



Minutes

President Huffman called the meeting to order at 9:00 a.m. and Mr. Freeman called roll.

Directors:

Gene Huffman, President
David McKenzie, Vice President
Kirk Rathbun
Griffin Hanberg
Arland Ward

Staff Present:

Charles Freeman, District Manager
Jason McShane, Engineering/Operations Manager
Seth Defoe, Land and Water Resources Manager
Stuart Dezember, Comptroller/District Treasurer
Melissa Olheiser, Accounting Supervisor
Matt Berglund, Public Relations Coordinator
Lori Gibson, Executive Assistant to Engineering
Doris Rakowski, Executive Assistant

Other Persons Present:

John Crotty, Western Legal
Ian Lyle, Water Strategies
Kris Polly, Water Strategies
Five members of the public

Vice President McKenzie moved to approve the agenda. Director Ward seconded. The motion carried.

CONSENT AGENDA: Vice President McKenzie moved to approve the consent agenda. Director Ward seconded. The motion carried.

Items on the consent agenda were:

1. Minutes, KID Board Meeting, March 1, 2022
2. Minutes, KID Board Meeting, March 15, 2022
3. SUB-2022-0007-Symphony Ridge Pre-Plat-Scot & Tyler LLC
4. FP2022-102-White Bluffs Ph. 7-RC of Washington
5. Easement Vacation - 1201 N Irving Pl (Lott Better Built Homes)
6. BSP-2022-0014-8125 Bob Olson Pkwy-Roth
7. BSP 21-07-Fat Cat North Condominium-TTB Investments LLC
8. SHP 2022-007-5D Development at Cottonwood I LLC-DRY
9. Vouchers/Warrant Approval

Accounts Payable:

Numbers:

	83640	through	83695	\$	263,343.11
	83696	through	83697	\$	1,376.20
	83698	through	83753	\$	216,663.86
	83754	through	83758	\$	91,748.31
Bank Drafts	FSA			\$	-
Bank Drafts	General			\$	-
Bank Drafts	AP			\$	117,580.07
Total Accounts Payable				\$	690,711.55

Payroll:

Numbers:

	through	\$	-	
Direct Deposit	3/20/2022	\$	184,254.88	
Total Payroll				\$ 184,254.88

Voided Checks:

83740	Printing Error - VOID and Cancel	\$	(522.20)	
Total Disbursements				<u>\$ 874,444.23</u>

PUBLIC COMMENTS:

Tony Kimball, 3216 S Auburn St.: Mr. Kimball spoke briefly about why he was subdividing his property and was requesting a variance from the KID standard subdivision requirements. He confirmed to Mr. Freeman that he was not in favor of the proposed action on the agenda.

Details about the lot and whether the requirement could be waived were discussed.

Further discussion was put off until the item on the agenda.

Anthony Nagel, 1210 Kensington Way: Mr. Nagel, the Brookshire Homeowners Association President, asked where the area was in the private line takeover process, and whether they were being considered as part of the Capital Improvement Program.

Mr. Nagel said they needed to know what the prospect was as they might need to hire someone to run their system. He said they were looking forward to the system takeover but couldn't agree to language requiring them to defend KID if there were a break in the system. As the association could not prove ownership of the pipeline, they could not get insurance or sign the agreement.

Mr. Freeman said that takeover of the Brookshire system was under consideration for quite some time and that projects for next year were being defined.

Mr. McShane said the question was whether it would be done in time to have it turned over by April 2023. He said staff would be prioritizing 2022-23 projects starting in May, and Brookshire was in the projects to be considered. In its favor was that funding would be initially from KID, then paid back by the HOA and benefiting parties.

It was confirmed that there were 275 parcels and a business in the area.

PRESENTATIONS:

Federal Affairs Update from Water Strategies: Mr. Freeman introduced Ian Lyle from Water Strategies.

Mr. Lyle spoke about topics including:

- New congressional directory guide booklet
- Washington State congressional delegation
- New funding to USBR for water projects, aging infrastructure, and WaterSMART grants
- Infrastructure Act
- "Stream Act" - draft bill being circulated by Senator Feinstein

- “Respect Act” - focus on intersection of natural resources and tribal issues
- Regulatory activity – NEPA, ESA, and Clean Water Act
- Supreme Court – Sackett v. EPA regarding the definition of Federal Waters. NWRA to join amicus brief on side of Sackett family.
- How political shifts may influence policy
- Engagement in Washington - constant education process for new members and staff

Mr. Defoe spoke briefly about the title transfer NEPA and EA. He said there was inconsistency in the process due to regional USBR decision makers.

