

1220 Lakeway Drive Bellingham, WA, 98229 (360) 734-9224 Fax 738-8250

MEMORANDUM

Date: April 23, 2020

From: Lake Whatcom Water & Sewer District

RE: Meeting Procedures During the Covid-19 Emergency

Lake Whatcom Water & Sewer District continues to operate under adjusted procedures in order to provide continuous service to our customers. That said, we are taking precautions in an effort to protect the health and safety of our staff, commissioners, and customers. Our lobby is currently closed to the public, and we are practicing social distancing guidelines as suggested by Governor Inslee and the CDC.

To that end, the District has researched alternatives to conducting upcoming regular board meetings in person. For the foreseeable future, Commissioners will be attending regular meetings by phone. Per Governer Inslee's <u>Proclamation No. 20-28</u> amending his Stay Home, Stay Health proclamation, the District will provide access to interested public via phone/internet utilizing the GoToMeeting platform. Also pursuant to this proclamation, the Board of Commissioners will only take action on "necessary and routine matters" and "matters necessary to respond to the COVID-19" outbreak until the proclamation is lifted.

If you would like to attend the April 29 regular meeting, details can be found below. In this evolving climate, we are committed to doing everything possible to provide opportunity for public comment as well as promote health and safety. As such, the District requests that if possible, public submit comments in written form by noon the day before a scheduled meeting for inclusion in the meeting discussion.

We appreciate your understanding and patience during these uncertain times. If you have any questions, please contact Administrative Assistant Rachael Hope at rachael.hope@lwwsd.org or 360-734-9224.

April 29, 2020 Regular Board Meeting

Wed, Apr 29, 2020 8:00 AM - 9:00 AM (PDT)

Please join my meeting from your computer, tablet or smartphone. https://global.gotomeeting.com/join/825317413

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Access Code: 825-317-413

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1220 Lakeway Drive Bellingham, WA 98229

REGULAR MEETING OF THE BOARD OF COMMISSIONERS AGENDA

April 29, 2020 8:00 a.m. – Regular Session

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. CONFIRMATION OF COMPLIANCE WITH REMOTE MEETING ATTENDANCE PROTOCOLS
- 4. PUBLIC COMMENT OPPORTUNITY
 At this time, members of the public may address the Board of Commissioners. Please state your name prior to making comments.
- 5. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA
- 6. CONSENT AGENDA
- 7. SPECIFIC ITEMS OF BUSINESS
 - A. Settlement Agreement and Release between Lake Whatcom Water and Sewer District and Eric Yurk
- 8. OTHER BUSINESS
- 9. STAFF REPORTS
 - A. General Manager
 - B. Engineering Department
 - C. Finance Department
 - D. Operations Department
- 10. PUBLIC COMMENT OPPORTUNITY
- 11. ADJOURNMENT

Whatcom 5	ENDA BILL em 4	Consent Ag	geno	da	
DATE SUBMITTED:	April 23, 2020	MEETING DAT	E:	April 2	29, 2020
TO: BOARD OF COMMI	SSIONERS	FROM: Rachael Hope			
GENERAL MANAGER APP	Sotollar				
ATTACHED DOCUMENT	rs	1. See below			
		2.			
		3.			
TYPE OF ACTION REQU	ESTED	RESOLUTION	FOR	MAL ACTION/ MOTION	INFORMATIONAL /OTHER

BACKGROUND / EXPLANATION OF IMPACT

- Minutes for the 3/25/20 Regular Board Meeting
- Minutes for the 4/8/20 Regular Board Meeting
- Payroll for Pay Period #08 (04/04/2020 through 04/17/2020) totaling \$44,909.38
- Payroll Benefits for Pay Period #08 totaling \$50,941.10
- Accounts Payable Vouchers total to be added

FISCAL IMPACT

Fiscal impact is as indicated in the payroll/benefits/accounts payable quantities defined above. All costs are within the Board-approved 2020 Budget.

RECOMMENDED BOARD ACTION

Staff recommends the Board approve the Consent Agenda.

PROPOSED MOTION

A recommended motion is:

"I move to approve the Consent Agenda as presented."

^{**}TO BE UPDATED 4.28.2020**



1220 Lakeway Drive Bellingham, WA 98229

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

March 25, 2020

Board President Laura Abele called the Regular Session to order at 8:05 a.m.

Attendees: Commissioner Laura Abele* General Manager Justin Clary

Commissioner Todd Citron* District Engineer/Assistant GM Bill Hunter Commissioner John Carter* Finance Manager/Treasurer Debi Denton

Commissioner Bruce Ford* Operations & Maintenance Manager Brent Winters*

Commissioner Leslie McRoberts* District Legal Counsel Bob Carmichael*

Recording Secretary Rachael Hope

No public were in attendance.

Roll Call

Board Secretary Rachael Hope performed a roll call to identify those in attendance. Commissioner John Carter joined the meeting at 8:15 a.m.

General Manager Justin Clary verbally confirmed that this meeting was noticed in accordance with Resolution No. 859 allowing remote meeting attendance as well as in compliance with current statutory requirements. It was confirmed that all participants were able to be heard and hear each other clearly.

Changes to Agenda

Clary suggested that Item 7, Staff Reports, be limited to information relating to District COVID-19 response and specific questions the Board may have about the provided materials. The Board agreed.

Consent Agenda

Action Taken

Citron moved, McRoberts seconded, approval of:

- Minutes for the March 11, 2020 Board Meeting
- Payroll for Pay Period #06 (03/07/2020 through 03/20/2020) totaling \$45,651.82
- Payroll Benefits for Pay Period #06 totaling \$53,715.85
- Accounts Payable Vouchers totaling \$147,882.12

Motion passed.

^{*}Attendees marked with an asterisk participated remotely by phone or video conferencing.

Resolution No. 863 - Declaration of a Local Emergency Related to the COVID-19 Pandemic

Clary explained that federal, state, and county emergencies have been declared in relation to the COVID-19 coronavirus pandemic. The Lake Whatcom Water and Sewer District has already implemented operational changes to mitigate the potential for impacts from the pandemic on operation of the water and sewer systems; however, additional measures may be taken through formal declaration of local emergency. Revised Code of Washington 38.52.070 provides statutory authority to the Board of Commissioners to declare an emergency, and District Administrative Code Section 2.16.3(1) indicates that "if a state or federal emergency has been declared, the Board of Commissioners should pass a resolution acknowledging the declaration." Such a declaration provides District staff with more flexibility in responding to changing conditions that are likely to continue as the District operates under the impacts of the pandemic. This resolution will remain in effect until rescinded by resolution. Discussion followed.

Action Taken

McRoberts moved, Ford seconded, to adopt Resolution No. 863 as presented. Motion passed.

Resolution No. 864 – Adoption of District Design & Construction Standards

Hunter recalled that the District's Design and Construction Standards allow for standardization of design, materials, parts, and construction across projects ranging from simple single family residence water/sewer connections to large complex public work project such as pump stations, pipelines, and reservoirs. These standards benefit the District and its customers by increasing efficiency of operations, maintenance, and asset life spans.

The District's Design and Construction Standards have been periodically refined and updated. Updates occur to comply with state agency standards and construction methods, as well as to define configuration, layout, and installation requirements set by the District. The proposed 2020 revision is the culmination of a significant effort from all levels of District staff and engineering consultants. The new revision builds upon previous editions through refinements and addition of new details. In many cases, standards and details were scrutinized and debated at length by District staff while considering outside expertise of engineering consultants. Discussion followed.

Action Taken

Citron moved, Ford seconded, to adopt Resolution No. 864 as presented. Motion passed.

Lakeview Street Reservoir Demolition Contract Award

Hunter summarized bids received for the planned demolition of the Lakeview Street Reservoir (District Capital Project #C2001). The concrete reservoir was constructed in the 1930s and has been out-of-service since the late 1940s. Four bids were received in response to the District's advertisement in the Bellingham Herald on February 16, 2020. Staff has evaluated mandatory and supplemental bidder responsibility criteria and confirmed that Premium Services, Inc. is the lowest responsible, responsive bidder with a contract bid of \$45,895.50, including sales tax. This bid falls within the District's 2020 approved budget, which allocates \$55,000.00 to this capital improvement project.

Action Taken

McRoberts moved, Citron seconded, to award the Lakeview Street Reservoir Demolition contract to Premium Services, Inc. for a total contract price of \$45,895.50, including 8.5% sales tax, and authorize the General Manager to execute the contract. Motion passed.

Discussion Regarding Potential Customer Relief Measures Related to the COVID-19 Pandemic

Clary addressed the Board regarding the potential impacts COVID-19 will have on the District and its customers. The District recognizes that the faltering economy will have direct impacts to many customers, which will affect their ability to make timely payments of their water and/or sewer utility bills. District Administrative Code Section 2.8 and the District Master Fees and Charges Schedule already allow some flexibility to staff to provide relief to customers relative to payment of utility bills, including payment plan arrangements and the ability to write-off one late fee per year per customer account. However, these are unprecedented times that may call for approval of additional, temporary measures by the Board of Commissioners to provide supplemental relief to our customers.

During his March 18, 2020, press conference, Washington Governor Jay Inslee made a request that utilities consider additional measures to mitigate impacts to those that have been economically affected by the pandemic. Staff presented the Board with draft Resolution No. 865: A Resolution Temporarily Suspending Certain District Policies to Provide Customer Relief from Economic Conditions Created by the COVID-19 Coronavirus Pandemic for consideration and dialogue. Discussion followed.

Action Taken

Citron moved, Carter seconded, to adopt Resolution No. 865 with an amendment to section 5 stipulating that the resolution will be in full force and effect until July 31, 2020. Motion passed.

