



LAKE WHATCOM WATER AND SEWER DISTRICT
1220 Lakeway Drive
Bellingham, WA 98229

REGULAR MEETING OF THE BOARD OF COMMISSIONERS

AGENDA

January 9, 2019


6:30 p.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. Election of Officers
 - B. Appointment of Investment Committee Representatives
 - C. Appointment of Whatcom County Council of Governments and Lake Whatcom Policy Group Representatives
 - D. Approval of an Interlocal Agreement with the City of Bellingham for Aquatic Invasive Species Program Coordination
6. OTHER BUSINESS
7. GENERAL MANAGER'S REPORT
8. PUBLIC COMMENT OPPORTUNITY
9. EXECUTIVE SESSION
Executive Session Per RCW 42.30.140 (4)(a): Considering issues related to collective bargaining with a labor union – 30 minutes
10. ADJOURNMENT



**AGENDA
BILL
Item 4**

Consent Agenda

DATE SUBMITTED:	January 3, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS		FROM: Rachael Hope	
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS		1. See below	
		2.	
		3.	
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL /OTHER <input type="checkbox"/>

**** To Be Updated 1/9/19****

BACKGROUND / EXPLANATION OF IMPACT

- Meeting Notes from the 12/26/2018 Board Meeting
- Payroll for Pay Period #01 (12/15/2018 through 12/28/2018) totaling \$40,906.63.
- Payroll Benefits for Pay Period #01 totaling \$46,660.07.
- Accounts Payable Vouchers to be updated 1/9/2019.



LAKE WHATCOM WATER AND SEWER DISTRICT

1220 Lakeway Drive
Bellingham, WA 98229

REGULAR SESSION OF THE BOARD OF COMMISSIONERS Minutes

December 26, 2018

Board President Laura Weide called the Regular Session to order at 8:00 a.m.

Attendees:

Commissioner Laura Weide	General Manager Justin Clary
Commissioner John Carter	Finance Manager/Treasurer Debi Denton
Commissioner Todd Citron	Operations & Maintenance Manager Brent Winters
Commissioner Bruce Ford	Recording Secretary Rachael Hope
Commissioner Leslie McRoberts	

Excused Absences: Assistant General Manager/District Engineer Bill Hunter

No public were in attendance.

Consent Agenda

Action Taken

Ford moved, McRoberts seconded, approval of:

- Meeting Notes from the 12/12/2018 Board Meeting
- Payroll for Pay Period #26 (12/01/2018 through 12/14/2018) totaling \$46,203.21.
- Payroll Benefits for Pay Period #26 totaling \$48,070.67.
- Accounts Payable Vouchers totaling \$65,788.01.

Motion passed.

Resolution No. 853 – Designating an Authorized Agent as required by the State of Washington Hazard Mitigation Grant Program

Clary explained that the District is applying for a grant from the Federal Emergency Management Agency to make seismic improvements to multiple water reservoirs. This application process requires that the District designate an applicant agent and an alternate agent. The proposed resolution, which replaces previous Resolution No. 836, designates Justin Clary as the authorized agent and Bill Hunter as the alternate. The federal process requires that the Board designate these agents via resolution.

Action Taken

McRoberts moved, Citron seconded, to adopt Resolution No. 853 as presented. Motion passed.

Washington Paid Family & Medical Leave Program

Denton recalled that at its regularly scheduled meeting on December 13, 2018, the Board discussed the pros and cons of paying the employer-portion of the new Washington State Paid Family & Medical Leave Act (PFMLA) premiums. Remittance of the employer portion of the premium is optional for employers with fewer

than 50 employees. The Board directed staff during that meeting to determine if the District were to initially elect not to pay the employer-portion of the premium, if there are any conditions (e.g., ability to begin paying employer portions at later date).

District staff has determined this rate is set annually and all entities participating will pay the current applicable rate regardless of when their participation was initiated. The ruling has not been determined when entities may “opt in” but most likely it will be on an annual basis with a January 1 start date. Speaking to the utilization of the assistance grants offered by this program, during the previous 5 years LWWSD has only had three employees out of work for 7 to 10 days with a qualified situation. Discussion followed.