Mr. Freeman spoke about the need to involve the local jurisdictions.

Mr. Polly spoke about working with KID on improving the title transfer process, and on planning a title transfer celebration event.

Financial Reports, February 2022: Mr. Dezember presented highlights of report pages including:

- Balance Sheet, as of February 28, 2022
- Statement of Revenues & Expenditures – Budget to Actual, Period ending Feb. 28, 2022
- Statement of Revenues & Expenditures – Comparative, Period ending Feb. 28, 2022

Mr. Dezember said the Finance Committee was considering condensing categories to make them more readable, possibly with supplementary reports.

Vice President McKenzie moved to accept the financial statements for the period ended February 28, 2022. Director Ward seconded. The motion carried.

PUBLIC HEARING: None

BOARD REPORTS: None

ACTION ITEMS:

Acceptance of Draft Engineering Report for Central Storage Reservoir: Mr. McShane said there were no plans to send the draft feasibility report broadly to other agencies at this time, but that it showed alternatives being considered.

Discussion ensued regarding whether to wait to accept the draft, which was about the 10% design level. Next steps included environmental review and continuing feasibility study. Board approval was needed to share the early draft with the public.

Director Ward moved to accept the draft engineering report for the Central Storage Reservoir project. Vice President McKenzie seconded. The motion carried.

Mr. McShane expressed appreciation of Shannon Wilson and their subcontractors.

Water Strategies Contract: Mr. Freeman briefly reviewed the history of the district contracting Water Strategies. He spoke about cost and issues including public outreach, drought, Title Transfer, federal issues, and local interagency communication. The new agreement would combine previous agreements for a new total of \$12,500 per month.

Director Hanberg spoke about the importance of having a representative in Washington DC.

In response to question from Director Ward, Mr. Freeman said the additional \$5,000 monthly cost was for representation by Doc Hastings at local and regional meetings where Water Strategies was not involved previously. Discussion followed

Mr. Freeman reported that KID, South Columbia, and Pasco would each host a day of the Water Strategies Washington State tour. He said there was interest in how KID cash-flows, and the district's heavy equipment.

Director Ward moved to approve the Agreement of Advocacy & Outreach Services between Water Strategies LLC and KID. Vice President McKenzie seconded. The motion carried.

Kimball Variance Request: Mr. McShane spoke about KID standards for irrigation distribution systems in subdivisions and how infill projects can impact service to others.

Mr. McShane said Mr. Kimball's challenge funding the subdivision was not the first. He said the Board had previously allowed delaying installation of pipe to KID standards, and delaying costs until a future date, such as at sale. A deed of trust would insure future repayment. He reviewed several similar situations and how they were resolved, including through the private line area conversion process.

Mr. Freeman expressed concern about granting special consideration to not comply with standards, which could set a precedent for others to not comply as well. He said standards play a critical role in modernizing the district.

Mr. McShane confirmed that precedence was already set for the action before the Board, which was within KID standards. He said variance from this proposal would be a change of standards.

The difference between staff's recommended action and the requested variance were discussed.

In response to a question from Director Hanberg, Washington state code and City of Kennewick requirements for irrigation systems for plats and short plats within district boundaries were discussed.

Mr. Kimball indicated the location of the properties on the map. It was noted there was no other open ground to be developed at the location and that the pipeline was for only Mr. Kimball's subdivision.

Mr. McShane said tools existed to allow delay of cost. KID would state that the district administratively preapproved of the subdivision, which would later meet existing conditions of approval, which were already submitted.

Mr. Crotty spoke briefly about use of voluntary mitigations.

Director Ward said this could be a one of a kind situation which needed an exception to the rule.

Mr. Freeman recommended that the issue be tabled, to allow staff to meet with legal counsel regarding aged and infirmed, to see what the district could do. He said that, as person he wanted to help, but as district manager he needed to enforce standards on the book.

Vice President McKenzie moved to table the Kimball variance request to a future board meeting, date to be determined. Director Ward seconded. The motion carried.

At 10:48 a.m. a short break was called. Open session resumed at 10:55 a.m.

Letter in Support of City of Kennewick's Remote Read Water Meter Project Funding: Mr. Freeman presented the COK's request.