General Manager's Reports

Clary highlighted the progression of District response to the COVID-19 pandemic, including split staff schedules and implementation of social distancing requirements. Discussion followed.

Engineering Department Report

Hunter advised that projects are moving forward with consultation and planning through remote work, and that staff in the Engineering department are working to keep on top of things to reduce lost time once essential business only orders are lifted. He also notified the Board that the bid opening for the Dellesta & Edgewater Sewer Pump Stations project has been postponed 10 days. Discussion followed.

Finance Department Report

Denton reported that the State audit is proceeding remotely. Discussion followed.

Operations Department Report

There was no update from the Operations Department.

With no further business, Abele adjourned the	Regular Session 9:12 a.m.	
Recording Secretary, Rachael Hope	Date Minutes Approved	
 Laura Abele	Todd Citron	

Bruce R. Ford	Leslie McRoberts
John Carter	_



1220 Lakeway Drive Bellingham, WA 98229

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

April 08, 2020

Board President Laura Abele called the Regular Session to order at 6:30 p.m.

Attendees: Commissioner Laura Abele* General Manager Justin Clary

Commissioner Todd Citron* District Engineer/Assistant GM Bill Hunter*
Commissioner John Carter* Finance Manager/Treasurer Debi Denton
Commissioner Bruce Ford* District Legal Counsel Bob Carmichael*
Commissioner Leslie McRoberts* Recording Secretary Rachael Hope

No public were in attendance.

Roll Call

Board Secretary Rachael Hope performed a roll call to identify those in attendance. Commissioner Todd Citron joined the meeting at 6:35 p.m.

General Manager Justin Clary verbally confirmed that this meeting was noticed in accordance with Resolution No. 859 allowing remote meeting attendance as well as in compliance with current statutory requirements. It was confirmed that all participants were able to be heard and hear each other clearly.

Consent Agenda

Action Taken

McRoberts moved, Carter seconded, approval of:

- Payroll for Pay Period #07 (03/21/2020 through 04/03/2020) totaling \$43,207.63
- Payroll Benefits for Pay Period #07 totaling \$49,203.29
- Accounts Payable Vouchers totaling \$226,008.77

Motion passed.

General Manager's Reports

Clary provided updates on several topics to the Board, including updated staff scheduling information due to the COVID-19 pandemic, future policy discussion on septic conversion properties, and ongoing research on the potential removal of Geneva as an Urban Growth Area for the City of Bellingham. Discussion followed.

^{*}Attendees marked with an asterisk participated remotely by phone or video conferencing.

Other Business

Clary and Hunter addressed questions from the Board around topics including commissioner timesheet submittal, whether the District is planning for any changes in work hours, and current challenges posed to upcoming projects by the Governor's non-essential business operation ban. Discussion followed.

Recording Secretary, Rachael Hope	Date Minutes Approved
Laura Abele	Todd Citron
Bruce R. Ford	Leslie McRoberts
John Carter	

With no further business, Abele adjourned the Regular Session 6:49 p.m.

CHECK REGISTER

PAYROLL

Lake Whatcom W-S District

MCAG #: 2330

04/23/2020 To: 04/23/2020

Time: 08:17:17 Date:

04/21/2020

Page:

Trans	Date -	Туре	Acct #	Chk#	Claimant	Amount	Memo	
1219	04/23/2020	Payroll	5	EFT		329.29	04/04/2020 - 04/1	7/2020 PR 9
1220	04/23/2020	Payroll	:5	EFT		716.30	04/04/2020 - 04/1	7/2020 PR 9
1221	04/23/2020	Payroll	5	EFT		353.07	04/04/2020 - 04/1	7/2020 PR 9
1222	04/23/2020	Payroll	5	EFT		3,682.56	04/04/2020 - 04/1	7/2020 PR 9
1223	04/23/2020	Payroll	5	EFT		2,705.41	04/04/2020 - 04/1	7/2020 PR 9
1224	04/23/2020	Payroll	5	EFT		3,334.70	04/04/2020 - 04/1	7/2020 PR 9
1225	04/23/2020	Payroll	5	EFT		3,507.59	04/04/2020 - 04/1	7/2020 PR 9
1227	04/23/2020	Payroll	5	EFT		•	04/04/2020 - 04/1	
1229	04/23/2020	Payroll	5	EFT		,	04/04/2020 - 04/1	
1230	04/23/2020	Payroll	5	EFT		,	04/04/2020 - 04/1	
1231	04/23/2020	Payroll	5	EFT		1,929.68	04/04/2020 - 04/1	7/2020 PR 9
1232	04/23/2020	Payroll	5	EFT		3,174.04	04/04/2020 - 04/1	7/2020 PR 9
1233	04/23/2020	Payroll	5	EFT			04/04/2020 - 04/1	
1234	04/23/2020	Payroll	5	EFT		2,059.99	04/04/2020 - 04/1	7/2020 PR 9
1235	04/23/2020	Payroll	5	EFT			04/04/2020 - 04/1	
1236	04/23/2020	Payroll	5	EFT		•	04/04/2020 - 04/1	
1237	04/23/2020	Payroll	5	EFT		.,	04/04/2020 - 04/1	
1238	04/23/2020	Payroll	5	EFT		•	04/04/2020 - 04/1	
1239	04/23/2020	Payroll	5	EFT		•	04/04/2020 - 04/1	
1240	04/23/2020	Payroll	5	EFT			04/04/2020 - 04/1	
1241	04/23/2020	Payroll	5	EFT		,	04/04/2020 - 04/1	
1226	04/23/2020	Payroll	5	10272		235.38	04/04/2020 - 04/1	7/2020 PR 9
1228	04/23/2020	Payroll	5	10273		1,378.81	04/04/2020 - 04/1	7/2020 PR 9
		401 Water	Fund			13,074.93		
		402 Sewer	Fund			31,834.45	72	
						44,909.38	Payroll:	44,909.38

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 aithorized to certify this claim.

Sign Board Authorization - As the dup payment with our signatures be	Date 4/21/2020 By elected board for this district we have reviewed the claim low.	ns listed and approve the
Commisioner	Commisioner	
Commisioner	Commisioner	
Commisioner		

CHECK REGISTER

BENEFITS

Lake Whatcom W-S District

MCAG #: 2330

04/23/2020 To: 04/23/2020

Time: 08:28:04 Date: 04/21/2020

Page:

1

Trans	Date	Туре	Acct #	Chk#	Claimant	Amount	Memo
1249	04/23/2020	Payroll	5	EFT	UNITED STATES TREASURY	16,531.81	941 Deposit for Pay Cycle(s) 04/23/2020 - 04/23/2020
1250	04/23/2020	Payroll	5	EFT	WA ST SUPPORT ENFORCEMENT REGISTERY	208.34	Pay Cycle(s) 04/23/2020 To 04/23/2020 - SUP ENF
1251	04/23/2020	Payroll	5	10274	AFLAC	354.85	Pay Cycle(s) 04/23/2020 To 04/23/2020 - AFLAC Pre-Tax; Pay Cycle(s) 04/23/2020 To 04/23/2020 - AFLAC Post-Tax
1252	04/23/2020	Payroll	5	10275	AFSCME LOCAL	363.24	Pay Cycle(s) 04/23/2020 To 04/23/2020 - Union Dues; Pay Cycle(s) 04/23/2020 To 04/23/2020 - Union Fund
1253	04/23/2020	Payroll	5	10276	DEPARTMENT OF RETIREMENT SYSTEMS	4,400.03	Pay Cycle(s) 04/23/2020 To 04/23/2020 - DCP
1254	04/23/2020	Payroll	5 =	10277	HRA VEBA TRUST (PAYEE)	515.00	Pay Cycle(s) 04/23/2020 To 04/23/2020 - VEBA
1255	04/23/2020	Payroll	5	10278	VANTAGEPOINT TRANSFER AGENTS - 306798	100.00	Pay Cycle(s) 04/23/2020 To 04/23/2020 - ICMA
1256	04/23/2020	Payroll	5	10279	WA ST PUBLIC EMP RET PLAN 2	10,634.79	Pay Cycle(s) 04/23/2020 To 04/23/2020 - PERS 2
1257	04/23/2020	Payroll	5	10280	WA ST PUBLIC EMP RET PLAN 3	3,299.25	Pay Cycle(s) 04/23/2020 To 04/23/2020 - PERS 3
1258	04/23/2020	Payroll	5	10281	WASHINGTON STATE HEALTH CARE AUTHORITY	14,533.79	Pay Cycle(s) 04/23/2020 To 04/23/2020 - PEBB Medical; Pay Cycle(s) 04/23/2020 To 04/23/2020 - PEBB ADD LTD; Pay Cycle(s) 04/23/2020 To 04/23/2020 - PEBB SMK Surcharge; Pay Cycle(s) 04/23/2020 To 04/23/2020 To 04/23
		401 Water F 402 Sewer F			0	37,560.77 13,380.33	
					•	50,941.10	Payroll: 50,941.10

CHECK REGISTER

BENEFITS

Lake Whatcom W-S District MCAG #: 2330

04/23/2020 To: 04/23/2020

Time: 08:28:04 Date:

04/21/2020

2

Page:

Trans Date

Type

Acct #

Chk#

Claimant

Amount Memo

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 aithorized to certify this claim.

