



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

## REGULAR SESSION OF THE BOARD OF COMMISSIONERS

# Minutes

*February 10, 2021*

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

**Attendees:** Commissioner Laura Abele  
Commissioner Todd Citron  
Commissioner John Carter  
Commissioner Bruce Ford  
Commissioner Leslie McRoberts  
General Manager Justin Clary  
District Engineer/Assistant GM Bill Hunter  
Operations Manager Brent Winters  
Recording Secretary Rachael Hope  
District Legal Counsel Bob Carmichael

Also in attendance were Keith Stewart and Russell Porter of Gray & Osborne, and Brian Smith of Wilson Engineering. All attendees participated remotely by phone or video conferencing.

### Roll Call

General Manager Justin Clary performed a roll call to identify those in attendance, and then verbally confirmed that the 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

Ford moved, McRoberts seconded, approval of:

- Minutes from the January 27, 2021 Regular Board Meeting
- Payroll for Pay Period #03 (01/23/2021 through 02/05/2021) totaling \$47,542.85
- Payroll Benefits for Pay Period #03 totaling \$54,504.33
- Accounts Payable Vouchers totaling \$171,643.59

Motion passed.

#### Sudden Valley Water Treatment Plant Alternatives Analysis Briefing #4

Hunter recalled that Gray & Osborne was contracted after an initial condition assessment in July 2020, to perform an alternatives analysis of work to be done at the District's Sudden Valley Water Treatment Plant. The assessment identified high and low priority items that were subsequently broken down by major system.

The major systems as written in the scope of work agreement are:

- Pump Performance Test (Presented to Board 9/30/2020, Briefing #1)

- Chemical Systems Analysis (Presented to Board 11/25/2020, Briefing #2)
- Disinfection Systems Analysis (Presented to Board as part of this agenda item)
- Backwash Systems Analysis
- Filtration System Analysis (Presented to Board 12/30/2020, Briefing #3)
- Tier 2/3 Seismic and Structural Analysis (Presented to Board 11/25/2020, Briefing #2)
- Structural/Architectural Workspace Analysis
- NACE III Coating Inspection (Presented to Board 9/30/2020, Briefing #1)

For this meeting, Gray & Osborne presented the findings of the Disinfection Systems Analysis. Keith Stewart of Gray & Osborne provided a presentation with visuals to summarize their findings and recommendations and collect Board comments. Discussion followed.

**Resolution 869 – Affirmation of Emergency Declaration Issued by the General Manager on January 28, 2021**

Clary explained that on January 27, 2021, District operations staff identified a significant leak in the water transmission main that feeds the Division 30 water reservoir, which serves as the sole water supply for a significant portion of Sudden Valley residents. The leak was determined to be in a steep slope adjacent to Lake Whatcom Boulevard, and of a magnitude that it jeopardized the District’s ability to maintain water supply in the Division 30 reservoir. Based upon the location and depth of the leak, it was determined to be beyond the capability of District staff and equipment to safely and effectively perform timely repairs.

Revised Code of Washington (RCW) 39.04.280 provides authority to the District to waive competitive bidding requirements when awarding public works contracts in the event of an emergency. The General Manager declared an emergency associated with the leak on January 28, 2021, and executed a public works contract with RAM Construction General Contractors the following day to perform the repairs. Temporary repairs were completed on February 2, 2021, with permanent repairs to be completed once necessary materials are available. Resolution No. 869 was developed to meet statutory and District requirements associated with public works contracting for the emergency repairs.

**Action Taken**

**McRoberts moved, Citron seconded, to adopt Resolution No. 869 as presented. Motion passed.**

**Authorization for General Manager to Apply for Appointment to the Public Works Board**

Clary recalled that during the District general manager’s past and most recent performance evaluations, the Board of Commissioners indicated a desire for the general manager to continue to focus on building partnerships, both at the regional and state level. The Public Works Assistance Account was established by the Washington State Legislature to create a reliable and sustainable resource for local governments to meet critical infrastructure financing needs. The Public Works Board operates the PWAA revolving loan program, and is comprised of 13 local government infrastructure representatives appointed by the governor. The Public Works Board meets once per month to conduct the business-of-the-board. Position No. 7 of the Public Works Board is represented by a sewer and water district manager. WASWD requires that applicants obtain approval from their Board of Commissioners for application of appointment to the Public Works Board. Appointment to the Public Works Board would significantly enable partnership building, as well as benefit the District by allowing staff to remain abreast of current PWAA programs and associated funding opportunities.

**Action Taken**

**Citron moved, Carter seconded, to authorize the general manager to submit an application for appointment to Position No. 7 of the Washington State Public Works Board. Motion passed.**

**Disposal of Surplus Items**

Staff presented the Board with a list of surplus property items that are no longer needed for District business.

**Action Taken**

**McRoberts moved, Carter seconded, to declare the property defined in the list dated November 10, 2020, as surplus and authorize staff to dispose of each item in a manner that is most beneficial to the District and consistent with state law. Motion passed.**

**General Manager’s Report**

Clary updated the Board on several topics, including the District’s continued response to the COVID-19 pandemic, a recent meeting with Sudden Valley Community Association’s new interim general manager, and work by District staff related to the America’s Water Infrastructure Act of 2018. Discussion followed.

With no further business, Abele adjourned the Regular Session 7:41 p.m.

  
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Board President, Laura Abele

Attest:   
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Recording Secretary, Rachael Hope

Minutes approved by motion at  Regular  Special Board Meeting on February 24, 2021  
Date Minutes Approved