

**PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY**

**REGULAR COMMISSION MEETING**

**June 6, 2016**

**AGENDA**

**STUDY SESSION**

**10:00 A.M.**

1. Pledge of Allegiance and Safety Minute – Lyle Moore
2. Approval of the Agenda - Any item on the Regular Agenda shall be subject to transfer to the Consent Agenda upon request of any Commission member
3. 2016 – 2017 District Insurance Policy Renewal
4. Long Term Debt Philosophy 2016 - 2027
5. 2016 Integrated Resource Plan Finalized Analysis and Draft Progress Report Final Portfolio

**BUSINESS SESSION**

**1:00 P.M.**

6. Public Hearing - High Density Load

**Consent Agenda**

7. Minutes:

May 16, 2016  
May 24, 2016 Chelan Substation Community Meeting  
May 25, 2016 Regional Water Community Meeting

8. Vouchers:

Accounts Payable Summary Report dated May 31, 2016:

- a) Vouchers totaling \$39,023,036.66;
- b) Approval of Customer Deposit Returns and Conservation Incentive payments dated May 31, 2016 in the amount of \$27,068.30;
- c) Approval of the net Payrolls, Warrant Nos. 234350 through 234380 and Advice Nos. 614689 through 615417 for the pay period ending 05/15/2016 in the amount of \$1,721,804.56; and
- d) Approval of Warrant Nos. 22341 through 22412 totaling \$19,459.41 for claim payments from

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the workers' compensation self-insurance fund for the period ending May 30, 2016.

## Regular Agenda

### Resolutions

9. A RESOLUTION REJECTING THE BID OF GENERAL PACIFIC, INC. AND WESCO DISTRIBUTION, INC. AND ACCEPTING THE BID OF ANIXTER, INC. OF PORTLAND, OREGON (BID 16-41) FOR THE SUPPLY OF OVERHEAD AND UNDERGROUND TRANSFORMERS
10. A RESOLUTION SELECTING AND AUTHORIZING IMPLEMENTATION OF THE 2016 AND 2017 PUBLIC POWER BENEFIT PROGRAM OPTIONS AND RELATED BUDGET ITEM
11. A RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO SERVICES AGREEMENT (SA NO. 15-085) WITH CLEARRESULT CONSULTING, INC. TO PROVIDE THE ENERGY SMART GROCER PROGRAM
12. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH WENATCHEE VALLEY COLLEGE FOR THE EXCHANGE OF SERVICES
13. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A FIFTH FUNDING AGREEMENT WITH COLUMBIAGRID
14. A RESOLUTION A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A TEMPORARY WATER RIGHT MITIGATION AGREEMENT BETWEEN THE REGIONAL WATER SYSTEM MEMBERS AND CROWN COLUMBIA WATER RESOURCES, LLC, A DELAWARE LIMITED LIABILITY COMPANY
15. Manager Items
16. Commission Items
17. Follow-up on Delegation of Action Items From Previous Board Meeting
18. Delegation of Action Items
19. Additional Public Comment\*
20. Matters of general business as may necessarily come before the Commission
21. Executive Session: To discuss with legal counsel agency enforcement actions, litigation, potential litigation to which the District or its board is, or is likely to become, a party, and/or legal risks, as authorized by RCW 42.30.110(1)(i).

\* Members of the public are encouraged to ask specific questions after each item presented. This

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agenda item is for additional comments/questions related to matters not on the agenda.

This agenda and resolutions (if any) may be revised by the Commission as appropriate.

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REJECTING THE BID OF GENERAL PACIFIC, INC. AND WESCO DISTRIBUTION, INC. AND ACCEPTING THE BID OF ANIXTER, INC. OF PORTLAND, OREGON (BID 16-41) FOR THE SUPPLY OF OVERHEAD AND UNDERGROUND TRANSFORMERS

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

On March 29, 2016, an invitation for sealed bids was published in accordance with RCW 54.04.070 and Resolution No. 08-13325 to Supply Overhead and Underground Transformers. Bid proposals were opened on April 27, 2016, at 2:30 p.m. in the offices of the District. Four bids were received (excluding sales tax) as tabulated on Exhibit A attached.

The bid by General Pacific, Inc. did not meet the minimum requirements specified in the contract documents. The bidder failed to bid all items within the bid price schedules. The bid stated that all items must be bid within the bid price schedules for the bidder to be deemed responsive. This bid should be rejected as non-responsive.

