

**SAMMAMISH PLATEAU WATER & SEWER DISTRICT**  
**1510 228<sup>TH</sup> Ave. S.E., Sammamish, Washington 98075**

**Minutes**  
**October 5, 2009**

Commissioner Mary Shustov, President of the Board of Commissioners, called the Sammamish Plateau Water and Sewer District Board of Commissioners regular meeting to order at 3:02 P.M. A quorum represented by Commissioner Mary Shustov, Lloyd Warren, Robert Brady, Robert Abbott and Tom Harman was present. Also present were District staff Ron Little, Jay Regenstreif, Lisa Tobin, Scott Jonas, Angel Barton and Asea Sandine. John Milne, District legal counsel, was also present.

**ADDITIONS/ALTERATIONS TO THE AGENDA**

- There were none.

**PUBLIC COMMENTS**

- There were none.

**CONSENT AGENDA**

<b>Minutes:</b>				
<ul style="list-style-type: none"> <li>• September 14, 2009</li> <li>• September 21, 2009</li> </ul>				
<b>Resolutions:</b>				
3849	212 <sup>th</sup> Way Hayden Sewer Extension	1724069022	Final Acceptance	
3850	Eastlake Sammamish Pkwy Phase 1		Change Order No. 15	
3851	Eastlake Sammamish Pkwy Phase 1		Change Order No. 16	
3852	Eastlake Sammamish Pkwy Phase 1		Change Order No. 17	
3853	Eastlake Sammamish Pkwy Phase 1		Change Order No. 18	
<b>Vouchers</b>				
#1	Maintenance Fund	09-082-0010	108169-108230	\$112,714.25
#4	Sewer Construction	09-082-3510	301063-301072	\$41,190.92
#10	Electronic Remittance (Payroll)	09-082-0010	DD.4715-4771	\$114,425.96
#10	Electronic Remittance (Dept of Ret – PERS)	09-082-0010	WT.108231	\$16,596.46
#10	Electronic Remittance (ICMA –Def Comp)	09-082-0010	WT.108232	\$2,565.00
#10	Electronic Remittance (King Co Fin-PR Taxes)	09-082-0010	WT.108233	\$43,364.27
#10	Electronic Remittance (WA State Treasurer- Def Comp)	09-082-0010	WT.108234	\$2832.50
<b>TOTAL</b>				<b>\$333,689.36</b>
<ul style="list-style-type: none"> <li>&gt; <b>Motion:</b> Commissioner Warren made a motion to approve the Consent Agenda as presented. Commissioner Brady seconded.</li> <li>&gt; <b>The motion was passed unanimously.</b></li> </ul>				

**A. DIMITROV 1” METER UPGRADE TAX PARCEL 3425069044**

Little reported Mr. Dimitrov has requested to upgrade his ¾” meter to a 1” meter. However, Dimitrov’s service is a temporary water service, the owners of the property have never paid their equitable share of the cost of the water system and Dimitrov does not want to pay the Local Facility Charge (LFC). The residence requires a sprinkler system due to its size of 5,000 sq ft and above. Commissioner Shustov suggested that Dimitrov install a tank for fire flow but he advised he had researched the tank option but is not willing to pursue that option. The tank is an option the fire marshal would consider. Commissioner Abbott inquired if Dimitrov would be amenable to allow a lien against the property if the District allowed time payment of the LFC. Dimitrov does

not want a lien against the property because he stated the bank requires lien priority. Milne advised Dimitrov a lien for utility may not be a concern to the bank and that he should confirm that with the bank. The Board authorized Dimitrov's lending agency to contact Milne to explore options. Milne advised the Board that beyond the two options presented that there was nothing further the Board could do without violating the Board policies. Dimitrov referred to policy prior to 1981 that allowed temporary services and that he should be authorized to continue that service. Commissioner Abbott informed Dimitrov that this property has never paid its share for water service and that he was now seeking to expand that service. Dimitrov requested the Board delay the charge until the development of the neighboring lot which is being developed. Regenstreif advised currently there are not permits or development for the other property. Commissioner Warren suggested when the subdivision of his property occurred he could pay the lien against his property. Dimitrov advised he cannot subdivide due to wetland constraints.

After much discussion with Dimitrov Little advised staff has spent a lot of time attempting to work with Dimitrov. Little recommend the Board follow staff's recommendation and not deviate from its current policy that has been applied since the 1980's.