Engineering Department Report

Clary reported that there has been movement in the permitting process for the Country Club lift station, and a hearing is scheduled with the County for January 9. The public comment period for the Geneva project has ended, so that project may move on to the next step as well.

Commissioner Weide and the Board commended staff on the success of the District’s safety program. Throughout the year, staff has done awesome work in calling out near misses, correcting issues, and keeping the workplace safe for themselves and each other.

Finance Department Report

Denton reported on some updates happening in the office, including hold music for the phones and adding another line to the ring rotation. She also presented the Board with the cost of low income/senior/disabled program for 2018, and reminded them the program will need to be reviewed in 2019.

Operations Department Report

Winters highlighted recent projects and challenges, including the recent windy weather. The storm allowed the District to see the value in its generators, as all were running after the windstorm knocked out power. He also informed the Board that crew had brought the Vac Truck down and they were able to get a tour as well as hear about some features of the truck after the meeting. Discussion followed.

General Manager’s Report

Clary highlighted dates for upcoming Joint Councils meetings and upcoming agenda items for the Board to be aware of. Discussion followed.

Executive Session Per RCW 42.30.140 (4)(a): Collective Bargaining - 30 Minutes

Weide recessed the Regular Session to Executive Session at 8:50 a.m. It was estimated that the Executive Session would take about 30 minutes. The purpose of the Executive Session was for considering issues related to collective bargaining with a labor union. Weide recessed the Executive Session and reconvened the Regular Session at 9:10 a.m.

With no further business, Weide adjourned the Regular Session at 9:10 a.m.

Recording Secretary, Rachael Hope

Date Minutes Approved

Laura Weide

Todd Citron

John Carter

Bruce Ford

Leslie McRoberts

PAYROLL

CHECK REGISTER

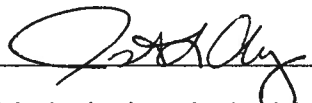
Lake Whatcom W-S District
MCAG #: 2330

01/03/2019 To: 01/03/2019

Time: 12:54:16 Date: 01/02/2019
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4	01/03/2019	Payroll	5	EFT		3,780.78	12/15/2018 - 12/28/2018 PRI
5	01/03/2019	Payroll	5	EFT		2,212.84	12/15/2018 - 12/28/2018 PRI
6	01/03/2019	Payroll	5	EFT		2,219.82	12/15/2018 - 12/28/2018 PRI
7	01/03/2019	Payroll	5	EFT		3,289.64	12/15/2018 - 12/28/2018 PRI
8	01/03/2019	Payroll	5	EFT		3,022.67	12/15/2018 - 12/28/2018 PRI
10	01/03/2019	Payroll	5	EFT		1,200.20	12/15/2018 - 12/28/2018 PRI
11	01/03/2019	Payroll	5	EFT		2,556.39	12/15/2018 - 12/28/2018 PRI
12	01/03/2019	Payroll	5	EFT		1,778.18	12/15/2018 - 12/28/2018 PRI
13	01/03/2019	Payroll	5	EFT		3,349.16	12/15/2018 - 12/28/2018 PRI
14	01/03/2019	Payroll	5	EFT		1,814.12	12/15/2018 - 12/28/2018 PRI
15	01/03/2019	Payroll	5	EFT		1,900.27	12/15/2018 - 12/28/2018 PRI
16	01/03/2019	Payroll	5	EFT		1,779.61	12/15/2018 - 12/28/2018 PRI
17	01/03/2019	Payroll	5	EFT		2,346.17	12/15/2018 - 12/28/2018 PRI
18	01/03/2019	Payroll	5	EFT		1,496.76	12/15/2018 - 12/28/2018 PRI
19	01/03/2019	Payroll	5	EFT		1,858.51	12/15/2018 - 12/28/2018 PRI
20	01/03/2019	Payroll	5	EFT		2,615.56	12/15/2018 - 12/28/2018 PRI
21	01/03/2019	Payroll	5	EFT		2,381.69	12/15/2018 - 12/28/2018 PRI
9	01/03/2019	Payroll	5	8613		1,304.26	12/15/2018 - 12/28/2018 PRI
401 Operating Fund						40,906.63	
						40,906.63	Payroll: 40,906.63

I do hereby certify, under penalty of perjury, that the above is an unpaid, just, and due obligation as described herein, and that I am authorized to certify this claim.

