

**Chehalis River Basin Flood Authority
Teleconference
June 29, 2010 – 11:30 a.m.**

Meeting Notes

Participants: Dan Thompson, City of Oakville; Ken Estes, City of Montesano; Karen Valenzuela, Thurston County Commissioner; Ron Averill, Lewis County Commissioner; J. Vander Stoep, Town of Pe Ell; Greg Hueckel, SBGH Partners; Jim Cook, City of Aberdeen; Lara Fowler, GTH; Nancy Ligon, GTH; Bianca Fortis, the Chronicle; Bart Gernhart, WSDOT; Edna Fund, City of Centralia; Vickie Raines, City of Cosmopolis; Terry Willis, Grays Harbor County

1. Call to order

Vice Chair Valenzuela called the meeting to order at 11:35 a.m.

2. Introductions

Everyone participating identified themselves.

Commissioner Valenzuela explained that the Executive Committee had been tasked to decide what would happen after today, which is Ms. Fowler's last day. The purpose of the teleconference is to put the Committee's recommendation before the Board for approval for contracts effective July 1 and also to report on the meeting with OFM earlier in the week.

3. Update on Meeting with OFM re: ESB 5127 Implementation

Chairman Raines gave a brief update on the OFM meeting. Chairman Raines, Commissioner Valenzuela, members of the Chehalis Tribe, Ms. Fowler, OFM and Keith Phillips attended. The purpose was to work out the review and approval of projects for ESB 5127. It was agreed that there would be an approval sheet summarizing the project information and allowing for the Flood Authority and the Chehalis Tribe to sign it and move it forward to OFM.

Ms. Fowler understood that OFM wants information on a project for the Tribe and Flood Authority to review and the two entities would sign an approval sheet. Ms. Fowler has drafted that document and OFM will look it over.

Ms. Fowler stated that Sandi Triggs with OFM reported the legislature would look for updates on where things stand early in the year to see what has been accomplished. If results are taking longer than expected they want to be sure due diligence is being done and the process is moving forward. A question that came up was how the decisions on projects are made, whether the Executive Committee can move forward on those or if a vote of the entire board is required.

Commissioner Averill stated the entire Flood Authority Board and the Tribe need to approve all projects. He would prefer that the Flood Authority as a group approve the projects rather than just the Executive Committee. He asked if a discussion had taken place as to whether Lewis County would continue to act as fiscal agent or if the money would go directly to an entity for a project.

Ms. Fowler stated that was discussed and it depends. Not all of the \$5 million will go through the Flood Authority. OFM is willing to work with sponsors. The Flood Authority is there for review and approval but not for managing the money.

Commissioner Valenzuela stated the first request for approval has already come from the Tribe for the river gage. There is no question about the amount of money. She asked if the Flood Authority needs to approve that project.

Commissioner Averill said the entire Board should approve it because the Executive Committee is not a quorum. At the last meeting the Board approved \$500,000 for critter pads to go to the Conservation Commission and the Tribe should approve that as well.

Ms. Fowler stated information on the critter pads is being refined because the initial request was for more than \$500,000. She is working on the template to get information to all parties.

Commissioner Valenzuela stated the Executive Committee recommends approval of the river gage project for the Chehalis Tribe. It should be shared with the entire Flood Authority. What would be the method of approval, a yay or nay by each member?

Commissioner Averill stated there needs to be a quorum for approval. If it is approved it must be done in an open public meeting, which could be a regular meeting or on a conference call.

Commissioner Willis stated there are two projects: critter pads and the river gage. She asked how to get these before the Flood Authority as a whole. There could be a phone call every two weeks until the projects are done or they could come before the regular monthly meetings.

Mr. MacReynold asked if more detailed information would be received prior to taking action. There needs to be time to get questions asked and answered prior to coming to a vote.

Chairman Raines stated the Authority has been conscientious about its work plan and updates at meetings. OFM is not going to let the Authority or the Tribe do anything that is out of the scope of work. If the Authority reviews projects at a monthly meeting and directs the Executive Committee to sign off on a project she did not see an issue. The budget proviso is spelled out. There will be some projects that will require more detailed discussion.

Ms. Fowler summarized the discussion: all projects are not the same and will require different levels of discussion; it would be helpful to have an information sheet sent out so questions can be answered before a vote is taken; waiting for a monthly meeting may take too much time for a review; conference calls could expedite the process.

Commissioner Willis suggested having a weekly phone conference to keep project ideas on schedule.

Mr. Vander Stoep agreed with weekly meetings or calls but did not think the project discussions should be open. When a project is ready to put through, send out material in advance so it can be studied and questions can be prepared.

Mr. Cook was concerned about public disclosure. Mr. Vander Stoep stated any questions can be sent out and people with knowledge of the project can answer.

It was decided that there would be a phone conference every Thursday from 11:00 to 12:00 and they could start on either July 5th or July 12th.

Commissioner Valenzuela stated at the last meeting the Authority approved an action in advance of having a process in place for sending \$500,000 to the Conservation Commission and it was done consistent with the capital budget. Today we have discussed another project that is in mid-process. If we were able to approve that project today (the river gage) we would not have anything ready to go by next Thursday. If we don't approve it today it could be approved on the 12th.

