



Quil Ceda Village
Regular Council Meeting
June 21, 2016
Minutes

Roll Call – 9:07am

President Theresa Sheldon - Here
Councilman Glen Gobin - Here
Councilwoman Marie Zackuse - Late

1) Motion made by Councilman Gobin to approve the agenda for the regular Village Council meeting of June 21, 2016.

Seconded

Questions:

2 For 0 Against

Motion carries

2) Motion made by Councilman Gobin to approve the regular Village Council minutes for May 19, 2016 as corrected.

Seconded

Questions:

2 For 0 Against

Motion carries

Public Safety & Justice

3) Marysville Fire District 12 Report - Skipped

4) Tulalip Police Report for May 2016

Discussion: Chief Echevarria; Councilman Gobin; President Sheldon; Nina Reece; Commander Pruitt; Deb Bray; Lisa Koop

May was a busy month. North American Motorcycle Officers were here for a week. Tulalip hosted the National Conference. Tulalip Police Department is gearing up for Boom City traffic and the Summer Concert Series. Paddle Board at Seattle Outlets busted window; Forever 21- video tapping issue; Transient population is always an issue.

9:12am off Record

9:26am on Record

Council asked staff to find ordinances for surrounding communities re: homelessness. Work with Forestry Department to clear wooded area behind Walmart and Home Depot.

9:38am off Record

9:40 am on Record

TPD has taken on extra duties and is sending Police Officers to have a presence in schools to set a positive example and be a role model. Officers are not getting involved with politics or disciplinary actions at the schools. Council commented that it is the school district responsibility to fund officers. Chief Echevarria likes having TPD officers in the schools since it is our tribal children in the schools. Tulalip Officers go in to have a positive role for our kids. Snohomish County Sheriff's budget was used when their Officers were onsite at the schools.

Council asked if TPD will have the man power to continue this service for the next school year? Chief Echevarria would like to begin budgeting for QCV to have its own dedicated Police force. Council asked about beginning a youth Explorer Program within TPD. It is a great idea but would require one or two Officers to be available for the program. What ages are required? Freshman to senior year student are eligible for program. Tulalip Impact monies could be used for the Explorer Program. Should Police officers be included in MOA funding? It's probably a program we need a local law enforcement department operating. Staff will ask about using Impact monies for TPD.

Finance – Budget

5) 2016 Monthly Budget Update

Discussion: Nina Reece, Sarah Holmstrom; Councilman Gobin; President Sheldon; Councilman Zackuse. \$7.1 Million in Revenue through May for QCV with cigarette tax up over same time last year, although hotel sales and occupancy tax continues to be down.

75% of the cigarette tax comes from Tulalip Liquor Store. The Market continues to make improvements on sales, customer service, etc. It is maintaining and growing even when competition to the North is getting stronger as new stores are built by other Tribes. 38% of budget used on expenditures – except the police department and \$6.6 Million is actual expenses through May.

Projects: YTD - \$673K spent on treatment plant large invoice for next month.

Administration: Consultants Blue Stone Master Planning. We had to add \$100K for Consultants. Admin is still waiting on funds for the new consultant. Property Management was down on Payroll and staff last year. Rents will compensate in the last two quarters of this year. Wages and benefits with the COLA make a huge difference in departments that have a lot of staffing.

\$1.1 off in revenue, \$3.1 million difference – how are we measuring? End of the year big selling months, we met budget same as last year. Expense side \$1.7 Police and COLA increase makes a significant difference. We increased support to tribe: court, prosecutors, OB&FM approximately \$1.8 million.

Projects: YTD - \$673K spent on treatment plant large invoice for next month. Councilman Gobin thought some accounts were swept out of the project account? Several of the closed project funds were moved to the Economic Development account but some final expenses such as retainage are left.

6) Motion made by Councilman Gobin to approve Resolution 2016-028 authorizing a transfer of money market funds to a ladder approach investment portfolio to enhance return on investment at minimal risk. Seconded

Questions: The GM is on the account but not able to approve market funds. There is risk but it is minimal compared to other investments. Ratings are solid for this account.

3 For 0 Against

Motion carries

Human Resources

7) Out of State Travel & Training Report – FYI

Discussion: Councilman Gobin; President Sheldon; Councilman Zackuse; Nina Reece; Deborah Richards Council asked if QCV policy limits employees to only travel two (2) times per year? QCV does not have that policy. It has to be related to the employee's current position and in their approved department budget. Staff is participating in the C-Store Summit meetings. Is management attending? The Market manager attended the last Summit. Why did a maintenance laborer attend the RECON Conference? The tradeshow booth had to be delivered and manned at all hours needing his assistance. Attending the booth and the workshops required three (3) individuals. The conference was strictly about training and assistance with the booth. It is a great opportunity to mentor a Tribal Member since he has a real estate license now.