Dimitrov's final request to the Board was to unanimously allow Dimitrov to stay with a temporary water service and 1" line, authorize him to extend the main himself and the District would cover only its costs and inspections and he would cover construction costs and finally allow a Developer Extension Agreement with the other projects.

Commissioners Abbott, Harman and Warren advised they were not inclined to change the policy and would be voting no.

- **Motion:** Commissioner Harman moved to approve staff's recommendation to require payment of the LFC but with a variance to use his property's short side to calculate the LFC, to allow payment of the LFC of the District's pre- July, 2008 rate but to require payment for the 1" meter installation and right of way permit at current rates. Commissioner Brady seconded.
- **The motion was passed with a vote of 4-1 with Commissioner Shustov opposing.**
- **Motion:** Commissioner Abbott moved to direct staff to proceed with the Local Facility Charge installment payments include administrative fees, interest and preauthorized the General Manager to sign the agreement if the payment agreement is set up.
- **The motion was seconded by Commissioner Brady and carried unanimously.**

## **B. LANE VS. SEATTLE UPDATE**

Little reported that he had received a call from Sheldon Lynne, City of Issaquah requesting projections of what their bill for fire hydrants will be from the District. Little sent an email to Yazici, City of Sammamish and inquired if they had given any thought of how to handle the Lane vs. Seattle ruling. Little advised that the City of Issaquah is looking into a utility tax. Barton advised she reviewed the rate study from 2003 and FCSG allocation of revenue requirement determined the direct fire portion of the revenue requirement of a water function of 6.99%. Commissioner Abbott inquired if these were the worst case projections. Milne referred the Board to the FCSG presentation and that advised that the 7% seemed appropriate. Commissioner consensus was to act now and come up with a figure. The Board discussed using the franchise agreement as an avenue to handle billing. Concern was raised with regard to the level of service requests cities may make if franchise agreements were used. Commissioner Warren suggested the liaisons to the cities should carry the messages when they meet. Little advised staff will provide a report at the next meeting.

## **C. NE 15<sup>TH</sup> NEIGHBORHOOD SEWER PROGRAM STATUS**

Regenstreif advised the Board that the District received 26% in favor of the project and needed 50% and that the District will not be pursuing this project. The District received one developer extension agreement to install a gravity sewer and interim pressure sewer until sewer is put in. Tobin spoke with City staff and they still plan to

proceed with their project. Tobin reported that the road will be patch in areas until the sewer goes through. Little added that in the FYI section of the packet is a memo regarding Tibbits station.

**D. MEETING EFFECTIVENESS**

Shustov shared that she appreciated the way the Board has been interacting and welcomes any input. Commissioner Harman suggested this topic be an item for the agenda in dealing with today's public comment.

**E. COMMISSIONER RETREAT**

Commissioner Harman suggested a retreat because the District is preparing for another budget cycle and the Board has two new commissioners. Suggested agenda items should be sent to the Executive Assistant in preparation of a November 9, 2009 retreat. The Board would like staff to arrange for a facilitator for the meeting.

**ATTORNEY/MANAGER/COMMISSIONER COMMENTS**

*Attorney Comments*

- Nothing to report.

*Manager Comments*

- Nothing to report.

*Commissioner Comments*

*Commissioner Shustov*

- Would like airqaw presentation to come to the District. The Board concurred they are interested in the presentation.

*Commissioner Warren*

- Meeting with Issaquah coming up and when spoke with the City Manager he didn't know about the changes made and was concerned.
- At the CWA Board meeting the Board approved accelerating the District's reimbursement for overcharges.
- Requested an excused absence for the October 19, 2009 meeting, which the Board authorized unanimously.

*Commissioner Harman*

- Advised there is a WASWD Public Relations Committee meeting coming up that he will not be able to attend.

*Commissioner Abbott*

- Nothing to report.

*Commissioner Brady*

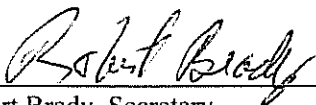
- Nothing to report.

**STATUS/ACTION AGENDA ITEM REVIEW**

Nothing had changed since the last meeting.

**ADJOURN**

As there were no further persons to be heard, or business to discuss the meeting was adjourned at 6:15 P.M.

 10-19-09  
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Robert Brady, Secretary