Sign  Date 1/2/2019

Board Authorization - As the duly elected board for this district we have reviewed the claims listed and approve the payment with our signatures below.

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

BENEFITS

CHECK REGISTER

Lake Whatcom W-S District
MCAG #: 2330

01/03/2019 To: 01/03/2019

Time: 13:02:36 Date: 01/02/2019
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
22	01/03/2019	Payroll	5	EFT	DEPARTMENT OF RETIREMENT SYSTEMS	3,012.00	Pay Cycle(s) 01/03/2019 To 01/03/2019 - DCP
23	01/03/2019	Payroll	5	EFT	UNITED STATES TREASURY	14,862.32	941 Deposit for Pay Cycle(s) 01/03/2019 - 01/03/2019
24	01/03/2019	Payroll	5	EFT	WA ST PUBLIC EMP RET PLAN 2	9,529.28	Pay Cycle(s) 01/03/2019 To 01/03/2019 - PERS 2
25	01/03/2019	Payroll	5	EFT	WA ST PUBLIC EMP RET PLAN 3	2,920.73	Pay Cycle(s) 01/03/2019 To 01/03/2019 - PERS 3
26	01/03/2019	Payroll	5	8614	AFLAC	354.85	Pay Cycle(s) 01/03/2019 To 01/03/2019 - AFLAC Pre-Tax; Pay Cycle(s) 01/03/2019 To 01/03/2019 - AFLAC Post-Tax
27	01/03/2019	Payroll	5	8615	AFSCME LOCAL	382.84	Pay Cycle(s) 01/03/2019 To 01/03/2019 - Union Dues; Pay Cycle(s) 01/03/2019 To 01/03/2019 - Union Fund
28	01/03/2019	Payroll	5	8616	HRA VEBA TRUST (PAYEE)	515.00	Pay Cycle(s) 01/03/2019 To 01/03/2019 - VEBA
29	01/03/2019	Payroll	5	8617	VANTAGEPOINT TRANSFER AGENTS - 306798	100.00	Pay Cycle(s) 01/03/2019 To 01/03/2019 - ICMA
30	01/03/2019	Payroll	5	8618	WA ST SUPPORT ENFORCEMENT REGISTRY	208.34	Pay Cycle(s) 01/03/2019 To 01/03/2019 - SUP ENF
31	01/03/2019	Payroll	5	8619	WASHINGTON STATE HEALTH CARE AUTHORITY	14,774.71	Pay Cycle(s) 01/03/2019 To 01/03/2019 - PEBB Medical; Pay Cycle(s) 01/03/2019 To 01/03/2019 - PEBB ADD LTD; Pay Cycle(s) 01/03/2019 To 01/03/2019 - PEBB SMK Surcharge; Pay Cycle(s) 01/03/2019 To 01/03/2019
401 Operating Fund						46,660.07	
						46,660.07	Payroll: 46,660.07

CHECK REGISTER

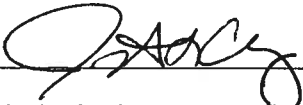
Lake Whatcom W-S District
MCAG #: 2330

01/03/2019 To: 01/03/2019

Time: 13:02:36 Date: 01/02/2019
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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I do hereby certify, under penalty of perjury, that the above is an unpaid, just, and due obligation as described herein, and that I am authorized to certify this claim.

Sign  Date 1/2/2019

Board Authorization - As the duly elected board for this district we have reviewed the claims listed and approve the payment with our signatures below.