Director Ward moved to approve sending a letter in support of funding for City of Kennewick's Remote Read Water Meter Project. Vice President McKenzie seconded. The motion carried.

RESOLUTIONS:

Resolution 2022-21, Sole Source Purchase-Trimble GPS Equipment-Locking Mechanism: Mr. McShane presented the request for locks to keep the antennas in position. Sole source was justified as Kimball was the only company to make the lock for the Trimble antennas.

Vice President McKenzie moved to approve Resolution 2022-21 Authorization to Waive Competitive Bidding and Award a Contract to Purchase Trimble GPS Equipment from SITECH Western States Pursuant to RCW 87.03.435(3)(c), and authorize Charles Freeman, District Manager, to execute the contract. Director Ward seconded. The motion carried.

Resolution 2022-22, Authorizing Change Funds, and Policy 2.22, Change Funds: Mr. Dezember presented the resolution to eliminate the petty cash fund and bring the number of change drawers down to the current number of customer service specialists.

Director Ward moved to approve Resolution 2022-22, Change Funds Authorized, and to approve Policy 2.33, Change Funds, Revision 3. Director Hanberg seconded. The motion carried.

Res 2022-23 Sole Source Purchase – Rubicon Open Air Sensor & Boom: Mr. McShane presented the request to purchase and open-air boom and level sensor for the head end of the Division 4 canal. This would provide a redundant sensor to make sure not too much water was heading towards town. Rubicon products were proprietary and consistent with other KID installations, justifying sole source purchasing.

Vice President McKenzie moved to approve Resolution 2022-23 Authorization to Waive Competitive Bidding and Award a Contract to Purchase a Rubicon Open Air Sensor and Boom Pursuant to RCW 87.03.435(3)(c), and authorize Charles Freeman, District Manager, to execute the contract, with funding for the purchase to come from the Capital Upgrade and Improvement Fund. Director Ward seconded. The motion carried.

STAFF REPORTS:

Finance Manager: Mr. Dezember reported regarding:

- Finance Committee meeting – Tuesday, April 12, at 9:00 a.m.
- Updating addresses on returned mail
- Assessment payments
- Training for staff supporting on call and weekend service

Engineering/Operations Manager: Mr. McShane reported regarding:

- Canal lining progress and projected water on date of Saturday, April 9th
- Water delivery start up preparations

Land & Water Resources Manager: Mr. Defoe displayed and discussed webpages including:

- usbr.gov - Hydromet - Major Storage Reservoirs in the Yakima River Basin (“Teacup”) diagram, and Water Year Graph
- nrcs.usda.gov - Washington SNOTEL Current Snow Water Equivalent % of Normal map
- cpc.ncep.noaa.gov - Monthly and Seasonal Temperature and Precipitation Outlook maps, and El Niño/Southern Oscillation (ENSO) La Niña Advisory
- wrh.noaa.gov -Temperature and Precipitation graphs for Pasco, Washington

Mr. Defoe responded to Vice President McKenzie’s question about potential effects of the Cle Elum pool raise on pulse flows. He said he understood was it was a different “bucket” of water.

Mr. Defoe also reported regarding:

- SOAC possible out-migration pulse flows in April and May
- Staffing coverage
- Title transfer documents
- Central Storage Reservoir – cultural survey work review, scoping comments, EIS

District Manager: Mr. Freeman reported regarding:

- Title Transfer celebration on May 26th at 2:00 p.m. works for Representative Newhouse
- NWRA Federal Water Issues Conference in Washington D.C. - May 9-12th
- Raman Venkata visiting April 11th - lunch at Sterlings

WORKSHOP: None

EXECUTIVE SESSION: At 11:31 a.m., Mr. Freeman announced on behalf of the presiding officer that the Board would go into executive session to discuss with legal counsel potential litigation, in the form of litigation or legal risks of a proposed action or current practice pursuant to RCW 42.30.110(1)(i)(iii) for approximately 29 minutes, reconvening at noon unless extended.

Members of the public were moved to the Zoom waiting room.

Executive session was extended for 15 minutes at noon.

OPEN SESSION: At 12:14 p.m., members of the public were re-admitted, and the meeting resumed in open session.

President Huffman called for a motion to adjourn.

Vice President McKenzie moved to adjourn. Director Ward seconded. The motion carried.

Attest:

Witness:



Gene Huffman, Board President
Minutes Approved May 3, 2022



Charles Freeman, Board Secretary

Prepared by Doris Rakowski