Sign	Date 4/21/2020	
Board Authorization - As the duly payment with our signatures below	elected board for this district we have reviewed the own.	claims listed and approve the
Commisioner	Commisioner	
Commisioner	Commisioner	



AGENDA BILL Item 7.A

Settlement Agreement and Release between Lake Whatcom Water and Sewer District and Eric Yurk

DATE SUBMITTED:	April 22, 2020	MEETING DATE:	April 29, 202	0	
TO: BOARD OF COMM	IISSIONERS	FROM: Justin Clary, General Manager			
GENERAL MANAGER	APPROVAL	Sotolay			
ATTACHED DOCUMEN	ITS	1. Settlement A	greement and Rel	ease	
TYPE OF ACTION REQI	UESTED	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER	

BACKGROUND / EXPLANATION OF IMPACT

As part of the District's on-site sewage (septic) system conversion program, the District entered into an agreement with Eric Yurk on July 9, 2018, to enter Mr. Yurk's property at 4354 Lakehill Lane to abandon the septic system serving the home on the property and connect it to the District's sewer system. Conditions of agreement included that Mr. Yurk would make annual payments to reimburse the District for expenses incurred for the connection of the property to sewer, and that failure to make these annual payments would result in additional interest accruing on the outstanding payment(s).

The District completed connection of the home to District sewer in 2018. However, Mr. Yurk failed to provide the annual payment due to the District on July 1, 2019. After repeated attempts to contact Mr. Yurk and gain payment, the District followed the terms of the agreement and initiated the foreclosure process. The District subsequently was contacted by a lawyer representing Mr. Yurk with claims made by Mr. Yurk regarding the integrity of the construction of the sewer connection completed by the District's contractor.

District staff and legal counsel have since negotiated a settlement agreement (attached) for the Board's consideration that guarantees payment by Mr. Yurk of the 2019 installment due to the District, timely payment of future annual payments, and waiver of Mr. Yurk's claims pertaining to construction quality in exchange for the District waiving its attorney's fees and the interest that accrued since July 1, 2019, on the outstanding payment.

FISCAL IMPACT

The District will forego collection of interest on the outstanding payment and be responsible for the District's legal fees incurred associated with this matter, which total approximately \$3,300.

RECOMMENDED BOARD ACTION

Staff recommends the Board approve the agreement as presented.

PROPOSED MOTION

A recommended motion is:

"I move to approve the settlement agreement and release between the Lake Whatcom Water and Sewer District and Eric Yurk as presented and authorize the general manager to execute the agreement on the District's behalf."

SETTLEMENT AGREEMENT AND RELEASE

THIS SETTLEMENT AGREEMENT AND RELEASE ("Agreement") is made and entered into by LAKE WHATCOM WATER AND SEWER DISTRICT ("LWWSD"), and ERIC YURK ("Yurk") (collectively, hereinafter "Parties"). This Agreement shall become effective upon the date this Agreement is signed by both Parties.

WHEREAS, Yurk owns real property located at 4354 Lakehill Lane, Bellingham, Washington ("Property"), and legally described as follows:

Lot B, a Lot Line Adjustment to Long Plat "Clark's Acre Tracts, Lots 32 and 33", according to the map thereof, recorded January 5, 1994, under Auditor File No. 94010511 in Book 29 of Short Plats, Page 58, in the Auditor's Office of said county and state.

State in County of Whatcom, State of Washington;

WHEREAS, Yurk and LWWSD entered into an Agreement to Enter Property and Connect to District Sewer dated July 9, 2018 ("2018 Agreement") and Yurk agreed to be responsible for all expenses relating to connecting the Property to the LWWSD's sewer service;

WHEREAS, Yurk failed to make his first annual installment payment of \$4,140.96 on or before July 1, 2019 as required under the 2018 Agreement ("Yurk's Initial Default");

WHEREAS, Yurk has alleged various claims against LWWSD in connection with said sewer connection;

WHEREAS, the terms of this Agreement represent the compromise and settlement of all disputed claims, whether known or unknown, relating to the Property;

WHEREAS, the foregoing recitals are a material part of this Agreement; and

NOW, THEREFORE, in exchange for the mutual consideration described herein, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Terms of Exchange.** Yurk hereby agrees that he: (a) shall release LWWSD from all known and unknown claims in Paragraph 3 below; (b) shall make payment to LWWSD of \$4,140.96 ("Payment"); (c) guarantees full and punctual payment of all subsequent annual installment payments due under the 2018 Agreement; and (d) will bring current any existing delinquent monthly service charges and guarantee full and punctual payment of all future monthly service charges for the Property. In exchange for the foregoing commitments from Yurk set forth in 1(a) through 1(d) above, LWWSD agrees to waive payment of all attorney's fees and costs and interest incurred as a result of Yurk's Initial Default, in the total amount of \$3,332.60. The Payment and bringing current of any delinquent monthly service charges for the Property shall be made concurrent with Yurk's execution of this Agreement.

- 2. **Default.** In the event of default by Yurk under this Agreement, 2018 Agreement, or any other agreement between Yurk and LWWSD, all attorney's fees and costs and interest incurred as a result of Yurk's Initial Default, in the agreed amount of \$3,332.60, shall be immediately due and payable by Yurk to LWWSD. In such event, LWWSD shall mail to Yurk a notice of default, including a statement of the amount due. If thirty (30) days after the notice of default is mailed to Yurk payment of said attorney's fees and costs and interest has not been paid in full to LWWSD, it is expressly agreed that LWWSD may record a lien against the Property for such amount, and LWWSD shall not be deemed to have waived any rights, including, but not limited to, LWWSD's right to pursue collection of said attorney's fees and costs and interest incurred as a result of Yurk's Initial Default.
- 3. **Release.** Yurk hereby releases and forever discharges LWWSD, and its commissioners, officers, agents, assigns, servants, insurers, employees, and attorneys (collectively, "Releasees"), from any and all claims, actions, causes of actions and suits of every kind and nature, under any legal theory, whether known or unknown, which Yurk now owns or holds, or have at any time heretofore owned or held, or which may hereafter accrue, arising out of, resulting from, or based upon the Property or the matters alleged by Yurk or which could have been asserted by Yurk. The Parties will each bear their own costs and attorney fees related to this Agreement.
- 4. Free and Voluntary Agreement. Both Parties represent and warrant they have fully read this Agreement, they understand its meaning and effect, and they voluntarily enter into this Agreement with full knowledge of what they are surrendering thereby. They further each represent and warrant that no representations, statements, or warranties have been made by or on behalf of them or by any attorney, agent, or other person in connection with this Agreement, other than those contained herein. All Parties represent they have had the benefit of legal counsel of their own choosing in connection with this Agreement.
- 5. Authority to Enter Agreement. Each Party approving the form and content of this Agreement and signing the Agreement on behalf of either Party represents and warrants that he or she has authority to enter into this Agreement on behalf of the Party, and represents and warrants that the Party agrees to be and is bound by all terms and conditions in this Agreement, including all payment and performance obligations.
- 6. Complete Integrated Agreement. This Agreement embodies the entire agreement between, among, and on behalf of the Parties and there are no other collateral understandings or agreements of any type. This Agreement may not be modified or altered except by a writing duly signed and acknowledged by the party against whom it is sought to be enforced.
- 7. Prior Agreements Remain in Effect; Binding on Successors and Assigns. The 2018 Agreement, except as expressly modified by this Agreement, and any deed of trust recorded against the Property for the benefit of LWWSD, shall remain in full force and effect. This Agreement shall be binding upon the Parties and their heirs, successors, and assigns.
- 8. Nonwaiver of Breach. Failure of either Party at any time to require performance of any Page 2 of 3

provision of this Agreement shall not limit such Party's right to enforce such provision, nor shall any waiver of any breach of any provision of this Agreement constitute a waiver of any succeeding breach of such provision or a waiver of such provision itself.

- 9. Governing Law; Venue; Not Construed Against Drafter; Attorney's Fees and Costs. This Agreement shall be construed and interpreted in accordance with the laws of the State of Washington. Venue for any dispute shall be Whatcom County Superior Court. This Agreement shall not be construed against the Party on whose behalf it was drafted solely because of the fact that that Party drafted it. In the event of any legal action relating to or arising from this Agreement, the prevailing Party shall be entitled to an award of reasonable attorney fees and costs.
- 10. Severability. Should any clause, sentence, paragraph or other part of this Agreement be finally adjudged by any court of competent jurisdiction to be unconstitutional, invalid or in any way unenforceable, such adjudication shall not affect, impair, invalidate or nullify the Agreement, but shall affect only the clause, sentence, paragraph or other parts so adjudged.
- 11. Cooperation of Parties. The Parties shall cooperate to effectuate the purposes of this Agreement and agree to execute any documents that may be necessary, appropriate, or convenient to carry out the intent of the transactions contemplated by this Agreement.
- 12. **Counterparts Authorized.** This Agreement may be executed in counterparts, including counterparts received by facsimile or electronic transmission, with each counterpart constituting an original.

IN WITNESS WHEREOF, this Agreement has been executed as follows:

LAKE WHATCOM WATER AND SEWER DISTRICT	ERIC YURK
By:	Date:
Its:	4/21/2
Date:	1/01/2020

Whatcom Jo	ENDA BILL Geno m 9.A.	eral Manage	er's Report		
DATE SUBMITTED:	April 23, 2020	MEETING DATE:	April 29, 202	0	
TO: BOARD OF COMMI	SSIONERS	FROM: Justin Clary			
GENERAL MANAGER A	PPROVAL	Spatchag			
ATTACHED DOCUMEN	rs	General Manager's Report			
TYPE OF ACTIO	N REQUESTED	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER	

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's Report

Upcoming Dates & Announcements

Regular Meeting – Wednesday, April 29, 2020 – 8:00 a.m.