10:11am off Record

10:13am on Record

Councilwoman Zackuse asked if this is a new position and is it being advertised? No, it is not being advertised at the moment, although, the funds are in the budget. Property Management goals are to make revenue with short term goals to lease suit F & P then fiscal goals will be met with all locations leased. An FTE was added and the department is just meeting the needs of maintenance. Property Management is busy but getting by and maximizing strength within the division. Property Management has two (2) maintenance employees in the budget. Two positions went back to the Liquor Stores for 2016 budget, although the funding for those positions was left in Property Management's budget. Council wants to emphasize the positions need to be advertised. Property management is currently not planning on creating or advertising for any positions.

General Manager

8) Contracts under \$50,000 – FYI

Discussion: Nina Reece; Lisa Koop; Councilman Gobin; President Sheldon; Councilwoman Zackuse; Cal Taylor; Brian Carroll

These are contracts within the GM signing authority and are an FYI

A) Cash Works is a contract with the convenience stores providing three (3) ATMs, one at the 116th Market, Tulalip Liquor Store and Marine Drive Gas Station. The stores are not responsible for any damage or repairs to the ATMs. The stores will receive \$2.00 for each transaction. The company is responsible for filling and

servicing the machines as well as providing the power and connectivity and if the power goes out, there are not requirements for compensation.

B) QCV hired a food inspector to replace the temporary consultant. Advertised for 9-10 months, finally found someone \$30K for 2016 and next year a total of \$50K.

Is it full time or on call position? There are (50) places that need to be inspected and future kitchens that will be inspected by new hire.

Pacific :

What did we hire Mark for? Mark is separate from Carl, he is under TDS survey.

Tulalip Data Services

Discussion: Councilman Gobin; President Sheldon; Councilwoman Zackuse; Nina Reece; Jacob Setterberg

9) Motion made by Councilman Gobin to approve Resolution No. 2016-029 authorizing a six month employment contract with Mark Brown to serve as a GIS Survey Technician in an amount not to exceed \$26,447.20 with benefits and expenses pursuant to the policies of QCV.

Seconded: Marie

Questions: Surveys for Housing, Natural Resources. Applicant has experience with setting monuments in concrete and conduction and has been working with Natural Resources conduction surveys in the mountains and meadows. He has been working as a temporary contractor for three months and can work independently and efficiently. He is needed for six months for field work. TDS needs help with back log on projects and work. TDS is re-allocating existing funds for the position so no budget increase.

3 For 0 Against

Motion carries

Development & Construction

10) Motion made by Councilman Gobin to approve Resolution No. 2016-030 authorizing further authorize staff to solicit proposals from other design firms for the balance of Justice Center design. Quil Ceda Village Civic and Justice Center Project Update.

Discussion: Carl Romig; Councilman Gobin; President Sheldon; Councilwoman Zackuse; Nina Reece

Questions: Proposal to look into new contractor's local, with tribal experience. We will not make schedule with Carletti, they haven't produced the necessary documents that are due prior to the 30th of June, 2016.

Break for lunch so Carl can draft up a Resolution.

Change to Board Resolution and add to July BOD Agenda.

Contract under BOD working with QCV, we need to transfer funds.

Carl can move forward with finding new architects for the Justice Center/City Hall Building.

Seconded: Theresa

Questions:

3 For 0 Against

Motion carries

Quil Ceda Utilities

11) Wastewater Treatment Plant Project Update

Council asked Nina Reece to excuse herself as she is related to Reece Construction

Discussion: Jereme Gobin, President Sheldon; Councilman Gobin; Deb Bray; Lisa Koop