Commisioner

Commisioner

Commisioner

Commisioner

Commisioner



**AGENDA
BILL
Item 5.A**

Election of Board Officers

DATE SUBMITTED:	January 2, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS	FROM: Justin Clary, General Manager		
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. None		
TYPE OF ACTION REQUESTED	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

The District operates under the authority of Revised Code of Washington (RCW) Title 57, Water-Sewer Districts. Under RCW 57.12.10, Commissioners-President and Secretary-Compensation, "the board shall annually elect one of its members as president and another as secretary." The District has historically fulfilled this statutory obligation during its first meeting of the calendar year.

FISCAL IMPACT

No fiscal impact is anticipated.

RECOMMENDED BOARD ACTION

Staff recommends that the Board appoint a president and a secretary from amongst its membership.

PROPOSED MOTION

Recommended motions are:


"I move to appoint Commissioner _____ to serve as District president for the 2019 calendar year."

"I move to appoint Commissioner _____ to serve as District secretary for the 2019 calendar year."



**AGENDA
BILL
Item 5.B**

**Appointment of Board
Representatives to the District's
Investment Committee**

DATE SUBMITTED:	January 2, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS		FROM: Justin Clary, General Manager	
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS		1. None	
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL /OTHER <input type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Chapter 2.14 of the District's administrative code establishes an Investment Committee, which is comprised of the finance manager/treasurer, general manager, and two commissioners. Duties of the committee include, at a minimum, quarterly review of the District's investment portfolio and rate structure (Chapter 2.4) and annual review of the District's investment policy (Chapter 2.14).

FISCAL IMPACT

No fiscal impact is anticipated.

RECOMMENDED BOARD ACTION

Staff recommends that the Board appoint two representatives from amongst its membership to serve on the District's Investment Committee.

PROPOSED MOTION

A recommended motion is:


"I move to appoint Commissioner _____ and Commissioner _____ to serve as the Board's representatives on the District's Investment Committee for the 2019 calendar year."



**AGENDA
BILL
Item 5.C**

**Appointment of Board
Representatives to the Whatcom
County Council of Governments
and the Lake Whatcom**

Management Program Policy Group

DATE SUBMITTED:	January 2, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS		FROM: Justin Clary, General Manager	
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS		1. None	
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL /OTHER <input type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

The District annually appoints a representative to serve on the Whatcom County Council of Governments and a representative to serve on the Lake Whatcom Management Program Policy Group.

FISCAL IMPACT

No fiscal impact is anticipated.

RECOMMENDED BOARD ACTION

Staff recommends that the Board appoint representatives from amongst its membership to serve on the Whatcom County Council of Governments and the Lake Whatcom Management Program Policy Group.

PROPOSED MOTION

Recommended motions are:

“I move to appoint Commissioner _____ to serve as the District’s representative on the Whatcom County Council of Governments for the 2019 calendar year.”

“I move to appoint Commissioner _____ to serve as the District’s representative on the Lake Whatcom Management Program Policy Group for the 2019 calendar year.”



**AGENDA
BILL
Item 5.C**

**Interlocal Agreement with the
City of Bellingham for Aquatic
Invasive Species Program
Coordination**

DATE SUBMITTED:	January 2, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS	FROM: Justin Clary, General Manager		
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. Interlocal Agreement with City of Bellingham for Aquatic Invasive Species Program Coordination 2. 2014-2018 Aquatic Invasive Species Program Summary		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL /OTHER <input type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Together with the City of Bellingham (City) and Whatcom County (County), the District formed a partnership in 1990 to develop a joint management strategy for the Lake Whatcom watershed. The resulting Lake Whatcom Management Program guides actions by the three entities to protect the quality of Lake Whatcom water. One such action is the implementation of an aquatic invasive species (AIS) program, which provides for education of watercraft users on AIS and inspection of watercraft prior to launching into Lake Whatcom and nearby Lake Samish. Historically, the AIS program has been administered by the City, with funding provided by all three parties and supplemented by permit fee revenues. The most recent interlocal agreement between the City and the District specific to the AIS program was for 2017-2018, with the District contributing one-fifth of the program costs up to a maximum of \$50,000 per year.