Important Upcoming Dates (Note—all meetings are tentative due to COVID-19)

Lake Whatcom Water & Sewer District						
Regular Board Meeting	Wed May 13, 2020	6:30 p.m.	Board Room			
Employee Staff Meeting	Thu May 14, 2020	8:00 a.m.	Board Room Commissioner Abele to attend			
Investment Comm Meeting	Wed Apr 29, 2020	10:00 a.m.	Remote Attendance			
Safety Committee Meeting	Tue Apr 30, 2020	8:00 a.m.	Remote Attendance			
Lake Whatcom Management P	rogram					
Data Group Meeting	Thu May 14, 2020	9:00 a.m.	City of Bellingham PW Offices 2221 Pacific Street			
Policy Group Meeting	Wed Jun 17, 2020	3:00 p.m.	City of Bellingham Fireplace Room 625 Halleck Street			
Joint Councils Meeting	2020 Meeting Cancelled	-	-			
Other Meetings						
WASWD Section III Meeting	Tue May 12, 2020	6:15 p.m.	Bob's Burgers, 8822 Quil Ceda Pkwy, Tulalip, WA			
Whatcom Water Districts Caucus Meeting	Wed May 20, 2020	1:00 p.m.	Board Room			
Whatcom County Council of Governments Board Meeting	Wed May 13, 2020	3:30 p.m.	Council of Governments Offices 314 E Champion Street			

Committee Meeting Reports

Safety Committee:

No meeting has been held since the last board meeting.

Investment Committee:

No meeting has been held since the last board meeting.

Upcoming Important Board Meeting Topics

- Sudden Valley Water Treatment Plant Assessment Findings Presentation
- Lake Whatcom Boulevard Sewer Main Cleaning/Renovation Analysis Presentation
- Dellesta/Edgewater Lift Stations Improvement Construction Contract Award
- On-call Electrical Engineer Contract Award
- Sewer Comprehensive Plan Adoption
- Sudden Valley Area Z Developer Extension Agreement Project Acceptance

2020 Initiatives Status

Administration and Operations

Level-of-Service Analysis

Facilitate Board development of level-of-service standards for District operations.

The initial step in completing the Effective Utility Management process is to conduct a self-assessment at varying levels of the organization. However, this process is on hold under the current social distancing requirements brought on by the COVID-19 pandemic.

Six-Year Business Plan

Develop department-specific business plans that define staffing, facility, and equipment needs necessary to meet level-of-service standards over the six-year planning horizon. To be initiated following completion of the level-of-service analysis.

Rate Study

Conduct rate study for the water and sewer utilities for the five-year planning horizon.

To be initiated following completion of the 2020 Comprehensive Sewer Plan, the Sudden Valley Water Treatment Plant Facility Improvement Plan, and the Six-Year Business Plan.

Biennial Budget

Facilitate Board consideration of shifting from an annual to a biennial budget. Staff plans to complete in late spring/early summer.

Bond Rating Review

Pursue a higher bond rating.
Staff plans to complete in late spring/early summer.

Staffing Succession Plan

Develop a staffing succession plan to address anticipated retirements over the next five years. Staff plans to complete this summer.

Job Description Review

Update all District job descriptions that have not been revised in the last three years. Staff plans to complete this fall.

Emergency Response/System Security

Risk and Resilience Assessment

➤ Develop an America's Water Infrastructure Act-compliant Risk and Resilience Assessment.

Plan is under development with assistance from the Whatcom County Sheriff's Office under the District's interlocal agreement for emergency planning services.

Cybersecurity Assessment

Conduct a cybersecurity assessment of the District's IT infrastructure.

Through the District's insurance provider, implemented ongoing staff/board cybersecurity training platform in November 2019.

As part of the AWIA Risk and Resilience Assessment, staff have begun mapping the District's IT system.

Emergency Vendor Contracts

Pursue contracts with applicable vendors for on-call contracts, including contracts for support during periods of emergency response.
A public works contract template specific to unit-priced contracting has been developed.

Community/Public Relations

General

Website

The District's web content is being updated on a regular basis, including regular posts specific to District operations in response to the COVID-19 pandemic.

Social Media

Posts are being made to District Facebook and LinkedIn pages regularly; Nextdoor is regularly monitored for District-related posts.

Press Releases

Press releases were issued on March 16, 18, 20, and 25 specific to District operations relative to the COVID-19 pandemic.

Intergovernmental Relations

➤ J. Clary attended conference calls of WASWD-member general managers on April 13 and 20 related to actions each district is taking in response to the COVID-19 pandemic. Similar calls scheduled to be held each Monday afternoon into the near future.

EnviroStars Certification

Gain EnviroStars Green Business certification.

The District has completed 5 of 20 required core measures and earned a total of 145 points (core and elective measures) in the certification process. Once all core measures are complete, the District will be certified at the Tier 1-Leader level (300 points are required for Tier 2-Partner).

Lake Whatcom Water Quality

Management Program

Attend meetings of Lake Whatcom Management Program partners.

All meetings of the Lake Whatcom Management Program have been postponed/cancelled.

Onsite Septic System Impact Assessment

Lead effort in water quality monitoring to assess the impacts of septic systems on the lake. A quality assurance project plan (QAPP), which will guide the 2020 water quality monitoring effort, has been finalized. Herrera conducted two monitoring events (on March 3 and March 24) and continues to monitor weather forecasts for future events.

Onsite Septic System Conversion Program

Pursue connection of septic-served parcels within 200 feet of District sewer system. Of the three properties noticed in 2019, one connected on January 7, one has been in contact with the District (fall 2019), and one has not responded to-date. Based upon Board authorization, the two remaining properties have until August 2021 to connect. A white paper to facilitate analysis of the District's septic conversion policy was issued to the Board on April 9; a work session will be scheduled once the Board resumes in-person meetings.



AGENDA BILL Item 9.B

Engineering Department Report

DATE SUBMITTED:	April 23, 2020	MEETING DATE:	April 29, 202	0			
TO: BOARD OF COMMI	SSIONERS	FROM: Bill Hunt	FROM: Bill Hunter				
GENERAL MANAGER APP	ROVAL						
ATTACHED DOCUMEN	ΓS	1. Summary of	1. Summary of District Projects				
		2. Engineering	2. Engineering Department Report				
		3.					
TVDE OF ACTION DEOLI	CCTCD	RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER			
TYPE OF ACTION REQU	באונט		MICTION				

BACKGROUND / EXPLANATION OF IMPACT

Staff presentation of District Projects and current priorities

FISCAL IMPACT

Not applicable at this time.

RECOMMENDED BOARD ACTION

Review and discuss.

PROPOSED MOTION

Not applicable at this time.



Lake Whatcom Water & Sewer District Engineering Department Report

Prepared for the April 29, 2020 Board Meeting Data Compiled 04/23/20 by RH, BH, RM, KH

Status of Water and System Capacities							
	South Shore	Eagleridge	Agate Heights	Johnson Well			
	ID# 95910	ID# 08118	ID# 52957	ID# 04782			
DOH Approved ERUs	**	85	57	2			
Connected ERUs	3865	70	44	2			
Remaining Capacity (ERUs)	**	15	13	0			
Permitted ERUs Under Construction	26	0	0	0			
Pre-paid Connection Certificates & Expired Permit	15	0	5	0			
Water Availabilities (trailing 12 months)	58	0	0	0			
Subtotal - Commitments not yet connected	99	0	5	0			
Available ERUs	**	15	8	0			

^{**} Per DOH, water system capacity is sufficient for buildout. Oct 2018

Annual Reports					
Name Of Report	Deadline	Completed			
Report Number of Sewer ERUs					
to City of Bellingham	January 15	March 3, 2020			
Prepared by: Bill					
	Other Reports				
Name Of Report	Deadline	Last Completed			
Water Right Permit No. G1-22681	Due Every 5 Years	Mayab 20, 2010			
Development Extension	Next Due Feb 15, 2023	March 20, 2018			
Water Right Permit No. S1-25121	Due Every 5 Years	Mayab 20, 2010			
Development Extension	Next Due March 30, 2023	March 20, 2018			

Engineering Dept Report Page 23 of 417

Developer Extension Agreements							
D1801	Sudden Valley Community Association - Are	a Z Fire H	ydrant				
Scope	Installation of Fire Hydrant						
Sign Dat		Expiration	n Date 8/16/2021 (3 years)				
	Prior to Commencing Construction		Prior to Final Acceptance				
\boxtimes	1. District Engineer approves design	\boxtimes	District inspects & approves facilities as complete				
	2. Reimbursement of District Engineer review costs	N/A	2. District receives water meters for each service				
	3. Copy of insurance policy	\boxtimes	3. District accepts record drawings				
	4. Copies of recorded easement n/a: to be recorded prior to Jinai acceptance,	\boxtimes	4. District accepts easements & title insurance				
	property owned by Sudden Valley Community Association		5. District receives warranty bond or like security				
\boxtimes	5. Copies of permits		6. District receives maintenance bond				
	6. Pay Developer Conformance Deposit	\boxtimes	7. District receives and approves Bill of Sale				
\boxtimes	Receipt #16291 8/14/18 7. Developer delivers performance bond	l	8. District receives a copy of recorded plat or legal description				
	Assignment of savings account received in the amount of \$135,798 and dated 8/14/2018.	\boxtimes	9. District receives legal description of property				
	This will cover up to \$90,532 of constructed facilities		10. District receives Latecomers Reimbursement fees due to otherDevelopers (if applicable)				
	8. Pays 25% of total amount of general facilities connection fees due to District <i>n/a: no new connection</i>	<u> </u>	11. Developer pays any applicable Supplemental DEA Processing/General Administrative fees				
\boxtimes	9. Pays District Administration, Legal Services, and Inspection Deposit		12. District receives signed and notarized Latecomers Reimbursement Agreement (when applicable)				
	Receipt #16291 8/14/18		13. Developer has reimbursed the District for all incurred costs associated with DEA				
	10. District Issues Notice to Proceed w/Construction		14. Developer has met and completed all local, state, and federal permit requirements				
		\boxtimes	15. Copies of recorded easement on file with District				
Tasks/N	otes						
 7/3/2018 DEA Application Received 7/25/2018 Board Authorizes DEA with Conditions 8/7/2018 SVCA Submits Hydraulic Analysis 8/14/2018 SVCA submits drawings, DEA, assignment of savings, insurance certificate, check for 							
	\$6,750 (\$5,000 deposit for review & inspection, \$1,000 conformance deposit, and \$750 for processing fee), and shallow pipe depth memo. 9/5/2018 District completes review of hydraulic analysis. 1,250 GPM for 90 minutes is available. 9/5/2018 SVCA submits revised plans. Review on hold until SVCA makes another deposit of \$5,329.66 to cover						

Engineering Dept Report Page 24 of 47

Continued on next page

legal and engineering review.

