



LAKE WHATCOM WATER AND SEWER DISTRICT
1220 LAKEWAY DRIVE
BELLINGHAM, WASHINGTON 98229

REGULAR MEETING
OF THE BOARD OF COMMISSIONERS

AGENDA

February 27, 2013

8:00 a.m. – Regular Session

1. CALL TO ORDER
2. PUBLIC COMMENT OPPORTUNITY
At this time, members of the public may address the Commission. Please state your name prior to making comments.
3. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA
4. CONSENT AGENDA
5. SPECIFIC ITEMS OF BUSINESS:
 - A. Lake Whatcom Invasive Species Update – Clare Fogelsong from the City of Bellingham
 - B. Interlocal Agreement with City of Bellingham – 2013 Lake Whatcom Invasive Species Program
 - C. Discussion: Re-Conveyance of Land from DNR to Whatcom County
6. OTHER BUSINESS
7. MANAGER'S REPORT
8. PUBLIC COMMENT OPPORTUNITY
9. ADJOURNMENT



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	February 20, 2013		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Patrick Sorensen</i>		
MEETING AGENDA DATE:	February 27, 2013		
AGENDA ITEM NUMBER:	5.A.		
SUBJECT:	Lake Whatcom Invasive Species Update		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1.		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Clare Fogelsong from the City of Bellingham will be providing the Board with an update on the City of Bellingham's Aquatic Invasive Species Program and other issues related to Lake Whatcom.

FISCAL IMPACT

n/a

RECOMMENDED BOARD ACTION

Discussion

PROPOSED MOTION

n/a



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	February 20, 2013		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Patrick Sorensen</i>		
MEETING AGENDA DATE:	February 27, 2013		
AGENDA ITEM NUMBER:	5.B.		
SUBJECT:	Interlocal Agreement with the City of Bellingham – 2013 Lake Whatcom Invasive Species Program		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL:	1. Draft 2013 Aquatic Invasive Species Interlocal Agreement		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL/ OTHER <input type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Last year, through the annual budget process, the Board agreed to contribute up to \$50,000.00 towards the administration of the City of Bellingham’s 2012 Lake Whatcom Invasive Species Program.

FISCAL IMPACT

Previously, the District agreed to contribute financial resources towards the reimbursement of the City’s resources in the administration of their Aquatic Invasive Species Program at Lake Whatcom. Both the District and the City utilize Lake Whatcom as their primary drinking water source and have a joint and common interest in protecting the quality and safety of the environment associated with the Lake. The aquatic invasive species effort was initiated in fiscal year 2012. As reflected in the attached agreement, the City will continue to be the party responsible for administering the program.

Periodic written reports will be presented to the District by the City regarding requested reimbursement contributions. A renewal of this program agreement will come back to the Board at the beginning of each year so long as we are financially participating. Resources have been provided for in the 2013 Budget.

RECOMMENDED BOARD ACTION

To approve the 2013 version of the attached Interlocal Agreement with the City of Bellingham.

PROPOSED MOTION

To authorize the General Manager to sign the 2013 Interlocal Agreement between the City of Bellingham and the District in an amount not to exceed \$50,000.00 towards the funding of the Lake Whatcom Aquatic Invasive Species Program.

INTERLOCAL AGREEMENT

**2013 CITY OF BELLINGHAM - LAKE WHATCOM WATER AND SEWER
DISTRICT**

LAKE WHATCOM AQUATIC INVASIVE SPECIES PREVENTION PROGRAM

WHEREAS, the City of Bellingham (City) and Lake Whatcom Water and Sewer District (District) have a mutual interest in protecting water resources in the Lake Whatcom Watershed; and

WHEREAS, Aquatic Invasive Species (AIS) are capable of impacting water quality, recreational use and the aquatic ecology of Lake Whatcom; and

WHEREAS, watercraft are a widely recognized vector for movement and introduction of AIS within and between water bodies; and

WHEREAS, the risk of AIS introductions into Lake Whatcom can be reduced by education of watercraft users and inspection of watercraft prior to launching into Lake Whatcom; and

WHEREAS, the City and the District have committed resources to support establishment and operation of an AIS Prevention Program for Lake Whatcom; and

WHEREAS, this Agreement is authorized under the Washington State Interlocal Cooperation Act, Chapter 39.34 RCW;

**NOW, THEREFORE, THE CITY OF BELLINGHAM AND LAKE WHATCOM
WATER AND SEWER DISTRICT AGREE AS FOLLOWS:**

1. SCOPE OF WORK

Task 1 - Administration: The City will administer and manage the AIS Prevention Program, including hiring, training, outfitting, scheduling and supervision of program staff.

