

**PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY
203 OLDS STATION ROAD
WENATCHEE WA 98801**

REGULAR COMMISSION MEETING

APRIL 1, 2024

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety/H&OP Minute – Kevin Vaughn
2. Approval of the Agenda
3. AMI Opt-Out Customer Engagement
4. Public Comment
Time reserved for public comments or questions related to matters not covered by the agenda

BUSINESS SESSION

1:00PM

Consent Agenda

5. Minutes of the March 18, 2024 Regular Meeting and March 26, 2024 Special Meeting
6. Vouchers: Accounts Payable Summary Report dated March 26, 2024:
 - a. Vouchers totaling \$42,072,227.16;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period March 12, 2024 through March 25, 2024 in the amount of \$50,973.75.
 - c. Approval of the net Payroll, Warrant Nos. 238400 through 238412 and Advice Nos. 773949 through 774786 for the pay period ending March 10, 2024 in the amount of \$2,620,857.35.
 - d. Approval of Warrant Nos. 30975 through 31072 totaling \$25,391.17 for claim payments from the workers' compensation self-insurance fund for the period ending March 25, 2024.
 - e. Approval of Parks Reservation System customer refunds for the period March 12, 2024 through March 25, 2024 in the amount of \$280.00.

7. A RESOLUTION AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 23-13014 WITH ARROW CONCRETE AND ASPHALT SPECIALTIES, LLC OF SPOKANE VALLEY AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

Regular Agenda

8. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SELL A 5.6 ACRE PARCEL OF REAL PROPERTY IN DOUGLAS COUNTY, WASHINGTON, LOCATED ALONG US HIGHWAY 2 NEAR ROCKY REACH DAM, TOGETHER WITH AN ACCESS EASEMENT, TO PUBLIC UTILITY DISTRICT NO. 1 OF DOUGLAS COUNTY
9. Capital Budget Revision – Unit B3
Proposed motion: To increase the total project budget for capital project RI170013, Rock Island Powerhouse 1 B3 Modernization, in the amount of \$3,800,000 for a revised total project budget of \$28,800,000
10. Manager Items
11. Commissioner Travel
12. Commission Items
 - a. Special Meeting
Proposed motion: To set a special meeting on Tuesday, April 23, 2024 @ 10:00am at Pybus Events Center, 3 N Worthen Street, Wenatchee, for the purpose of holding a Strategic Visioning Kickoff and Strategy Partners Update
13. Follow-up on Delegation of Action Items from Previous Board Meeting
14. Delegation of Action Items
15. Additional Public Comment
16. Matters of general business as may necessarily come before the Commission
17. 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) for ___ minutes

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 23-13014 WITH ARROW CONCRETE AND ASPHALT SPECIALTIES, LLC OF SPOKANE VALLEY AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District Commission by Resolution No. 17-14215 delegated authority to the General Manager to advertise, award and execute contracts when the total contract price is \$3,000,000 or less.

On July 14, 2023, the District entered into a contract (Bid No. 23-13014) with Arrow Concrete and Asphalt Specialties, LLC (Contractor) of Spokane Valley for the District Parks Sport Court Maintenance, in the amount of \$346,940.00. This contract was advertised for public bid as required by RCW 54.04.070 and .080.

District staff has determined that the completion of all contract work occurred on March 5, 2024. In accordance with the terms of the contract, the Contractor has provided a bond in lieu of retainage equal to 5% of the contract price.

The General Manager of the District concurs with staff's recommendations that the District accept the work performed by the Contractor and authorize the release of the related bond in lieu of retainage, subject to the requirements of the contract and state law.

ACTION

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

Section 1. All the contract work required under Bid No. 23-13014 was completed on March 5, 2024, and the same is hereby accepted, subject to Section 1 hereof. Release of the Contractor's bond in lieu of retainage is authorized to be paid to the Contractor subject to Section 2 and Section 3 hereof, and subject to the provisions and limitations of Chapter 39.12 RCW (Prevailing Wages on Public Works) and 60.28 (Liens for Labor, Materials and Taxes on Public Works).

Section 2. This resolution shall not constitute an acceptance by the District of any work performed or goods supplied pursuant to the aforementioned contract, which are not in strict compliance with the contract terms and conditions.

Section 3. After the expiration of the forty-five (45) day period for giving the District notice of lien and after receipt of the Department of Revenue's certification of the Contractor's payment of taxes, the Employment Security Department's Certificate of Payment of Contributions, Penalties and Interest on Public works Contracts and the Department of Labor & Industries' Certificate of Release of the State's Lien on Public Works contracts and the District being satisfied that taxes certified as due or to become due are discharged and the filed claims of materialmen and laborers, if any, together with a sum sufficient to pay costs of foreclosing the liens and attorney's fees, have been paid, the District's General Manager is authorized and directed to file a claim against the bond in lieu of retainage in an amount equal to unpaid taxes and unpaid claims, together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and following payment of such claim, release the bond in lieu of retainage.

DATED this 1st day of April 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SELL A 5.6 ACRE PARCEL OF REAL PROPERTY IN DOUGLAS COUNTY, WASHINGTON, LOCATED ALONG US HIGHWAY 2 NEAR ROCKY REACH DAM, TOGETHER WITH AN ACCESS EASEMENT, TO PUBLIC UTILITY DISTRICT NO. 1 OF DOUGLAS COUNTY

FACTUAL BACKGROUND AND REASONS FOR ACTION

The Public Utility District No. 1 of Chelan County (District) is a Washington municipal corporation authorized under the laws of the State of Washington, RCW 39.33.010, to sell real property to the state or any municipality or any political subdivision thereof, on such terms and conditions as may be mutually agreed upon by the proper authorities of the subdivisions concerned.

The Public Utility District No. 1 of Douglas County (Douglas) has a need to acquire property to site a substation in the vicinity of its Rocky Reach switchyard and existing transmission lines.

In 2021, the District and Douglas were aware of Washington State Department of Transportation's (WSDOT) pending surplus of undeveloped right-of-way near Rocky Reach dam. Both District and Douglas had interest in acquiring portions of the WSDOT property to meet their respective needs. However, WSDOT would sell the entirety of the surplus parcel to only one entity, and the District had the first option as the adjoining owner. The District and Douglas entered into an interlocal agreement in 2021, setting forth the parties' desire to work cooperatively so that Douglas could acquire the property it needed after the District's acquisition from WSDOT.

The District completed the acquisition from WSDOT in December 2022. The District and Douglas have since worked together and completed the process to segregate a 5.6 acre parcel (Subject Property) generally located under two of Douglas' existing transmission lines. The legal description for the Subject Property is on file in the District's offices. The sale price of \$186,000 is market value, established by appraisal. Access to the Subject Property will be by easement on a portion of Lincoln Rock Rd.

Staff recommends the District approve the sale of the Subject Property to Douglas. The General Manager has reviewed staff's recommendation and concurs in the same.

Resolution No. _____
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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 hereby authorizes the sale of the Subject Property to Douglas for \$186,000, and authorizes the District’s General Manager, or designee, to take such further steps as may be required to complete the sale to Douglas.

Dated this 1st day of April, 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

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