Developer Extension Agreements (cont'd)

D1801 Sudden Valley Community Association - Area Z Fire Hydrant

Tasks/Notes (cont'd)

- 12/17/2018 Deposit of \$5,329.66 received
- 1/23/2019 Meeting with SVCA to review revised plans received 1/9/2019
- 2/26/2019 SVCA submits revised plans
- 3/20/2019 District returns plan review comments to Wilson Engineering
- 4/1/2019 Deposit of \$2031.91 received.
- 4/9/2019 District approves plans and issues notice to proceed.
- 6/3/2019 Preconstruction meeting with SVCA, contractor, and Wilson to coordinate construct and inspections.

 Contractor will be starting work soon.
- 8/5/2019 Punch list inspection
- 8/15/2019 Final acceptance checklist/punch list sent to SVCA
- 9/19/2019 Deposit of \$13,842.73 received.
- 10/22/2019 District Preparing Bill of Sale, Easement, and Supplemental Conditions agreemnt
- 11/7/2019 District receives record drawings
- 11/18/2019 Supplemental conditions and municipal utility easement sent to SVCA
- 11/18/2019 Deposit of \$2,136.39 received.
- 12/16/2019 District reviewing SVCA's proposed changes to bill of sale and supplemental conditions and municipality utility easement agreement received 12/16/19
- 1/15/2020 District receives signed supplemental conditions and municipality utility easement agreement
- 2/11/2020 District receives and signs bill of sale
- 3/6/2020 Bill of Sale Recorded
- 3/17/2020 Sent status letter to SVCA for final acceptance, need maintenance bond & ecology permit documentation to close out project

Engineering Dept Report Page 25 of 43

		Summary of Di			eci5										
		Report Prepar	_												
Line	Project		Approved	Spent	Amount						chec				
#	Number	Project Title / Tasks	Budget	to Date	Remaining	J	FΛ	ΛА	A M	J	J	Α	SC) N	_ <u>D</u>
-10	A1901	 Whatcom County Region GIS Imagery Partnership 2019 Flight	\$1,000	\$0	\$1,000										
-9		Quick Connect Fitting Kit for CAT Backhoe	\$4,000	\$0											
-8		Used Forklift	\$20,000	\$0											
-7	C2008	Tool Truck with Snowplow and Sander Attachments	\$86,300	\$0											
-6		Flush-Vac Truck	\$525,000	\$0	\$525,000										
-5	A2020	Design and Construction Standards Update			\$0										
-4	A2022	Onsite Records Management Assessment		\$0	\$0										
1	C1708	Ball Check Valves at Austin and Beaver Sewer Pump Stations	\$8,519	\$8,519	\$0										
2	C1716A	Dead End Blowoffs	\$20,000	\$13,311	\$6,689										
3		Geneva Booster Station - PRV's, Backflow, Roof	\$40,000	\$38,440	\$1,560										
4		Dellesta, Edgewater & Euclid Sewer Pump Stations	\$528,018	\$277,611	\$250,407										
15.5		North Shore FM Stream Crossing Protection (FIX WASHOUT)	\$0	\$2,542	\$2,542										
16		Agate Heights WTP and Opal Booster Upgrades	\$89,950	\$47,168	\$42,782										
20		Compulsory Sewer Connections	\$20,000	\$563											
21		Comprehensive Sewer Plan Update	\$69,950	\$69,966											
22		Fire Flow Improvements - Hydraulic Model Calibration	\$15,000	\$4,557											
23		Little Strawberry Bridge Water Main Predesign & Estimate	\$20,000	\$0											
24		SVWTP and AHWTP Misc Component Replacement	\$72,000	\$60,262											
25		SVWTP 20-Year Facility Plan	\$100,000	\$395											
26		AB PLC-5 Replacements and UPS Improvements	\$100,000		\$100,000										
27		OSS Impact Assessment	\$100,000	\$34,052		_									
28		Demolish Old Concrete Resevoir at 1010 Lakeview St	\$55,000	\$1,965											
29		Johnson Well Storage Building - New Siding and Paint	\$27,500	\$0											
30		Sewer System Rehab and Replacement Projects	\$71,460	\$0		_						_			
33		SCADA Telemetry - Managed Ethernet Switches	\$20,000	\$0											
34		Administrative Server Hardware	\$25,000	\$0											<u></u>
37		Beaver, Flat Car, SVPS Motor Leads	\$18,000	\$0								-			
38		Convert Eagleridge Booster to Metering Station	\$30,000	\$0										4	
39		Austin-Fremont PRV Rebuild	\$10,000	\$0											
40		Geneva and Div 22 Res Impressed Current Cathodic Protection	\$40,000	\$0											
41 42		Water Meters and Registers Fire Hydrant Flow Testing Kit	\$13,000	\$0 \$0											
			\$3,500	\$0											
43 44		SVWTP Misc Component Replacement Fire Hydrant Stortz Adapters	\$40,000 \$12,000	\$0 \$180		-								-	
45		Annual Asphalt Patching	\$35,000	\$100											
46		Annual Tree Trimming	\$10,000	\$0 \$0											
48		AWIA Risk Assessment and Emergency Response Plans	\$10,000	\$0											
40	AZUZI	AWIA Nisk Assessment and Emergency Nesponse Flans	\$10,000	φυ	φ10,000										
		NOTATION LE	GEND												
	A	Administrative Project			р		Plani								
	C	Capital Project			а		Activ								
	M	Maintenance Project			С							er la	bor ı	need	led)
		Sewer Project (Green Font)			t		Targ	et C	omp	oleti	on				
		Water Project (Blue Font)													
		Sewer and Water Project (Black Font)													

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DATE SUBMITTED:

AGENDA BILL Item 9.C

Finance Department Report

166	5.0					
DATE SUBMITTED:	April 23, 2020	MEETING DATE:	April 29, 202	0		
TO: BOARD OF COMMI	SSIONERS	FROM: Debi De	nton			
GENERAL MANAGER APP	ROVAL					
ATTACHED DOCUMENTS		1. Monthly Budget Report & Investment Report				
		2. Monthly Adjustments – Mar 2020				
		3. 2020 Quarter 1 Financial Report				
		RESOLUTION	FORMAL ACTION/	INFORMATIONAL		
TYPE OF ACTION REQU	ESTED		MOTION	/OTHER		

BACKGROUND / EXPLANATION OF IMPACT

Information only.

FISCAL IMPACT

N/A

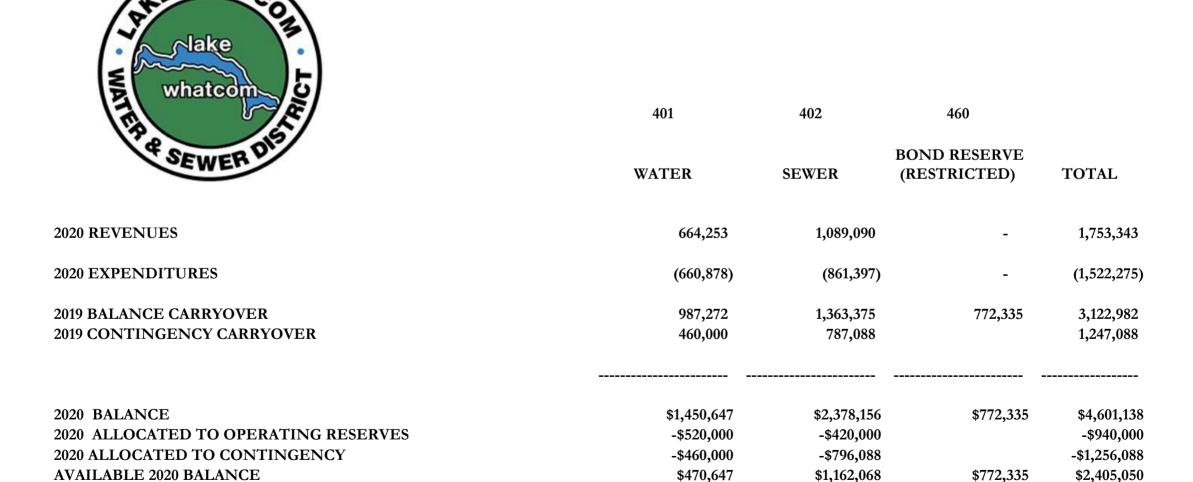
RECOMMENDED BOARD ACTION

N/A

PROPOSED MOTION

N/A

LAKE WHATCOM WATER AND SEWER FUND SUMMARY 2020



LAI	KE WHATCOM WATER AND SEWE	WHATCOM WATER AND SEWER DISTRICT				
	Description	Budget	3/31/2020	25%		
		2020				
WATER - 401						
REVENUES						
	EPA Grant Water Quality					
401-333-66-00-00	North Shore Sampling Interlocal Agreement	40,000		C		
401-343-40-10	Water Sales Metered (4% base rate increase) *	2,632,739	615,985	23.40%		
401-343-41-10	Permits (15 new connection permits) \$6,000	90,000	24,759	27.51%		
401-343-81-10	Combined Fees (Increase in Lien and Lock fees)	35,000	5,253	15.01%		
401-359-90-00	Late fees	55,000	14,133	25.70%		
401-361-11-00	Investment Interest	30,000	4,038	13.46%		
401-369-10-00	Sale of scrap metal and surplus	3,000	-	C		
401-369-10-01	Miscellaneous	1,000	85	8.50%		
401-369-40-00	Judgements and Settlements	-	-			
401-395-10-00	Sale of Capital Assets	-	-			
401-395-20-00	Insurance Recoveries	-	-			
	TOTAL REVENUES	2,886,739	664,253	23.01%		
	* Per Resolution 844 effective 1/1/2020					
	Scheduled annual rate increase					