The bid by WESCO Distribution, Inc. did not meet the minimum requirements specified in the contract documents. Several of the units bid did not meet weight requirements as stated in the District's specifications. This bid should be rejected as non-responsive.

District staff has determined that the bid price schedules A and B for Anixter, Inc (GE products) of Portland, Oregon in the amount of \$289,314 for Bid Price Schedule A and \$567,378 for Bid Price Schedule B (excluding sales tax) is the lowest responsive and best bid in compliance with the plans and specifications for Bid No. 16-41. This bid meets all statutory requirements. Resolution No. 08-13325 requires that the rejection of the apparent low dollar bidder must come before the Commission for action.

District staff recommends awarding Bid No. 16-41 to ANIXTER, Inc.

The General Manager of the District concurs with District staff's recommendation.

**ACTION**

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The bids submitted by General Pacific, Inc. of Fairview, Oregon and Wesco Distribution, Inc. of Portland, Oregon did not meet the minimum requirements specified in the contract documents and are hereby rejected.

Section 2. The bid submitted by Anixter, Inc. of Portland, Oregon is the lowest responsible and best bid in compliance with the plans and specifications to Supply Overhead and Underground Transformers. The General Manager of the District is hereby authorized to enter into a contract with Anixter, Inc. in the amount of \$856,692 (\$289,314 for Schedule A and \$567,378 for Bid Price Schedule B), excluding sales tax. A copy of the contract will be on file in the offices of the District

Dated this 6th day of June 2016.

ATTEST:

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President

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

## Bid Tabulation

**Bid No. 16-41**

### Supply of Overhead and Underground Transformers

Bidder Name City, State	Bid Bond/ Cashier's Check	<u>Schedule A</u> Overhead Transformers Total	<u>Schedule B</u> Underground Transformers Total
WESCO Distribution, Inc. Portland, OR	Yes	\$271,441	\$681,084
Bid #1 from Anixter, Inc. Portland, OR	Yes	\$289,314	\$567,378
Bid #2 from Anixter, Inc. Portland, OR	Yes	\$344,445	\$953,269
General Pacific, Inc. Fairview, OR	Yes	\$288,516 *	\$157,143*

\* Did not provide price for all items in bid price schedule

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION SELECTING AND AUTHORIZING  
IMPLEMENTATION OF THE 2016 AND 2017 PUBLIC POWER  
BENEFIT PROGRAM OPTIONS AND RELATED BUDGET ITEM****FACTUAL BACKGROUND AND REASONS FOR ACTION**

Chelan County PUD's "Public Power Benefit Program" was established in 2015 by the Board of Commissioners to provide a formal, consistent approach and criteria for distributing public power benefits designed to further enhance the quality of life in Chelan County. The program is driven by the District's guiding principle "to deliver the best value, for the most people, for the longest period of time." The projects must be consistent with Chelan PUD's existing authority as codified in RCW Title 54, not violate the anti-gifting provisions of the Washington State Constitution, provide direct benefit to a significant portion of PUD customer-owners and support the long-term sustainability of the District.

The selection of projects to be funded during 2017 began during the 4th quarter of 2015 with an application solicitation period. A total of 43 applications were received. About a dozen were deemed by legal counsel to fall outside PUD statutory authority and therefore were not considered further. Another half-dozen were assigned to the appropriate business unit to be considered as part of normal business operations. Finance staff also reviewed the applications to determine the financial implications. The applications were assigned to the appropriate strategic planning disciplines. The customer-owner advisory committees for each discipline combined the new applications with top priority proposals that went unfunded during the 2015 process and used evaluation criteria to generate 3-5 top proposals. In addition, the customer-owner Public Power Review Committee considered all of the eligible applications and proposed seven for the Commission's consideration. Supplemental input was also solicited from customer-owner members of the Diverse Leaders Initiative (Latino and low-income) and other interested customer-owners. The Board was provided with the process background materials and further information for 16 proposals to consider. In addition, the remainder of the 2015-2016 funding that was available pending study results was also considered as part of this process.

Pursuant to its adopted Governance Policies, the Board is responsible for identifying and defining the strategic direction of the District. The General Manager is responsible for implementing that plan and reporting to the Board the District's progress in its implementation.

The Board received a status update on the 2015-2016 Public Power Benefit program at the March 21, 2016 public Board meeting and discussed each of the 16 proposals for 2016 and 2017 during a Board workshop on April 21, 2016. Additional discussion and consideration was also conducted during the study session of the May 2 and May 16, 2016 Board meetings. After extensive public consideration, the Board confirmed six existing projects and selected six additional proposals for 2016 funding. Three proposals were selected for 2017 program funding. The 2016 and 2017 selections are detailed in Exhibit A. It

is also recognized that some of the projects selected for 2016 funding will result in work being completed in 2017.