Task 2 - Reporting: Periodic reports of the program's status will be delivered to the District upon request.

2. TERM

(a) This Agreement shall be effective March 15, 2013 and shall continue through December 31, 2013. The Agreement shall only be renewed, in writing, on terms then agreed to by the parties. The term shall be as stated in the agreement regardless of the date of signature.

(b) This Agreement may be terminated for convenience by either party upon the giving of ninety (90) days written notice to the other party whereupon payment for time and effort expended up to and including the date of termination shall be paid in full.

(c) This Agreement may be terminated for cause by either party after giving the defaulting party thirty (30) day's written notice of default and an opportunity to cure.

3. PAYMENT

(a) The District shall reimburse the City for AIS prevention program costs, including but not limited to staff outfitting and wages. The maximum payable under this Agreement is \$50,000.

(b) Payments to the City will be made monthly based on invoices submitted to the District. All payments hereunder are considered reimbursement for services rendered. Reimbursements hereunder shall not create an employment relationship between the District and any City staff, nor shall it confer any ownership or management rights in the District to any property or assets acquired by the City under the AIS prevention program.

(c) The District shall promptly review and pay the invoice in accordance with its usual procedures.

(d) A short program update shall accompany each invoice.

4. PERSONS RESPONSIBLE FOR ADMINISTRATION OF THE AGREEMENT

The City designates the Public Works Natural Resources Policy Manager, or his/her designee, as its person responsible for administration of the this Agreement. The District designates its General Manager, or his/her designee, as its person responsible for administration of this Agreement.

5. LEGAL RELATIONS

In performing the services outlined in this Agreement, neither party is acting as the agent or employee of the other; rather, each party is acting as an independent contractor.

6. DEFENSE, INDEMNIFICATION, HOLD HARMLESS

Each party shall defend, indemnify and hold the other harmless from and against any and all cost or liability for damage to persons or property arising from the negligent acts or omissions of itself or its elected officials, employees or agents in relation to this Agreement.

EXECUTED, this the _____ day of _____, 2013, for the LAKE WHATCOM WATER AND SEWER DISTRICT:

LWWSD General Manager

EXECUTED, this the _____ day of _____, 2013, for the CITY OF BELLINGHAM:

Departmental Approval:

Mayor

Department Head

Attest:

Approved as to Form:

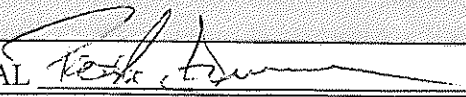
Finance Director

Office of the City Attorney



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	February 21, 2013		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL 		
MEETING AGENDA DATE:	February 27, 2013		
AGENDA ITEM NUMBER:	5.C.		
SUBJECT:	Discussion: Re-Conveyance of Land from DNR to Whatcom County		
LIST DOCUMENTS PROVIDED ⇨ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1.		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Commissioner Citron requested that this item be included on the agenda for discussion.

FISCAL IMPACT

n/a

RECOMMENDED BOARD ACTION

n/a

PROPOSED MOTION

n/a

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07



LAKE WHATCOM WATER AND SEWER DISTRICT

AGENDA BILL

DATE SUBMITTED:	February 20, 2013		
TO BOARD OF COMMISSIONERS			
FROM: Patrick Sorensen	MANAGER APPROVAL <i>Patrick Sorensen</i>		
MEETING AGENDA DATE:	February 27, 2013		
AGENDA ITEM NUMBER:	7		
SUBJECT:	Manager's Report		
LIST DOCUMENTS PROVIDED ⇒ NUMBER OF PAGES INCLUDING AGENDA BILL: _____	1. Manager's Report		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL/ OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Updated information from the General Manager in advance of the Board meeting.

FISCAL IMPACT

None

RECOMMENDED BOARD ACTION

None required.