LAI	E WHATCOM WATER AND SEWER DISTRICT						
	Description	Budget	3/31/2020	25%			
	2 coorpaion	2020	0,01,2020	2070			
SEWER - 402		2020					
REVENUES							
402-343-41-10-02	Permits (15 new connection permits) \$9,000	135,000	25,971	19.24%			
402-343-50-11	Sewer Service Residential (2.5% rate increase) *	4,186,946	1,054,485	25.19%			
402-343-50-19	Sewer Service Other	4,500	1,061	23.58%			
402-343-50-80	Latecomer's Fees	-	-	0			
402-361-11-00-02	Investment Interest	30,000	4,038	13.46%			
402-361-40-00-80	ULID 18 Interest/Penalties	4,000	924	23.10%			
402-368-10-00-80	ULID 18 Principal Payments	15,000	2,526	16.84%			
402-369-10-00-02	Sale of scrap metal and surplus	3,000	-	0			
402-369-10-00-02	Miscellaneous	1,000	85	8.50%			
402-369-40-02	Judgements and Settlements	-	-	0			
402-395-10-00-02	Sale of Capital Assets	-	-	0			
402-395-20-02	Insurance Recoveries	-	-	0			
	TOTAL REVENUES	4,379,446	1,089,090	24.87%			
	* Per Resolution 844 effective 1/1/2020						
	Scheduled annual rate increase						

	Description	Budget 2020	3/31/2020	25%
WATER - 401				
OPERATING EXPENDITURES				
401-534-10-10	Admin Payroll (2.2% cola plus step increases - 2020)	353,900	92,486	26.13%
401-534-10-20	Admin Personnel Benefits	174,250	40,026	22.97%
401-534-10-31	Gen Admin Supplies/Equipment (Master Meter Software)	35,000	9,550	27.29%
401-534-10-31-01	Meetings/Team building	2,000	263	13.15%
401-534-10-40	Merchant Services Fees	10,000	2,646	26.46%
401-534-10-40-01	Bank Fees		214	
	Interlocal - Invasive Species (City) (8% increase)	55,000	50,000	
	Interlocal - Lake Whatcom Tributary Monitor (County)	5,000	6,276	
	North Shore Sampling (County Interlocal Agreement)	100,000	19,667	
	Mutt Mits	5,000	5,575	
401-534-10-41	Water Quality Assurance Programs (TOTAL)	165,000	,	
	County Auditor Filing Fees	3,000		
	Statement processing	12,500		
	Answering Service	750		
	Time clock system	750		
	Financial Software Maintenance	5,000		
	Web Check services	2,500		
	CPA (Financial statements)	3,000		
	Rate Study	15,000		
	State Audit	5,000		
	Docuware maintenance and upgrade	7,500		
	Computer support	15,000		
	Anti virus subscription	500		
	Building security	1,000		
	Building custodial	5,000		
	Pest control	500		
	Landscaping service	3,000		
	South Whatcom Fire (hydrant maintenance)	1,000		
	Scada System Software Maintenance - Operations	3,750		
	Cyber Security AWIA Assessment	5,000		
	SCADA/PLC Support - Engineering/Operations	5,000		
	Cartegraph - Engineering/Operations	2,500		
	Auto Desk - Engineering	500		

	Description	Budget 2020	3/31/2020	25%
	GIS Partnership (County)	500	0,01,2020	2070
	Rockwell - Engineering/Operations	250		
	IT Pipes	750		
	ESRI - ARC GIS	750		
	Innovyze - Engineering	1,250		
	Master Meter	2,000		
	Cyberlock software	500		
	Whatcom County Emergency Management	10,000		
	Misc (Bid notices etc.)	2,500		
401-534-10-41-01	Professional Services (TOTAL)	116,250	29,490	25.37%
401-534-10-41-02	Water Engineering Services	5,000	5,534	110.68%
401-534-10-41-03	Water Legal Services	20,000	4,090	20.45%
401-534-10-41-04	DEA expenditures	,	161	
401-534-10-42	Communication	30,000	7,853	26.18%
401-534-10-45	Admin Lease (copy/printers)	5,000	1,359	27.18%
401-534-10-46	Property Insurance	72,000	-	0.00%
401-534-10-49	Admin Misc.	500	-	0.00%
401-534-10-49-01	Memberships/Dues/Permits	10,000	17,813	178.13%
401-534-10-49-02	WA State Dept of RevenueTaxes/County Stormwater fees	115,000	25,231	21.94%
401-534-40-43	Training & Travel	17,500	3,567	20.38%
401-534-40-43-01	Tuition reimbursement	500	-	0.00%
401-534-50-31	Operations/Maintenance Supplies	75,000	28,439	37.92%
401-534-50-31-01	Small Assets/tools	25,000	19,067	76.27%
401-534-50-48	Operations Repair/Maint contracted work	60,000	4,360	7.27%
401-534-50-49	Insurance Claims	2,500	-	0.00%
401-534-60-41	Operations Contracted (water testing)	7,500	1,046	13.95%
401-534-60-47	Water City of Bellingham	45,000	-	0.00%
401-534-80-10	Operations Payroll (2.2% cola plus step increases - 2020)	575,561	158,305	27.50%
401-534-80-20	Operations Personnel Benefits (Medical, Retirement etc)	247,590	64,920	26.22%
401-534-80-32	Fuel	15,000	2,904	19.36%
401-534-80-35	Safety Supplies (Ergonomic Assessment)	10,000	1,559	15.59%
401-534-80-35-01	Safety Supplies Boots	1,250	193	15.44%
401-534-80-35-02	Emergency Preparedness	5,000	-	0.00%
401-534-80-43-00	Water - Operatoins Training/Travel/Certification		164	
401-534-80-47	General Utilities (Electric, gas, water, garbage)	110,000	29,005	26.37%

	Description	Budget 2020	3/31/2020	25%
401-534-80-49	Laundry	2020 3/31/2020 2,000 385 2,313,301 632,148 119,938 65,475 28,785 17,678 105,000 397,400 7,198 9,645 11,887 2,886,739 664,253 (3,047,577) (660,878) 714,000 987,272 460,000 (520,000) (460,000) (460,000)	19.25%	
Description 2020	2,313,301	632,148	27.33%	
DEBT SERVICE				
401-591-34-77-01	Redemption of Long Term Debt Geneva AC Mains	119,938		
401-591-34-77-02	Redemption of Long Term Debt Div 22 Reservoir	65,475		
401-592-34-83-01	Debt Service Interest Geneva AC Mains	28,785		
401-592-34-83-02	Debt Service Interest Div 22 Reservoir	17,678		
SYSTEM REINVESTMENT				
	2019 System Reinvestment Projects	105,000		
	2020 System Reimvestment Projects	397,400		
401-594-34-62-01	Water Structures		7,198	
401-594-34-63-01	Water System		9,645	
401-594-34-64-01	Water Equipment		11,887	
WATER FUND	TOTAL WATER REVENUES	2,886,739	664,253	
	2010 DALANCE CADDVOVED	714 000	007 272	
	2019 CONTINGENCY CARRYOVER	,		
	2019 CONTINGENCY CARRYOVER 2020 ALLOCATED TO OPERATING RESERVES	,	,	
	2020 ALLOCATED TO OPERATING RESERVES 2020 ALLOCATED TO WATER CONTINGENCY		, ,	
	PROPOSED AVAILABLE 2020 YEAR END BALANCE	, , ,	, ,	

	Description	Budget 2020	3/31/2020	25%
SEWER - 402				
OPERATING EXPENDITURES	A 1 . D . 11/2 20/ 1 . 1	252.000	00.407	26.420/
402-535-10-10	Admin Payroll (2.2% cola plus step increases - 2020)	353,900	92,486	26.13%
402-535-10-20	Admin Personnel Benefits	174,250	40,026	22.97%
402-535-10-31	Gen Admin Supplies/Equipment	20,000	9,437	47.19%
402-535-10-31-01	Meetings/Team building	2,000	411	20.55%
402-535-10-40	Merchant Services Fees	10,000	2,646	26.46%
402-535-10-40-01	Bank Fees	-	214	
	County Auditor Filing Fees	3,000		
	Statement processing	12,500		
	Answering Service	750		
	Time clock system	750		
	Financial Software Maintenance	5,000		
	Web Check services	2,500		
	CPA (Internal audit and Financial statements)	3,000		
	Rate study	15,000		
	State audit	5,000		
	Docuware maintenance and upgrade	7,500		
	Computer support	15,000		
	Cyber Security AWIA Assessment	5,000		
	Anti virus subscription	500		
	Building security for offices	1,000		
	Building custodial	5,000		
	Pest control	500		
	Landscaping service	3,000		
	Scada System Software Maintenance - Operations	3,750		
	Camera Van Software	1,500		
	SCADA/PLC Support - Engineering/Operations	5,000		
	Cartegraph - Engineering/Operations	2,500		
	Auto Desk - Engineering	500		
	0 0	500		
	GIS Partnership (County)			
	Rockwell - Engineering/Operations	250		
	IT Pipes	750		
	ESRI - ARC GIS	750		