Mr. MacReynold stated he did not recall seeing the description of the gage and asked if it was a standard gage costing \$50,000.

Ms. Fowler stated no information has been sent out yet. The Tribe has been talking to USGS about the river gage. USGS would install it, the Tribe would have it linked to the Early Warning System and they will pay the operations and maintenance. Installation would most likely be about \$35,000.

Commissioner Averill made a motion to approve the gage project.

Commissioner Valenzuela asked if there were any objections to the river gage. She explained that the approval document has a signature line for the Flood Authority Chair and for the Chairman of the Tribe, a date line and a brief description of the project.

Commissioner Willis stated she is uncomfortable taking a vote without the information before her. She is in favor but would like to get the information as quickly as possible. The same goes for the critter pads.

Chairman Raines stated the Tribe was asked to add additional data relating to cost. The template does provide a description and acknowledges that it comes from the budget proviso and has been reviewed by OFM for approval. The form is comprehensive in its intent for both entities as well as the budget proviso.

Commissioner Averill stated the document is meeting the legislative requirement that there is joint approval by the Flood Authority and the Tribe. Whenever the Flood Authority approves a project it gives authority to the Chair to sign.

Ms. Fowler stated she would get it circulated this afternoon. There is a conditional approval for the critter pads and river gage on the approval sheet. Other materials will accompany the document.

Commissioner Averill asked if there was concurrence. Chairman Raines stated yes. This shows a level of trust to work on these projects. The Executive Committee is waiting for a sign-off from OFM; the document still needs tweaking but it will be looked at by OFM, the Tribe, and the Flood Authority.

Mr. MacReynold stated some projects have more information than others. There appears to be an adequate level of information regarding the airport levee. He asked that the Executive Committee

review that and discuss it at the next meeting. Ms. Fowler stated that would apply to the Adna project as well.

Mr. Hueckel stated he sent out information that was better organized on the projects, including all the information he had received from the jurisdictions at the last meeting.

Commissioner Valenzuela stated the project list should be shared with the entire Flood Authority with an eye towards taking up two levee projects. Those could be discussed at the Thursday conference call to move them forward for signature from both chairmen. There are a lot of levee-type projects out there. Will they be on a first-come first served basis? There is not enough money to do all the levee projects.

Commissioner Willis spoke about the levee project for Wishkah Rd. The county has done some work on that and she will put that into the mix for consideration. It is not ready to go forward; an RFP is the next step.

Commissioner Averill stated the levees are more complicated than the river gage issue. With \$1.8 million there is not enough to do all of the levee projects but we must consider which projects are ready to go if we are going to do them within the next year. There are two ready to go. While that might take up a large share of the first round [of funding] he hoped there would be more money in the future to assist with design or RFP for other projects.

Commissioner Valenzuela stated another element of work for the Flood Authority is to get information about additional projects that the governor might want to include in the draft budget, due in October, to go on the 2013-2015 request lists.

Commissioner Valenzuela asked how much of the \$1.8 million would be needed for the airport levee. Commissioner Averill stated just under \$1.5 million.

Mr. MacReynold stated it is good to plan for the next cycle but if all we do is a river gage this time we won't get a positive response from the legislature for the next time.

Chairman Raines stated that was mentioned on Monday. Part of the push for working with the Tribe is to create jobs. She stated Mr. MacReynold is correct – if we don't show by November that we have projects moving, we can't ask for more money. We must get something slated.

Commissioner Willis stated she would like the Wishkah levee project to be discussed on Thursday and move forward to how to get set up for construction later.

Commissioner Valenzuela stated the purpose of the weekly phone calls is to take projects that are ready to move and discuss if more information is needed. More information is needed on the Wishkah project.

Commissioner Willis stated the additional information will require funding. There is a design from the county engineer for the simplest solution and a dollar amount. In order for that project to move forward the Flood Authority needs to dedicate funds to ask for an RFP or feasibility study.

Ms. Fowler stated there is a lot of information about some projects and not so much on others. The levee piece is a complicated piece of the bill. The Executive Committee makes a decision on the pieces that are in place. Perhaps it should gather information on other levees so there can be a cogent discussion at the same time.

Commissioner Valenzuela asked if all the levee projects should go into that discussion. Ms. Fowler stated you can look at what you might do on the Wishkah levee – take the time to pull all of the pieces together.

Commissioner Averill stated this is Friday and the information has to get to all of the members. That won't happen until Monday and there won't be enough time to have a discussion on Thursday. He thought it would be better to wait until the 12th.

Mr. Vander Stoep stated the airport levee was specifically mentioned in the legislation. It is shovel ready and we are burning daylight by waiting two weeks. The legislation was clear about jobs – they want action.

Chairman Raines stated Adna and Bucoda were added to the airport levee.

Mr. Kramer reminded members of their process that the Executive Committee decides if things are ready for Flood Authority approval. Regarding the levees, he suggested getting that information out and seeing what questions were raised by Authority members. The Executive Committee can meet next Thursday and if this is ready to go they can recommend a decision on the 12th.