PROPOSED MOTION

None

General Manager Comments

February 27, 2013 - 8:00 a.m.

Important Upcoming Meetings:

- **Meetings Associated with the Lake Whatcom Management Program:**
 - **Policy Group Meeting:** The next meeting is scheduled for March 4, 2013 at 9:30 a.m. in the Fireplace Room in the Municipal Court Building (east side of building) located at 625 Halleck Street. The Agenda topics have not been set as of this date. Remember, all Policy Group Meetings are publicly noticed by the District.
 - **Joint Councils/Commissioners Meeting:** Scheduled for March 28, 2013 in the Bellingham Central Library Meeting Room at 6:00 p.m.
 - **Management Meeting:** There is not a meeting scheduled at this time.
 - **Staff Technical Team Meeting:** The next meeting has not been scheduled yet.
- **Next Regular Board Meeting:** Is scheduled for Wednesday, **March 13, 2013 at 6:30 p.m.**
- **Next Employee Staff Meeting:** Is scheduled for **Thursday, March 14, 2013 at 8:00 a.m.** in the Board Room. Commissioner Weide is scheduled to attend. Scheduling is rotated by alphabetical order each month.
- **Washington Association of Sewer & Water Districts Section III Meeting:** The next Section III meeting will be held at Bob's Burger & Brew in Tulalip on **Tuesday, March 12, 2013** starting at 6:00 p.m. All Section III Meetings are publicly noticed by the District.
- **Next Employee Safety Committee Meeting:** Wednesday, **March 13 at 8:00 a.m.** in the District Conference Room.
- **Whatcom Water Districts Caucus Meeting:** The next meeting is scheduled for Wednesday, **February 27, 2013 at 3:00 p.m.** in the District Board Room. This meeting is publicly noticed.

Other

- **Spring WASWD Conference:** The Spring WASWD Conference will be held in Yakima April 4 & 5. We need to get a head count on who is planning on attending soon.
- **Upcoming Geneva Neighborhood Association Meeting:** Reminder. The GNA will be holding a neighborhood meeting on Wednesday, March 27, 2013 between 6:30 and 8:00 p.m. at the Fire Hall.
- **March & April Bill Stuffer:** FYI. Attached is a copy of the information stuffer that will be mailed out with all bills in both March and April. The focus is on protecting our environment in Lake Whatcom in advance of the spring boating season. This information was developed by the City on behalf of the Lake Whatcom Cooperative Management Group.

Boating Tips

Be safe.
Protect your boat.
Protect Lake Whatcom.



Clean, Drain, Dry

Your Boat and Recreational Equipment
Help stop the spread of invasive species

CLEAN

- Remove **ALL** aquatic plants, animals, and mud.
- Thoroughly wash everything, especially in crevices and hidden areas.

DRAIN

- Drain water from your boat, trailer, tackle and gear, including wells, bilge, and engine cooling water **before** leaving the area.

DRY

- Allow sufficient time for your boat and equipment to completely dry **before** entering other waters.
- If you cannot perform these steps, you should have your boat professionally cleaned with high-pressure hot water (>140°F) before launching into other waters.
- Do **NOT** release pets, bait, aquatic plants, or aquarium water into the wild.

Boating Rules

- **Do not use carbureted two-stroke engines on Lake Whatcom**
- **Do not transport any plants or animals to or from Lake Whatcom**
- **Speed Limits:**
 - **6 mph at all times** if you are within 300 feet of docks and the shore, or within 100 feet of a swimmer, diver, or any non-motorized boat
 - **Night:** 8 mph from 30 min after sunset to 30 min before sunrise
 - **Day:** 40 mph in unrestricted areas 30 min before sunrise to 30 min after sunset
- **Right-of-Way:**
 - You must give way to swimmers, divers, and fallen skiers
 - You must give way to any non-motorized watercraft including: sailboats, rowboats, canoes, and kayaks
- **Life jackets** are required to be aboard for each passenger and must be worn by children under the age of 7 at all times.
- **Age:**
 - You must be at least 10 years old to operate a motorized watercraft up to 10 HP without an adult on board
 - You must be 16 to operate a motorized watercraft with a motor greater than 10 HP