		Budget		
	Description	2020	3/31/2020	25%
	Innovyze - Engineering	1,250		
	Cyberlock software	500		
	Whatcom County Emergency Management	10,000		
	Misc (Bid notices etc.)	2,500		
402-535-10-41-01	Professional Services (TOTAL)	114,750	20,918	18.23%
402-535-10-41-02	Engineering Services	5,000	1,666	33.32%
402-535-10-41-03	Legal Services	20,000	5,344	26.72%
402-535-10-41-04	DEA expenditures		-	
402-535-10-42	Communication	30,000	7,891	26.30%
402-535-10-45	Admin Lease (copy/printers)	5,000	1,359	27.18%
402-535-10-46	Property Insurance	72,000	-	0.00%
402-535-10-49	Admin Misc.	500	60	12.00%
402-535-10-49-01	Memberships/Dues/Permits	8,000	11,643	145.54%
402-535-10-49-02	WA State Dept of RevenueTaxes/County Stormwater fees	115,000	25,231	21.94%
402-535-40-43	Training & Travel	17,500	3,841	21.95%
402-535-40-43-01	Tuition reimbursement	500	-	0.00%
402-535-50-31	Operations/Maintenance Supplies	75,000	7,808	10.41%
402-535-50-31-01	Small Assets/tools	25,000	4,708	18.83%
402-535-50-48	Operations Repair/Maint contracted work	60,000	21,624	36.04%
402-535-50-49	Insurance Claims	2,500	-	0.00%
402-535-60-41	Operations Contracted (generator load testing)	15,000	-	0.00%
402-535-60-47	Sewer City of Bellingham Treatment Fee	680,000	283,495	41.69%
402-535-80-10	Operations Payroll (2.2% cola plus step increases - 2020)	483,494	128,067	26.49%
402-535-80-20	Operations Personnel Benefits (Medical, Retirement etc)	247,590	52,115	21.05%
402-535-80-32	Fuel	13,000	4,237	32.59%
402-535-80-35	Safety Supplies (Ergonomic Assessment)	10,000	1,559	15.59%
402-535-80-35-01	Safety Supplies Boots	1,250	193	15.44%
402-535-80-35-02	Emergency Preparedness	5,000	-	0.00%
402-535-80-43-00	Operations Training/Travel/Certification		58	
402-535-80-47	General Utilities (Electric, gas, water, garbage)	100,000	31,185	31.19%
402-535-80-49	Laundry	2,000	586	29.30%
	SEWER OPERATING EXPENDITURES	2,668,234	758,808	28.44%

		Budget		
	Description	2020	3/31/2020	25%
DEBT SERVICE				
402-591-35-72-03	2016 Bond Principal Payments	425,000	-	
402-592-35-83-03	2016 Bond Interest Payments	218,176	-	
SYSTEM REINVESTMENT				
	2019 Sewer System Reinvestment Projects	770,000		
	2020 Sewer System Reinvestment Projects	191,900		
	Sewer Comp Plan		12,899	
402-594-35-62-02	Sewer Structures		69,070	
402-594-35-63-02	Sewer System		3,062	
402-594-35-64-02	Sewer Equipment		17,558	
402-594-35-64-02	Sewer Equipment (Flush/Vac Truck)	525,000		
SEWER FUND	TOTAL SEWER REVENUES	4,379,446	1,089,090	
	TOTAL SEWER EXPENDITURES	(4,798,310)	(861,397)	
	2019 BALANCE CARRYOVER	986,000	1,363,375	
	2019 CONTINGENCY CARRYOVER	787,000	787,000	
	2020 ALLOCATED TO SEWER OPERATING RESERVES	(420,000)	(420,000)	
	2020 ALLOCATED TO SEWER CONTINGENCY	(796,000)	(796,088)	
	PROPOSED AVAILABLE 2020 YEAR END BALANCE	138,136	1,161,980	



LAKE WHATCOM WATER AND SEWER

INVESTMENTS/CASH AS OF 3/31/2020

Petty Cash			\$	1,600		
Cash			\$	238,086		0.35%
Public Funds Account			\$	502,312		1.55%
LGIP			\$	1,033,688		1.77%
			\$	1,775,686		
			P	AR VALUE		YIELD
FFCB - ProEquity	Calla	able	\$	751,406	Aug-20	1.10%
RFCO-ProEquity	Non	-callable	\$	1,071,817	Jan-21	2.71%
FHLB - Pro equity	Call	able	\$	1,003,619	Nov-22	1.55%
US Bank			\$	2,826,842		
TOTAL			\$	4,602,528		
USE OF FUNDS:						
Reserved	\$	772,334				
Contingency	\$	1,256,088				
Unrestricted	\$	2,574,106				
			\$	4.602.528		

AD	JUSTM	ENTS
\$	28.32	LATE FEE REVERSAL
\$	26.22	LATE FEE REVERSAL
\$	28.15	LATE FEE REVERSAL
\$	26.88	LATE FEE REVERSAL
\$	23.37	LATE FEE REVERSAL
\$	23.37	LATE FEE REVERSAL
\$	23.53	LATE FEE REVERSAL
\$	11.03	LATE FEE REVERSAL
\$	29.72	LATE FEE REVERSAL
\$	16.34	LATE FEE REVERSAL
\$	45.74	LATE FEE REVERSAL
\$	553.91	FAULTY METER ISSUE
\$	24.21	LATE FEE REVERSAL
\$	23.37	LATE FEE REVERSAL
\$	23.37	LATE FEE REVERSAL
\$	28.50	LATE FEE REVERSAL
\$	16.34	LATE FEE REVERSAL
\$	13.01	LATE FEE REVERSAL
\$	15.59	LATE FEE REVERSAL
\$	429.31	LEAK CREDIT
\$	24.42	LATE FEE REVERSAL
\$	15.48	LATE FEE REVERSAL
	\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$	\$ 26.22 \$ 28.15 \$ 26.88 \$ 23.37 \$ 23.53 \$ 11.03 \$ 29.72 \$ 16.34 \$ 45.74 \$ 553.91 \$ 24.21 \$ 23.37 \$ 23.37 \$ 23.37 \$ 16.34 \$ 13.01 \$ 15.59 \$ 429.31 \$ 24.42

TOTAL \$ 1,450.18



Quarterly Financial Report First Quarter 2020

Lake Whatcom Water and Sewer District Bellingham, Washington

Summary

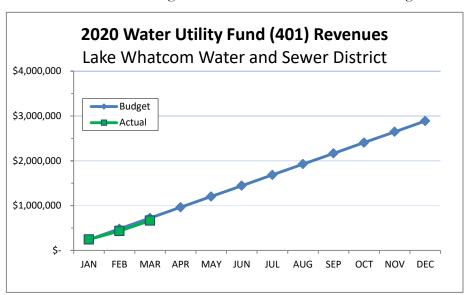
Through the first quarter of 2020, expenditures and revenues associated with the Lake Whatcom Water and Sewer District's (District) Water Utility Fund (Fund 401) and Sewer Utility Fund (Fund 402), which serve as the primary operational funds for the District's water and sewer utilities, respectively, largely followed financial projections reflected in the 2020 Budget. While both funds' expenditures slightly lagged behind projections, it is anticipated that expenses associated with large capital improvement projects will increase once the Lake Whatcom land disturbance window opens (June 1) to allow for construction to begin. What was not anticipated in the 2020 Budget are the impacts on District operations associated with the COVID-19 pandemic. While it is too early to fully assess the pandemic's effects on both revenue and expenditures, staff continue to closely monitor District funds and will make necessary adjustment to expenses, if warranted.

Water Utility Fund (Fund 401)

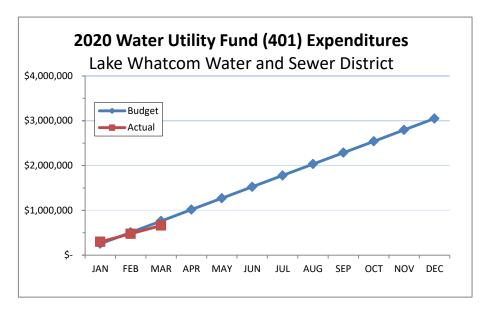
Through March 30, 2020, Water Utility Fund revenues were \$664,253, which are slightly less than revenues projected through the first quarter of the year in the 2020 Budget (\$721,686). This is consistent with prior years' revenues, which typically lag projections through the first half of each year, and then grow significantly during the third quarter due to increased water sales (e.g., lawn watering during dry summer months). That said, 2020 may ultimately be a slight anomaly, as staff have noted a larger than normal water demand during March due to more customers being home

under Governor Inslee's Stay Home—Stay Healthy order in response to the COVID-19 pandemic (the District's customer base is predominantly

residential). While this increase in water sales isn't reflected in the first quarter revenues, it will likely be evident in the second quarter revenues should the Stay Home—Stay Healthy order remain in-place.



