shustov seconded the motion.
The motion carried unanimously.

There was Board consensus for Shustov to work with Jurgensen on the vacation accrual option.

B. CONSIDERATION OF SNO-KING WATER DISTRICT COALITION MEMBERSHIP

Harman requested approval to pay the 2022 membership dues invoice for Sno-King Water District Coalition (Sno-King). Harman explained that Sno-King intends to discuss the future of the group in June of this year, so Harman recommended that the Board continue with the group until such discussion occurs. Harman advised that Joren Clowers, lobbyist for Sno-King, would like to speak to the Board regarding the group as well.

- **Motion:** Commissioner Warren made a motion approving payment of the 2022 membership dues invoice for Sno-King and that any invoice beyond the 2022 dues would require Board approval. In addition, he requested a meeting with Sno-King's lobbyist in June of 2022. Commissioner Otal seconded the motion.
Shustov inquired what the amount of the invoice is and Huntley advised that the invoice is \$4,400.00.
The motion carried unanimously.

C. WASWD VOLUNTEERS/APPOINTMENTS

Hooshangi advised that Judi Gladstone, Washington Association of Sewer and Water Districts (WASWD) Executive Director, had contacted her about some District Commissioners and staff interested in being appointed to the Growth Management Planning Council (GMPC) and the Investment Pool Advisory Committee (IPAC) and explained that Board approval is required to be appointed.

- **Motion:** Commissioner Warren made a motion stating that any District elected official or staff member appointed to the GMPC or IPAC would be endorsed by the Board. Commissioner Shustov seconded the motion.
The motion carried unanimously.

D. EXECUTIVE SESSION: POTENTIAL LITIGATION – RCW 42.30.110(1)(i)

Commissioner Hooshangi requested an executive session to discuss potential litigation. Commissioner Hooshangi then convened an executive session at 4:48 p.m. on that basis. Before convening the executive session, Commissioner Hooshangi advised that the executive session would conclude at approximately 5:08 p.m. The Commissioners, Krauss, Regenstreif, and Frimodt then attended the executive session. The executive session was subsequently extended two additional times to 5:13 p.m. and 5:18 p.m., for each of which Huntley announced, in the remote public meeting, that the executive session was being extended. The executive session concluded at 5:18 p.m., and the open public meeting reconvened.

ATTORNEY/MANAGER/COMMISSIONER REPORTS

Attorney

- Advised that there still has been no amendment to Proclamation 20-28 relating to waivers of the Open Public Meetings Act (OPMA) or COVID emergency. This being the case, the District is currently required to continue to hold remote meetings with an in-person component.
- Reported that a House Bill, HB1329, recently passed which revised the OPMA. Frimodt summarized the changes and advised that he will work with District staff to ensure that appropriate changes are implemented.

General Manager

- Provided an update on District staff's efforts to secure funding for the Well 9 PFAS Treatment Plant. Krauss advised that the District has secured \$1.585 million through appropriations from the 2022 Community Project Funding initiative through Representative Schrier. In response, Representative Schrier is planning a media event at the District's office next week. Krauss advised that, once details are finalized, that information will be shared with the Board. Krauss then reported an additional round of appropriations are now open for 2023 and District staff are working on submittals to Representative Schrier and Senators Cantwell and Murray.

Commissioners

Commissioner Harman

- Advised that he will be attending WASWD's Spring Conference and the Section IV meeting this week.

Commissioner Warren

- Advised that there is a Regional Water Quality Committee meeting on Wednesday.
- Advised that he has been working with District staff on revising the PFAS policy statement and that a draft policy is expected to be brought to the Board for consideration later this month.

Commissioner Shustov

- Reported on her attendance at a recent Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) meeting and MWPAAC's Wastewater Treatment Division rate recommendation letter to King County Executive, Dow Constantine.

Commissioner Otal

- Provided additional comment regarding MWPAAC and the Wastewater Treatment Division rate recommendation letter.
 - Advised that Judi Gladstone is seeking feedback regarding information shared about utility taxes. Otal explained that WASWD listed three utility tax position options. As the Board has not yet taken a position, she requested that the Board formalize a position prior to the upcoming Section IV meeting on April 7, 2022 in which utility taxes will be discussed. The utility tax position options are as follow:
 - A) Propose a prohibition on cities or counties taxing utilities charged against Title 57 water and sewer districts.
 - B) Propose a compromise whereby such taxes are allowed but limited to some certain percentage or to what it can apply.
 - C) Propose legislation that identifies water and sewer services provided by special purpose districts as government functions rather than proprietary functions.
- **Motion:** Commissioner Warren made a motion to establish Option B as the position of the Board and should be represented as such at the Section IV meeting. Commissioner Otal seconded the motion.
The motion carried by a vote of 4-1, with Commissioner Harman voting no.

Commissioner Hooshangi

- Advised that she has been working with District staff on a legislative packet which is expected to be shared with the Board soon once completed.
- Advised that she will be attending WASWD's Spring Conference this week.

ADJOURN

As there were no further persons to be heard or business to discuss, the meeting was adjourned at 5:44 p.m.


[Mary Shustov \(May 16, 2022 16:51 PDT\)](#)
Mary Shustov, Secretary