Since the AIS program's inception, each year has witnessed a growth in the program, both in educational efforts and in the number of watercraft inspected. This growth has, in turn, resulted in greater costs for program implementation, much of which has been borne by the City (see attached AIS program summary). To offset the growing costs, the City is working with the County to refine the AIS watercraft inspection permit fee structure, as well as requesting an increase in funding participation from the County and the District. As a result, the proposed interlocal agreement between the City and the District defines District funding participation at a maximum of \$50,000 for 2019, with an 8 percent escalation factor each year for 2020-2022, and a 5 percent annual escalation factor for 2023 and beyond.

FISCAL IMPACT

The 2019 fiscal impact will be \$50,000, consistent with the level of funding allocated in the 2019 Budget. The District would be required to accommodate the funding contribution escalation factors stipulated in the agreement in future budget cycles.

RECOMMENDED BOARD ACTION

Staff recommends that the Board approve the interlocal agreement.

PROPOSED MOTION

A recommended motion is:

“I move to approve the interlocal agreement with the City of Bellingham for coordination of the aquatic invasive species program as presented.”

**INTERLOCAL AGREEMENT BETWEEN
LAKE WHATCOM WATER AND SEWER DISTRICT AND THE CITY OF
BELLINGHAM FOR
AQUATIC INVASIVE SPECIES PROGRAM COORDINATION**

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 and Lake Samish Watersheds; and

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

WHEREAS, the City and the District have committed resources to addressing AIS issues in Lake Whatcom and Lake Samish; and

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

WHEREAS, the City and the District each have agreed to incur separate AIS program costs that are not included in this Agreement; and

WHEREAS, a coordinated effort to efficiently provide boat inspection and outreach services, including a sharing of some program costs, is needed to prevent the introduction of AIS into Lake Whatcom and Lake Samish.

NOW, THEREFORE, Lake Whatcom Water and Sewer District and the City of Bellingham agree as follows:

1. SCOPE OF WORK

Task 1 - Administration: The City will manage the AIS watercraft inspection program on behalf of the City and District.

Task 2 – Outreach: The City will schedule and staff education, outreach and inspection activities, and other related events, at mutually agreed locations in Whatcom County.

Task 3 – Reporting: Periodic reports of the program’s status will be provided to the District.

2. TERM

(a) This agreement shall be effective January 1, 2019 and shall continue through December 31, 2019. The Agreement shall be automatically renewed unless terminated in writing by either party within sixty (60) days of its anniversary date.

(b) This Agreement may be terminated for convenience by either party after 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) days written notice of default and an opportunity to cure.

3. PAYMENT

(a) As compensation for the services specified in the Scope of Work, the District shall reimburse the City for one-fifths (1/5) of the actual labor, equipment, and material expenses incurred for the AIS program, up to a maximum amount of FIFTY THOUSAND DOLLARS (\$50,000) per year in 2019. The maximum yearly amount or the total maximum amount payable under the Agreement may not be exceeded unless agreed to in writing by each party. The following City expenses are eligible for reimbursement:

1. Inspector and Outreach Labor Costs
2. AIS Coordinator Labor Costs
3. Early Detection Monitoring Costs
4. Lake Risk Assessment Costs
5. Education and Outreach Costs
6. Associated Equipment and Supply Costs

(b) In recognition of the ongoing increases in program costs (notably in the cost of labor and benefits), and the evolving nature of the AIS program, the parties agree to add an 8% program escalation factor to the Annual Compensation amount starting January 1, 2020 and going through three years and ending December 31, 2022. Thereafter the inflationary factor will be 5% per year. For clarity the actual Annual Compensation amounts will be as follows:

2019: \$50,000
2020: \$50,000 plus 8% = \$54,000
2021: \$54,000 plus 8% = \$58,320
2022: \$58,320 plus 8% = \$62,985
2023: \$62,985 plus 5% = \$66,134

(c) Payments to the City will be made quarterly based on invoices submitted to the District.

(d) The District shall promptly review and process invoices in accordance with its usual procedures.