Accordingly, a budget revision is needed to allocate existing funds in the 2016 adopted budget to the selected public power benefit actions in the amount of \$1,161,000 for operation and maintenance actions and \$200,000 for capital projects (included in Exhibit B attached) The 2016 budget already included allocations for fiber expansion and installing vehicle chargers. During October 2016, the Board will consider allocating the remainder of 2016 funding, depending on study results. Staff presented drafts of allocated funding for consideration and discussion at the May 16, 2016 regular Commission meeting.

An additional \$4 million is noted for the 2017 program, of which \$2,171,000 is allocated for the initially selected options with the remaining funding pending study results. These selections will be included in the 2017 budget.

**ACTION**

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The Board of Commissioners selects 2016 and 2017 Public Power Benefit Program options as detailed in Exhibit A.

Section 2. The Commission hereby establishes the amount of \$4 million for the 2017 Public Power Benefit Program to be included in the 2017 Budget with an initial amount of \$2,171,000 allocated to the specific detailed in Exhibit A.

Section 3. The Commission hereby approves the 2016 budget revisions to allocate a portion of the existing 2016 public power benefit budget for the selected actions in the amount of \$1,161,000 for operation and maintenance actions and \$200,000 for capital projects as detailed in Exhibit B.

DATED this 6th day of June 2016.

\_\_\_\_\_  
President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

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Commissioner

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Commissioner

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Exhibit A:

## **Public Power Benefit – 2016 Funding**

### **Initial strategic planning and 2016 Budget Process**

- **Fiber Expansion -2015 remaining and new 2016** (\$2,686,000)
- **Waive park fees pilot study** (\$30,000)
- **Install vehicle chargers** (\$59,600)
- **Electric economic analysis tool** (\$30,000)
- **Study electric infrastructure** (\$100,000)
- **Utility-focused education programs** (\$41,000)

### **May 2 Board Direction**

- **Horan Area rehabilitation work** (\$100,000)
- **Study to increase visitor counts at Rocky Reach** (\$200,000)
- **Study of water/wastewater services** (\$150,000)
- **Plain substation site improvements** (\$200,000)
- **Splash pad technical feasibility study** (\$140,000 - remaining 2016 budget for further feasibility of splash pad. Need information related to site, size, potential users, short/long term license impacts, etc.)
- **Combined hydro/energy research and electrification research/collaboration study** (\$370,000)

### **Public Power Benefit – 2017 Funded**

- **Fiber expansion program** (\$2.1 million)
- **Continued State Parks parking pass** (\$71,000)
- **Pilot free passes for overnight camping at Beebe Bridge** (To be determined by June 30)

Exhibit B:

**2016**  
**BUDGET REVISION**

**Operating Budget**

<i>Project</i>	<i>Current 2016 Budget</i>	<i>Change To</i>
DSOM0038 - Electric Econ Analysis Tool	250,000	30,000
ISOM0002 - Econ Devel Infrastructure Stdy	200,000	100,000
ISOM0001 - Education Programs	-	41,000
PKOM0111 - Waive Park Fees Residnts Study	30,000	30,000
PKOM0112 - Horan Natural Area Feas Study	25,000	100,000
PKOM0113 - Splash Pad Feasibility Study	140,000	140,000
GNOM0111 - Study to increase visitors at RR Visitor Ctr	-	200,000
WRWW0004 - Study of Wtr/WW services	-	150,000
DSOM0040 - Energy institute/electrification studies	-	370,000
<i>Subtotal</i>	<i>645,000</i>	<i>1,161,000</i>

**Capital Budget**

<i>Project</i>	<i>Total Project Budget</i>	<i>Change To</i>
DS160004 - Plain substation site improvements	-	200,000

**Narrative (attach additional pages if necessary):**

The efforts listed above are Public Power Benefit program changes per Board Resolution.

**APPROVALS:**


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*Managing Director*


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*Date*


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*General Manager*


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*Date*


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*Budget Entry*


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*Date*

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING AMENDMENT  
NO. 3 TO SERVICES AGREEMENT (SA NO. 15-  
085) WITH CLEARRESULT CONSULTING, INC. TO  
PROVIDE THE ENERGY SMART GROCER  
PROGRAM

## FACTUAL BACKGROUND AND REASONS FOR ACTION

Resolution No. 15-14005 dated December 21, 2015 authorized a Services Agreement (SA No. 15-085) with CLEARresult Consulting, Inc. to provide the Energy Smart Grocer program, in an amount not to exceed \$270,000.