Nov 05, 2016 Reece Construction was paid 35% of contract amount, \$319,256.00 with total amount paid to date of \$572,016.00 (incl. TERO). August 3, 2016 should be the substantial completion date and August 24th contract should be complete. The main delay is waiting on the Motor Control (MCC) which is the main brain so improvements cannot function until it arrives. The contractor has requested an extension on completion date to October. Project Manager has never accepted the October completion date. The contract calls for a fine of \$1,000 if past the approved contract date. The diffusers, air blowers and a good portion of electrical work are completed. The MCC is custom built and requires communication between the contractor, supplier and Parametric. The submittals have to be approved prior to having it made. The contractor didn't start until the middle process. First submittal processed Jan 27th, 2016. Is contractor at fault for missing deadline? Staff said yes, as the contract was signed on November 05th. Council would like to know when the contractor received the check and when were the other submittals turned in – January 27, 2016. Multiple submittals have been received since for other long term items with two to three months later staff received the first one. Is it critical that this submittal is approved prior to the next phase and is it progressive for the contractor to have them all approved? What is impact on the Village if it is not completed until October? Will there be liquidated damages? Well, October puts the plant into the busier times of month, higher flow happen. Utilities need to have the higher capacity. Everything will have to put back without testing. The over flow tank is not currently being used and could cause damage. Peek time over September 1, 2016 after Labor Day weekend. When do we declare the peaks? July is a big month then November it will pick back up. We are not sure if the MCC has been ordered, yet so it could be November. It takes 4-6 weeks ordering time. When will staff do an assessment for liquidated damages? Staff will begin to assess liquidated damages on August 25th. Council said to tell the contractor they are late and let them know about the damage clause. Does the contract meet with staff regularly? Staff said yes but some have been cancelled. Staff will need review the contract and track damages. Is there a retainage on contract? Yes, the contract has a 5% percent retainage. Staff shouldn't release retainages. Costs could be extended two to three months out. Testing will have to be extended out. Council said to account for everything due to contractor being late. Send a letter to the contractor asking for a clear indication of dates and that we have not accepted the October date. Staff said it will be blamed on vendors but the vendors need to be initiated by the contractor. Unless there are actual damages then this is just an FYI and some frustration. We sent written notice letting him know that he has to put it in writing asking for approval on extensions. In response he said he will speak with the BOD. There has to be actual evidence of damages. There has to be some recourse for going past deadlines. 95% completion expectancy at August deadline is expected to be done. Once the deadline hits staff will start keeping track of all damages accumulated due to missed deadline.

Transportation

12) 116th Street Interchange Project Update

Discussion: Deb Bray; Councilman Gobin

The Project is on course, schedule and budget. In early August the girders will arrive. The east side wall shows how big the bridge deck will be. The art work going good and is in Auburn right now. The estimated completion date is the second week in October. Council would like to have an article put in the See-Yaht-Sub. This is what it will look like when it's completed. Staff is putting agreements together for WSDOT which will need a Tribal Resolution which will include funding request or promissory note. Council would like to know

when the 88th street project will move forward? Staff is working on change order to illuminate but not sure if it will be ready in July to bring to the BOD. Pedestrians crossing the bridge deck during construction continue to be a concern. .

Property Management: Closed Session @ 12:28

Discussion: Deborah Richards Councilman Gobin; President Sheldon; Nina Reece; Brian Carroll; Lisa Koop; Lee

13) Resolution No. 2016-031 approving an additional project budget for the roof replacement at the retail center.

Seconded:

Questions: Closed Session 12:28 p.m. – 1:05 p.m.

0 For 3 Against

Motion Denied

Business Entities – Closed @1:13pm

14) C-Store Strategy Update

Discussion: Cal Taylor, Sarah Holmstrom; Councilman Gobin; President Sheldon; Brian Carroll
Closed Session 1:13 p.m.

Boom City – Councilwoman Zackuse had to leave

Discussion: Nina Reece; Councilman Gobin; President Sheldon

Boom City was moved to the Village as a temporary site when work began on the Tulalip Health Clinic. It has been here for 15 years with a lot of renovations for Boom City. The Village does not do licensing or permitting and has no information on stand owners, food vendors or wholesale firework vendors. The Village Utility department provided a water source to Boom City and turns it on and off. Electricity is on Tulalip's private power line. It is turned on, metered and a bill sent to Community Development on behalf of Boom City. The Village has a food inspector although no ability to close a non-compliant stand. The Village has an Ordinance against lighting fireworks in city limits but it is not followed and cannot be enforce. Food inspectors arrived yesterday and asked Community Development to meet them there at 4 pm, although, less than half of the food stands were open so very little inspection was done. The Village was able to reach most of the food vendors requesting the applications to be completed and returned to the Village, most complied. It is difficult to enforce anything within Boom City. Staff is working on new ordinances for the Village. It's just really difficult to enforce anything within Boom City.

Adjourn Village Council Meeting - @ 2:03pm

Minutes approved at the regular Village Council meeting of July 20, 2016.


Nina Reece, Village Clerk

7-20-2014