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

4. PERSONS RESPONSIBLE FOR ADMINISTRATION OF THE AGREEMENT

The persons responsible for administration of this Agreement shall be:

Clare Fogelson
Natural Resources Policy Manager
Public Works Department
City of Bellingham
2200 Nevada Street
Bellingham, WA 98229
Phone: (360) 778-7965
Fax: (360) 778-7801

Justin Clary
Lake Whatcom Water and
Sewer District
General Manager
1220 Lakeway Drive
Bellingham, WA 98229
Phone: (360) 734-9224
Fax: (360) 738-8250

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. Each party agrees to defend, indemnify, and hold harmless as to all claims for damages arising out of activities it undertakes arising out of this Agreement.

6. LIABILITY

The City agrees to release, defend and indemnify the District from any claims, damages or liabilities arising out of the acts or omissions of the City, its staff members and its contractors in the performance of this Agreement. Likewise, the District agrees to defend and indemnify the City from any claims, damages or liabilities arising out of the acts or omissions of the District, its staff members and its contractors in the performance of this Agreement.

7. MODIFICATIONS

The terms of this Agreement may be changed, modified, amended or waived only by written agreement executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

8. APPLICABLE LAW

In the performance of this Agreement, it is mutually understood and agreed upon by the Parties hereto that this Agreement shall be governed by the laws of the State of Washington, both as to interpretation and performance, and the venue of any action arising herefrom shall be in the Superior Court of the State of Washington in and for Whatcom County.

9. SEVERABILITY

In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement that can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

10. ENTIRE AGREEMENT

This Agreement contains all the terms and conditions agreed upon by the Parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.

11. RECORDATION

Upon execution of this Agreement, the District shall file a copy of it with the office of its County Auditor pursuant to the requirements of RCW 39.34.

EXECUTED this _____ day of _____, 2019 for **LAKE WHATCOM WATER AND SEWER DISTRICT:**

Justin Clary
General Manger

Approved as to Form:

District Legal Counsel

EXECUTED this _____ day of _____, 2019 for **CITY OF BELLINGHAM:**

ATTEST:

Kelli Linville
Mayor

Finance Director

DEPARTMENTAL APPROVAL:

APPROVED AS TO FORM:

Ted Carlson
Director

Office of the City Attorney

AIS Program Numbers Summary as of 12/4/18

AIS Program Expenses:	2014	2015	2016	2017 actuals	2018 YTD thru 12/4/18*
Labor	\$ 252,310	\$ 317,377	\$ 391,629	\$ 402,346	\$ 436,220
Everything Else	\$ 63,594	\$ 47,997	\$ 49,516	\$ 45,464	\$ 35,074
TOTAL Expenses	\$ 315,904	\$ 365,374	\$ 441,145	\$ 447,810	\$ 471,294
*A 2018 numbers are estimates					
Percent increase from previous year:		16%	21%	2%	5%

AIS Program Revenue:	2014	2015	2016	2017 actuals	2018 YTD thru 12/4/18*
LWWSD cost share	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Whatcom County cost share	\$ 99,710	\$ 95,000	\$ 95,000	\$ 123,000	\$ 123,000
Permit Fees	\$ 120,823	\$ 134,714	\$ 128,715	\$ 136,822	\$ 139,596
Total Outside Revenue	\$ 270,533	\$ 279,714	\$ 273,715	\$ 309,822	\$ 312,596
City's Contribution Fund 410	\$ 45,371	\$ 85,660	\$ 167,430	\$ 137,988	\$ 158,698
Total Program Funding	\$ 315,904	\$ 365,374	\$ 441,145	\$ 447,810	\$ 471,294
*A 2018 numbers are estimates					


Cost Recovery:	2014	2015	2016	2017 actuals	2018 YTD thru 12/4/18*
AIS Program cost recovery (= permit revenue / total program cost)	38%	37%	29%	31%	30%
COB only cost recovery (= outside revenue /total program cost)	86%	77%	62%	69%	66%
*A 2018 numbers are estimates					

AIS Program Inspection Numbers:	2014	2015	2016	2017 actuals	2018 YTD thru 12/4/18*
Total number of boats inspected	7,859	8,949	9,571	12,150	12,443
Total cost per boat inspected	\$ 40	\$ 41	\$ 46	\$ 37	\$ 38



**AGENDA
BILL
Item 7**

General Manager's Report

DATE SUBMITTED:	January 3, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS	FROM: Justin Clary		
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. General Manager's Report		
	2.		
	3.		
TYPE OF ACTION REQUESTED	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER
	<input type="checkbox"/>	<input type="checkbox"/>	<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.