There was consensus on that proposal to hold a special meeting on July 12th to consider the Adna and Airport levee projects if the Executive Committee determined there was sufficient information to complete the form required for review and approval through the Authority/Chehalis Tribal process for the Jobs Now Act funding.

4. Discussion/Decisions on Budget and Contract Extensions

a. Potential Budget for 2012-2013

Ms. Fowler stated the last meeting included a discussion about the budget and potential contracts and possible scenarios. She followed up with a conversation with OFM and was told that the Flood Authority has to work with the funding it has. The memo for the meeting contains general assumptions and the projects that will be going through the Jobs Now Act.

Additional information or assumptions for each task are:

- Task 1: Additional funding for H & H modeling would be helpful. The budget includes \$10,000 in funding not yet expended to be carried over. Additional funding would ensure some availability for future modeling.
- Task 2: The gage on DNR property is ready to go; concrete has been poured. Weyerhaeuser gage has not been installed. OFM might cover a one-time cost for the gage but not operations and maintenance.
- Task 3: Anchor has not received any comments on the enhancement study. Do we want to prod folks and will Anchor be asked to respond? Mr. Vander Stoep thought it made sense to extend the time.

- Task 4: There is a \$100,000 placeholder for work on bridges; \$10,000 was for engineering and pre-design but Ms. Fowler took this out because of help from WSDOT. Mr. Kramer stated the projects needing cost estimates are not bridges so WSDOT is not available to do that work. Mr. Karpack does not have that expertise but he could sub-contract to do some cost estimating on S. Elma Rd. and the Bucoda levee. He suggested keeping a little reserve to get those cost estimates for the projects we don't know about yet.
- Task 7: Mr. Kramer and SBGH gave estimates for facilitation/staffing. Mr. Kramer and Ruckelshaus are comfortable with the Flood Authority contracting directly with Mr. Kramer which will eliminate the overhead expense.

Ms. Fowler suggested 65 hours per month for SBGH for the first six months and decrease those hours to 40 for the last five months with one month off. Total staffing cost is \$174,000, including \$12,000 for Ms. Ligon. With no money set aside for bridges there would be a cushion of \$5,000.

Mr. Vander Stoep stated Pe Ell is supportive of what was proposed, understanding that it is a year-long expense. Hopefully the Flood Authority will come up with projects to go into the governor's budget. The Flood Authority's needs may change and he approves of a three-month trial period.

Commissioner Averill agreed. He stated there are a number of issues to shake out in the next few months and he is in favor of a three-month contract and going from there.

Mr. Kramer was concerned that his time would exceed 40 hours per month especially if there will be weekly meetings. After discussion, he suggested writing a contract not to exceed \$93,000 with a three-month decision point to continue. It sounded to him that the Flood Authority wants to put whatever effort is necessary to get the projects into Jobs Now moving, whatever that takes – it might be a couple of weeks of intensive work or it might last for a couple of months.

Commissioner Valenzuela stated there is a gap in Task 4. The simplest way to reload Task 4 with \$10,000 is to take it from Task 2 if OFM can come through for the inundation maps. She asked if this was likely.

Ms. Fowler stated she did not know. OFM was going to follow up on the Early Warning System and she does not have feedback on that yet.

Commissioner Willis suggested changing Task 4 to \$5,000. That balances things out and includes a placeholder. This can be looked at again in the future. Commissioner Averill reminded the group that there is 10% discretion to move funds around.

Mr. MacReynold stated at the last meeting he raised a concern about staff's performance. He asked if the Executive Committee had discussed that and resolved it.

Chairman Raines stated that was discussed and the Executive Committee recommends what Ms. Fowler has provided today. She thought it would be wise for Commissioner Valenzuela, Mr. Hueckel, Mr. Boettcher and herself to talk about deliverables. It is clear that it takes more than one person to do what Ms. Fowler has been doing. Chairman Raines continued by stating that a year ago the Board asked for a three-month trial period and it is aware of the strict timeline the Authority is under.

Mr. MacReynold supported the decision. Commissioner Averill agreed to go ahead as described. He will put staff to work at drafting the contracts and getting them back to the Executive Committee to make sure they are in line. It will be done quickly so there is no lag. Mr. Kramer and SBGH will review the contracts to request revisions if required.

Ms. Fowler recommended extending the time for the Early Warning System and for additional funding. There was concurrence from the Board.

Chairman Raines stated she would be unable to attend the July meeting and she thanked Ms. Fowler for all of her hard work, stating she had been a huge help and did not bill for many hours that she worked. She stated she will miss Ms. Fowler's professionalism and ability to moderate during a difficult situation.

Ms. Fowler stated she would send out details about the July 5 conference call. The regular Flood Authority meeting will be on July 19. Commissioner Valenzuela stated the Board would help Ms. Lee with whatever she needs in organizing the meeting in Pe Ell.

There was consensus by the Flood Authority members to support the budget for July 2012 – June 2013 as recommended by Lara Folwer.

5. Public Comment

There was no public comment.

6. Adjourn

The meeting adjourned at 1:15 p.m.