District staff has identified the need for additional funds for the continuation of the program through 2016. Resolution No. 08-13325 requires that the Commission, by resolution, authorize Service Agreements and Amendments when the total contract price exceeds \$200,000.

District staff recommends that it is in the best interest of the District to amend Services Agreement No. 15-085 with CLEARresult Consulting, Inc. to provide the Energy Smart Grocer Program in the amount of \$202,500, for a total revised contract price not to exceed \$472,500.

The General Manager has reviewed District staff's recommendation and concurs in the same.

## ACTION

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY  
DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON as follows:

Section 1. The General Manager is hereby authorized to execute an Amendment to Services Agreement (SA No. 15-085) with CLEARresult Consulting, Inc. to provide the additional services identified above. The revised contract price will not exceed \$472,500 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 6th day of June 2016.

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President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

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## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE GENERAL MANAGER  
TO EXECUTE AN INTERLOCAL AGREEMENT WITH  
WENATCHEE VALLEY COLLEGE FOR THE EXCHANGE OF  
SERVICES

## FACTUAL BACKGROUND AND REASONS FOR ACTION

The District owns facilities for holding meetings and classes, provides various classes, procures goods and services in compliance with State and Federal regulations, and disposes of various goods.

Wenatchee Valley College owns facilities for holding meetings and classes, provides various classes, procures goods and services in compliance with State and Federal regulations, and disposes of various goods.

The District and Wenatchee Valley College staff have worked together to develop an Interlocal Agreement, in accordance with the Interlocal Cooperative Act RCW 39.34, to authorize the exchange of services. The Agreement will remain in effect until termination by either party.

The Interlocal Cooperation Act, RCW 39.34, authorizes public agencies to enter into agreements with one another for cooperative action. The District and Wenatchee Valley College qualify as public agencies for the purposes of RCW 39.34.

Resolution 08-13325 requires Commission approval for interlocals agreements.

The District's staff recommends that the Interlocal Agreement for the exchange of various services is in the best interest of the District.

The General Manager of the District has reviewed staff's recommendation and concurs in the same.

## ACTION

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1  
OF CHELAN COUNTY, as follows:

Section 1. The General Manager of the District is hereby authorized to enter into an Interlocal Agreement with the Wenatchee Valley College for the exchange of services. A copy of the Agreement is on file in the offices of the District.

DATED this 6th day of June 2016.

\_\_\_\_\_  
President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

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Commissioner

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Commissioner

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## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE GENERAL MANAGER  
TO ENTER INTO A FIFTH FUNDING AGREEMENT WITH  
COLUMBIAGRID**FACTUAL BACKGROUND AND REASONS FOR ACTION**

Public Utility District No. 1 of Chelan County (“District”) owns and operates generation and transmission facilities that are a part of the regional transmission grid. Access to transmission is important to the District both to deliver energy as required by long-term power sales contracts and to enable the District to sell surplus energy to others in the region as needed. Impaired access to transmission may diminish the value of the District’s generating resources.

In 2006 a broad-based consensus emerged among regional transmission system operators and customers that, in order to make better use of the transmission system and maintain an acceptable level of reliability, the transmission system should be managed on a regional basis. To address this need, a nonprofit corporation, ColumbiaGrid, was formed to provide to its members and other entities in three principle areas: transmission planning, transmission access and transmission reliability. These services are provided through specific function agreements.

The District is a member of ColumbiaGrid pursuant to Resolution No. 06-12896 adopted on April 24, 2006.

The District has approved several agreements with ColumbiaGrid and other members, including functional agreements and funding agreements. The funding agreements commit the ColumbiaGrid members to pay a portion of Columbia Grid’s corporate costs not already collected through functional agreements.

ColumbiaGrid has proposed a Fifth Funding Agreement to be effective January 1, 2017 and terminating December 31, 2020. The Fifth Funding Agreement also preserves the member’s right to withdraw. The District’s obligation under the Fifth Funding Agreement is determined by the District’s share of a maximum total funding obligation established for successive, 24-month planning periods coinciding with calendar years. The District’s share of the maximum total funding obligation for the first funding cycle is expected to be \$199,800. So long as the District remains a member of ColumbiaGrid, the District will be responsible to pay its funding obligations.