LAKE WHATCOM WATER AND SEWER DISTRICT
General Manager's Report
Upcoming Dates & Announcements
 Regular Meeting – Wednesday, January 9, 2019 – 6:30 p.m.

Important Upcoming Dates

Lake Whatcom Water & Sewer District			
Next Regular Board Meeting	Wed Jan 30, 2019	8:00 a.m.	Board Room
Next Employee Staff Meeting	Thu Jan 10, 2019	8:00 a.m.	Board Room Commissioner McRoberts to Attend
Annual Employee Appreciation Banquet	Fri Jan 11, 2019	6:00 p.m.	Giuseppe's, 21 Bellwether Way
Investment Comm Meeting	Wed Jan 9, 2019	6:00 p.m.	Small Conference Room
Safety Committee Meeting	Wed Jan 9, 2019	8:00 a.m.	Board Room
Lake Whatcom Management Program			
Data Group Meeting	Thu Jan 10, 2019	9:00 a.m.	City of Bellingham PW Offices 2221 Pacific Street
Policy Group Meeting	Mon Feb 4, 2019	3:00 p.m.	City of Bellingham's Fireplace Room 625 Halleck Street <i>Enter through the Halleck St entrance</i>
Joint Councils Meeting	Wed Mar 27, 2019	6:30 p.m.	Bellingham City Council Chambers 210 Lottie Street
Other Meetings			
WASWD Section III Meeting	Tue Jan 8, 2019	6:15 p.m.	Bob's Burgers, 8822 Quil Ceda Pkwy, Tulalip, WA
Water Utility Coordinating Committee	Fri Jan 11, 2019	2:00 p.m.	Whatcom County Health Offices 509 Girard Street
Whatcom Water Districts Caucus Meeting	Wed Jan 16, 2019	1:00 p.m.	Board Room
Lake Whatcom Stormwater Utility Advisory Com Meeting	Tue Jan 8, 2019	3:00 p.m.	Whatcom County Civic Center 322 N Commercial Street
Whatcom County Council of Governments Board Meeting	Wed Jan 16, 2019	3:00 p.m.	Council of Governments Offices 314 E Champion Street

Committee Meeting Reports

Safety Committee

- First meeting of 2019 scheduled for January 9

Investment Committee

- First meeting of 2019 scheduled for January 9

Upcoming Important Agenda Topics and Meetings

- Collective bargaining agreement with AFSCME Local 114 WD anticipated for Board consideration in early 2019

2019 Initiatives Status

Administration and Organizational Document Review/Revision

Personnel Policies Manual

- Workplace Violence Policy Update
Addition drafted and review by Safety Committee complete; currently being reviewed by legal counsel. Anticipate Board consideration during February 13 meeting.
- Drug Testing Policy Update
Revision drafted and review by Safety Committee complete; currently being reviewed by legal counsel. Anticipate Board consideration during February 13 meeting.
- Paid Family & Medical Leave Act Policy Addition
Addition drafted; currently being reviewed by legal counsel. Anticipate Board consideration during February 13 meeting.
- Other revisions as identified/needed

Administrative Code

- Board Meeting Dates/Times
Addition to administrative code scheduled for Board consideration during January 30 meeting.
- Purchasing Process
Revisions/clarifications to administrative code underway.
- Other revisions as identified/needed

Commissioner Protocol Manual

- Work session review/revise
Scheduled for completion first quarter 2019.

Health & Safety Program

- Review program
Scheduled for completion second quarter 2019.

