



Southwest Suburban Sewer District Commissioner's Meeting

Dedicated to preserve the purity of your environment."

Commissioners:

William Tracy– President
Tony Genzale – Vice President
Scott Hilsen – Secretary

General Manager:

Ron Hall (Absent)

Consulting Attorney:

Eric C. Frimodt

Consulting Engineer:

Craig Chambers

July 27th, 2010

1. **Call to Order:**

Commissioner Tracy called the meeting to order at 6:00 p.m.

Also in Attendance:

Erik Waligorski (Rothhill Engrs.)
Jack Warburton, Brown & Caldwell
Larry Zaragoza & Sandy Goulet

2. **Changes or Additions to the Agenda:**

None

3. **Approve Agenda:**

After review of the meeting agenda, the Board unanimously approved the agenda.

4. **Written Communications:**

The Board acknowledged a letter from district customer Ms. Pamela Barberio.

5. **Consent Agenda:**

- Approval of the Minutes of the July 6th, 2010 meeting.
- Approval and Signing of the Accounts Payable Vouchers & Payroll.
- Vouchers audited and certified by the Auditing Officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on listings that have been made available to the Board. Vouchers are included in the attached lists, and further described as follows:
 - Maintenance voucher numbers 10.0826 through 10.0881 in the total amount of \$310,351.56.
 - Construction voucher numbers 10.0045 through 10.0046 in the total amount of \$66,553.63.
 - Approval of the Certification & Satisfaction of Liens, Additions and Adjustments.
 - Review and Accept King County Investment Report for Previous Month
 - Review monthly Income Report.

The Board requested that Sandy Goulet contact the Ruth Dykeman Center about the liens currently filed.

A motion to approve the consent agenda was made by Commissioner Hilsen, seconded by Commissioner Genzale and unanimously approved.

6. Business Agenda:

YMCA Purchase and Sale Agreement – Eric Frimodt informed the Board on the current status of the purchase of YMCA property and he discussed the terms of the proposed Purchase and Sale Agreement. Mr. Frimodt mentioned the importance of the contingency period which will allow the District 90 days to perform its due diligence review of this property. Commissioner Genzale mentioned his concern about the "As Is" language in the proposed Agreement. Frimodt discussed this issue with the Board and indicated that the due diligence review to be performed by the District is intended to identify any issues relating to the property that may impact the District's decision to purchase the property. The Board discussed the need for the District to review the suitability of the property for construction of new buildings as well as the need to perform an environmental review to ensure that the property is not contaminated with hazardous materials. Commissioner Tracy mentioned that he had concerns about the possibility of contamination due to leakage or leeching from nearby commercial properties. Frimodt explained that he was working with the District's engineer to obtain a proposal from a subconsultant to perform the environmental review. Frimodt advised the Board that he expected the proposal from the subconsultant would be presented to the Board at the next meeting on August 10. Frimodt also advised the Board that the District's engineer would perform a review of the property during the contingency period to make sure that the property is suitable for its intended use. In order to move this transaction along in an efficient manner, and to avoid any loss of time from the contingency period relating to the preparation of the proposal for the environmental review, Frimodt indicated that the Board could authorize the President of the

Board to sign the Purchase and Sale Agreement prior to the next meeting date which would then start the 90 day contingency period. Commissioner Hilsen expressed his concerns regarding the condition of the property in general, and asked that Frimodt request that the YMCA perform reasonable maintenance on the property during the 90 period. Frimodt advised the Board that he would review the Agreement regarding this issue and, if necessary, request that additional language be added to the Agreement in order to address this concern. The Board also wanted to be sure that the City of Burien was informed about the District's plans to develop that property. After lengthy discussion, m/s/p authorizing Commissioner Tracy to sign the Purchase and Sale Agreement, with the caveat that the additional term relating to maintenance of the property be added to the Agreement.

Chambers from BHC Consultants reviewed his written engineering status report and updated the Board on the Seahurst Beachline Replacement project, and the Miller Creek and Salmon Creek 2010 improvements.

Waligorski from Rothhill Engineering updated the Board on the Chelsea Park Rehabilitation, Phase VI.

Commissioner Tracy asked that the Board authorize payment of a \$2,500 annual contribution to Vicki Henderson, for the on-going legislative program provided through WASWD. He explained the immediate benefit to the district for participating in this program. M/s/p authorizing payment upon receipt of the invoice.

The Board reviewed the letter and legal documentation from Ms. Pamela Barberio. After lengthy discussion, based on the current on-going litigation and prospective foreclosure sale, the Board denied the request for reduction on the service charges.

The Board discussed the upcoming WASWD Fall Conference to be held in Spokane, WA on September 15th, 16th and 17th, 2010. All commissioners indicated they would be attending that conference, and directed Ms. Goulet to send in their registrations. Commissioner Tracy stated that parking would be included with their rooms at the Fall Conference.

7. Commissioner's Comments or Reports:

Commissioner Hilsen commented that he would be contributing two articles for the September newsletter, one on the Chelsea Park Rehab project, and the other regarding storm water rate increases by the City of Seattle.

Commissioner Genzale requested that the Board's photo be updated for the next newsletter, as the current one is 4-5 years old.

Commissioner Tracy informed the Board about an Open House to be held at Valley View Sewer District on Thursday, July 29th and encouraged the Board to attend. Commissioner Tracy also

Tony Genzale

___Approve

Vice-President and Commissioner

___Oppose

Scott Hilsen

___Approve

Secretary and Commissioner

___Oppose