It is District staff’s recommendation that it is in the best interest of the District to continue its involvement in ColumbiaGrid and sign the proposed Fifth Funding Agreement. The District’s share of the 2017 ColumbiaGrid expenses, inclusive of the proposed agreement, will be included within the District’s 2017 budget. Funding for future years will be reflected in future budgets.

The General Manager of the District has reviewed staff’s recommendation and concurs in the same.

**ACTION**

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO.1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The General Manager of the District is authorized to continue the District’s current involvement in ColumbiaGrid.

Section 2. The General Manager of the District is further authorized to enter into the Fifth Funding Agreement with ColumbiaGrid. A copy of the Agreement will be on file in the offices of the District.

DATED this 6th day of June 2016.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

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## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE GENERAL MANAGER  
TO ENTER INTO A TEMPORARY WATER RIGHT  
MITIGATION AGREEMENT BETWEEN THE REGIONAL  
WATER SYSTEM MEMBERS AND CROWN COLUMBIA  
WATER RESOURCES, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY

## FACTUAL BACKGROUND AND REASONS FOR ACTION

The District, along with the City of Wenatchee and the East Wenatchee Water District (“Regional Members”), entered into the Regional Water System Amended Contract in November of 1998 for operation of the Regional Water System (“Regional”).

In 2012, the Regional Water System purchased additional water rights from the Pioneer Water Users Association (“Pioneer”). In total, 6,186.71 acre-ft (1,769.63 acre-ft consumptive use) were purchased to provide continuous municipal supply.

Because the Regional Water System did not have a need for the additional water rights purchased for municipal supply, the members agreed to place the water rights into a temporary Trust Water Right for ten years (dating from August 27, 2012 to benefit instream flows.

A private company, Crown Columbia Water Resources, LLC, (“Crown”) approached the Regional Water Members requesting to use its consumptive water rights acquired from Pioneer on a temporary basis as mitigation for the issuance of new, temporary water rights by the Department of Ecology.

Regional staff directed Regional legal counsel to jointly develop a Temporary Water Right Mitigation Agreement with Crown Columbia Water Resources, LLC, for consideration by the Regional members.

District staff provided an initial presentation to the Board on April 18, 2016 regarding the proposal. Staff conducted public outreach efforts including public meetings held on May 2 (during the regular Commission meeting) and May 25, 2016, at a special Commission meeting.

The East Wenatchee Water District approved, through motion of its board, to authorize the proposed agreement on April 20, 2016. The City of Wenatchee approved through motion of its council to authorize the proposed agreement on April 28, 2016.

Major terms of the Temporary Water Right Mitigation Agreement are as follows:

- Crown shall publish availability of right in the Wenatchee World annually for three (3) consecutive weeks
- Crown shall give priority to applicants within 26 miles of Wenatchee for 60 days following advertisement

- Crown shall pay Regional \$65 per acre-ft plus ½ of any amount over \$80 per acre-ft
- Crown is responsible for all fees (advertising, processing, etc.)
- Crown shall indemnify Regional and carry \$1,000,000 liability insurance
- Regional can reduce the amount of water right available for use (that has not already been identified for mitigation purposes by Crown) with 90-day notice
- Regional can terminate the Agreement at sole discretion with 2-year notice
- Agreement terminates on August 26, 2022 (i.e. correlates to temporary Trust term), unless the period of the temporary donation of the Trust Right is extended by Regional, in which event the term shall be extended until the earlier of: a) August 26, 2037 or the expiration of the extended temporary donation of the Trust Right.
- The term of the Agreement, as may be extended, is, at all times, subject to earlier termination or reduction as set forth in the Agreement.
- If the agreement is extended beyond 2022, Regional has the right to propose amendments and modifications or additions to the Agreement.

District staff recommends the Commission approve the Temporary Water Right Mitigation Agreement. The General Manager has reviewed District staff's recommendation and concurs in the same.

#### ACTION

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON as follows:

Section 1. The Commission hereby approves the Temporary Water Right Mitigation Agreement and directs the General Manager to execute the Agreement as a member of the Regional Water System in accordance with the terms set forth herein. A copy of the Agreement will be on file in the offices of the District.

Section 2. The Commission hereby delegates to the General Manager, or his designee, the authority to execute any and all necessary and customary documents to take any and all necessary actions to effectuate the agreement.

DATED this 6<sup>th</sup> day of June, 2016.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

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