File Management System

- Electronic file management structure revision
Revised structure has been developed by R. Hope. Management team reviewing/revising. Implementation anticipated by February 1.
- Digitize applicable hard copies and file in DocuWare
To be initiated. Anticipate completion by September 30.

Community/Public Relations Enhancement

Website

- Revise as needed

Intergovernmental Relations

- Ongoing effort

Social Media Program

- Develop/implement social media program
Program has been drafted and is undergoing internal review. Anticipate completion by January 30.
- Create/manage District Facebook account
Account will be created by March 1.
- Create/manage District NextDoor account
Account will be created by March 1.

Press Releases

- Issue as applicable

50-Year Anniversary

- Press release/logo
Release issued November 21, 2018; logo developed November 20, 2018.
- Banner
Banner has been ordered; anticipate delivery/installation in January.
- Commissioner/employee jackets with 50th anniversary logo
Scheduled for distribution on January 11.
- Celebration
Recognition during the annual employee banquet on January 11.

Fact Sheets

- Develop District fact sheets
To be initiated; complete second quarter 2019.

Lake Whatcom Water Quality

Management Program

- Attend organized meetings; initiate additional meetings/discussions outside of program
During meeting with Renee LaCroix (City of Bellingham) on December 20, 2018, indicated a desire to be involved in development of the agenda for the March 27 Joint Councils meeting.

Onsite Septic System Impact Assessment

- North shore monitoring
*Scope and budget received from Herrera on November 6, 2018; presented at Data Group meeting on November 8, 2018. Notified by County staff on December 11, 2018, that scope does not align with the County's tributary monitoring contract.
J. Clary reached out to Valerie Fuchs of Brown and Caldwell (County's tributary monitoring consultant) on December 19, 2018, regarding her experience in septic impact assessment of Spanaway Lake.*

Onsite Septic System Conversion Program

- Identify applicable lots
To be initiated; complete by February 1.
- Implement conversion notification process
To be initiated; complete by April 1.
- Complete conversion
To be initiated; complete by December 31.

Watershed Stormwater Utility

- Participate in utility development process
J. Clary scheduled to attend January 8 meeting.

Board Technology Upgrades

Board-issued Tablets

- Identify/implement appropriate systems to board
Scheduling meeting with IT provider for mid-January to identify options; anticipate issuance of tablets first quarter 2019.

Electronic Board Packets

- Implement electronic-only packet production process
Implement following issuance of tablets to Board.

Asset Management

Asset Location

- GPS District infrastructure in Sudden Valley
Scheduled for summer 2019; complete by October 31.

Preventative Maintenance

- Develop/refine automatic work order notification process in Cartegraph
To be initiated once budgeted once Cartegraph modules are purchased.

O&M Workload Capacity Analysis

- Implement process in Cartegraph for tracking resource use
Engineering and operations staff have begun tracking resources specific to utilities.
- Analyze resource allocation data
To be conducted as data becomes available.

New Development Process Refinement

- Revise/implement new development permit/inspection/approval process
Initial meeting with Sudden Valley Community Association staff held in 2018; process to be finalized/implemented prior to start of construction season (June 1).



**AGENDA
BILL
Item 9**

Executive Session

DATE SUBMITTED:	January 2, 2019	MEETING DATE:	January 9, 2019
TO: BOARD OF COMMISSIONERS		FROM: Rachael Hope, Administrative Assistant	
GENERAL MANAGER APPROVAL			
DISTRICT ENGINEER/ASST MGR APPROVAL			
FINANCE MANAGER APPROVAL			
ATTACHED DOCUMENTS		1.	
		2.	
		3.	
TYPE OF ACTION REQUESTED	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Executive Session for the purpose of considering issues related to collective bargaining with a labor union, under RCW 42.30.140 section 4(a).

The Executive Session is expected to last 30 minutes.

This agenda item is a placeholder for the board to go into Executive Session.

FISCAL IMPACT

N/A

RECOMMENDED BOARD ACTION

N/A

PROPOSED MOTION

N/A