Water Utility Fund expenditures were approximately \$100,000 under first quarter budget projections (21.7% of the budget expended over the first quarter), with a small decrease in expenditures during March. This is consistent with prior years, where expenditures associated with large capital improvement projects are incurred during the Lake Whatcom land disturbance window (June 1 through September 30). As with revenues, expenditures may also be affected by the COVID-19 pandemic. With the District's operations significantly curtailed to solely essential functions necessary

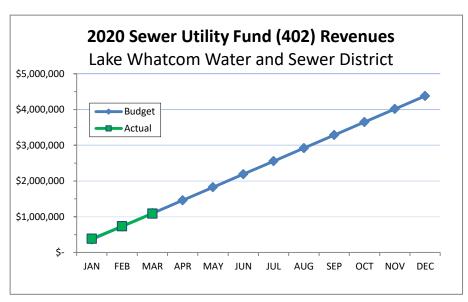


to operate its water systems and the organization, District expenditures related to operations both capital projects may ultimately be much lower than originally budgeted.

Sewer Utility Fund (Fund 402)

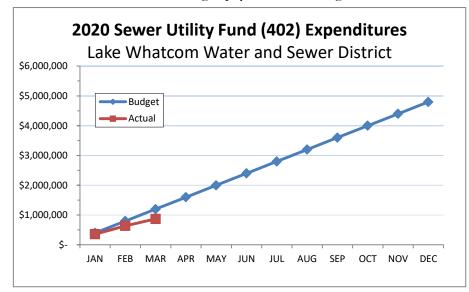
Sewer Utility Fund revenues were consistent with projections during the first quarter of 2020 (within \$6,000 of the budgeted \$1,094,862). This is largely due to the District's uniform rate structure for sewer accounts, which allows for little variation in revenues throughout the year. Though there has been a noted increase in accounts being temporarily suspended due to the COVID-19 pandemic

(customers whose second home is in the District but that are stuck elsewhere due to shelter-in-place orders), the overall suspended number of accounts relative to all sewer customers should little impact on actual revenues, allowing trend of actual the tracking revenues with projections to continue through the remainder of the year.



Sewer Utility expenditures lagged behind projections during the first quarter (\$870,396 in actual expenditures relative to \$1,199,577 budgeted). As presented in the Water Utility Fund expenditures discussion above, Sewer Utility expenditures typically increase significantly during the summer months when expenses associated with large capital improvement projects are incurred. In regards to day-to-day operational costs of the District (personnel salary and benefits, professional services, utilities, etc.), these costs exceeded budget projections by approximately \$100,000, the entirety of

which can be attributed to a larger payment for sewage treatment to the city of Bellingham than was



budgeted (\$283,495 expended verses \$170,000 budgeted). Approximately \$60,000 of this is attributed to the April 2020 bill being paid in March to meet the due date of April 9, with remaining the \$40,000 attributed to high flows during January and February 2020.

District Fund Balances

The 2020 Budget marked a shift from prior budgets in the District's overall fund structure for managing District monies. The new structure is comprised of five primary funds: Water Utility Fund, Sewer Utility Fund, Sewer Contingency Reserve Fund, Water Contingency Reserve Fund, and Bond Reserve Fund. To simplify the fund structure, prior system reinvestment funds and debt service funds associated with each utility have been integrated into that utility's primary fund (401 and 402). The following discussion summarizes the activity associated with each fund over the first quarter of 2020.

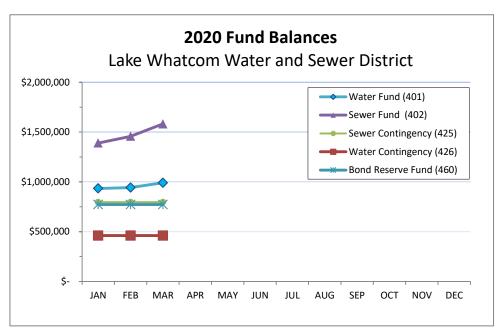
Water Utility Fund (Fund 401)

The Water Utility Fund, which serves as the primary operating fund for the District's water utility, derives most of its revenue from rates charged to water customers. Fund expenditures are comprised of general operating expenses (personnel salary and benefits, professional services, utilities, etc.), payments relative to debt service on past capital improvement projects, and expenditures on water system reinvestment-defined equipment and projects. Also managed within the Water Utility Fund are monies allocated towards an operating reserve, which is equal to the cost of operating the water utility for 90 days (\$520,000). The fund entered 2020 with a balance of \$987,272. Over the first quarter, fund revenues remained consistent with expenditures, with the March 30 balance being \$990,826. As is reflected in the 2020 Budget, there was a significant amount of funds carried over from 2019 that are allocated towards 2020 projects. As a result, the overall Water Utility Fund balance is expected to be drawn down by approximately \$160,000 over the course of the year as projects are completed.

Sewer Utility Fund (Fund 402)

Like the Water Utility Fund, the Sewer Utility Fund serves as the primary operating fund for the District's sewer utility. Revenues are comprised primarily of rates charged to sewer customers, and expenditures consist of general operating expenses (personnel salary and benefits, professional services, utilities, etc.), payments relative to debt service on past capital improvement projects, and expenditures on sewer system reinvestment-defined equipment and projects. Also managed within the fund are monies allocated towards an operating reserve, which is equal to the cost of operating the sewer utility for 60 days (\$420,000). The fund entered 2020 with a balance of \$1,363,375. Over the first quarter, fund revenues outpaced expenditures by approximately \$200,000, with the March

balance 30 being \$1,582,068. As reflected in the 2020 Budget, there was a significant amount of funds carried over from 2019 that are allocated towards 2020 projects. As a result, the overall Sewer Utility Fund balance is expected to be drawn down by approximately \$420,000 over course of the year as projects are completed.



Sewer Contingency Reserve (Fund 425)

A sewer contingency reserve is maintained in accordance with District financial policies at one percent of the sewer utility infrastructure replacement cost (\$796,088). This fund provides for paying for unanticipated costs that may be incurred by the Sewer Utility. The Sewer Contingency Reserve was fully funded throughout the first quarter.

Water Contingency Reserve (Fund 426)

A water contingency reserve is maintained in accordance with District financial policies at one percent of the water utility infrastructure replacement cost (\$460,000). This fund provides for paying for unanticipated costs that may be incurred by the Water Utility. The Water Contingency Reserve was fully funded throughout the first quarter.

Bond Reserve Fund (Fund 460)

The District's Bond Reserve Fund is a restricted fund associated with covenants of the 2016 bond sale. It was fully funded at \$772,334 through the first quarter with no revenues or expenditures anticipated through yearend.

District Investments

In accordance with its financial policies, the District invests its funds in a manner that provides the highest return with maximum security while meeting daily cash flow demands. Attached is the Investment/Cash Summary as of March 30, 2020.

whatcom Lo	BILL m 9.D	Op	erations De Repor	_			
DATE SUBMITTED:	April 23, 2020		MEETING DATE:	April 29, 202	.0		
TO: BOARD OF COMMISSIONERS			FROM: Brent W	inters			
GENERAL MANAGER APPROVAL							
ATTACHED DOCUMENTS			Operations Department Report				
			2.				
			3.				
TYPE OF ACTION REQU	IESTED		RESOLUTION	FORMAL ACTION/ MOTION	INFORMATIONAL /OTHER		

BACKGROUND / EXPLANATION OF IMPACT

Departmental update from the Operations & Maintenance manager.

FISCAL IMPACT

Not applicable at this time.

RECOMMENDED BOARD ACTION

Review and discuss.

PROPOSED MOTION

Not applicable at this time.



Lake Whatcom Water & Sewer District Operations & Maintenance Department Report

Prepared for the April 29, 2020 Board Meeting Data Compiled 04/23/20 by RH, BW, RM

	State Required Report St	atus												
	Monthly Reports													
Name Of Report						Со	Completed							
Chlorination Report Agate Heights Prepared by: Kevin	Postmarked by the 10th of month	x Jan	x Feb	x Mar	x Apr	Мау	June	July	Aug	Sept	Oct	Nov	Dec	
Surface Water Treatment Rule Report (SVWTP) Prepared by: Kevin	Postmarked by the 10th of month	x Jan	x Feb	x Mar	x Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
· · ·	Annual Reports												<u> </u>	
Name Of Report Deadline						Co	mpl	ete	d					
WA State Cross Connection Report Prepared by: Rich	May													
OSHA 300 Log Prepared by: Rich	February 1	January 27, 2020												
Water Use Efficiency Performance Report Prepared by: Kevin	July 1													
Community Right to Know (Hazardous Materials) Prepared by: Rich & Brent	March 31	January 14, 2020												
Consumer Confidence Reports Prepared by: Kevin	June 30	Geneva SV EagleR				Ag	ate	Ht						
,	Other Reports													
Name Of Report	Deadline				La	st (Com	nple	ted					
CPR/First Aid Training Coordinated by: Rich	Due Biennially Next Due 2021	March 23, 2019												
Flagging Card Training Coordinated by: Rich	Due Triennially Next Due 2022					Jun	e 6,	201	19					

	Safety Program Su	mmary							
Completed by Rich Munson & Brent Winters									
	Summary of Annual Safe	ety Training							
20	20 Testing Period - Jan 1, 20.	20 to May 1, 2020							
Enrollments Completions % Complete									
Engineering - Managers	60	60	100%						
Engineering - Staff	22	22	100%						
Field Crew - Managers	200	200	100%						
Office - Managers	12	9	75%						
Office - Staff	40	36	90%						
Overall	334	327	98%						

Safety meetings for the field crew take place every Friday at 7 a.m.

mittee M	leeting	S				
ries & Ill	nesses					
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