



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

July 14, 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 Leslie McRoberts
Commissioner Bruce Ford
General Manager Justin Clary
Finance Manager/Treasurer Jenny Signs
Operations Manager Brent Winters
Recording Secretary Rachael Hope
District Legal Counsel Bob Carmichael

Also in attendance was Melanie Mankamy, 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

Carter moved, Ford seconded, approval of:

- Minutes for the 6.09.21 Regular Board Meeting
- Minutes for the 6.30.21 Regular Board Meeting
- Payroll for Pay Period #14 (06/26/2020 through 07/09/2021) totaling \$55,210.96
- Payroll Benefits for Pay Period #14 totaling \$57,960.87
- Accounts Payable Vouchers totaling \$131,864.73

Motion passed.

On Call Engineering Services Consultant Selection

Clary explained that the District regularly uses the services of a consultant civil engineering firm to supplement staff services through an on-call professional services agreement (PSA). Task orders are issued on an as-needed basis to assist the District with routine professional engineering and surveying

services, expertise, and support. Wilson Engineering, LLC is the District's current on-call engineer, with a period of performance of August 8, 2016 through October 31, 2021.

The District issued an RFQ through publication in the Bellingham Herald on May 20, 2021. The District received responses from five consultant teams and a proposal review team comprised of Commissioner Ford, the general manager, assistant general manager/district engineer, construction engineer, and engineering technician/safety officer reviewed the submittals. Based upon qualifications presented, the proposal review team recommended that the Board select Wilson Engineering, LLC and authorize staff to negotiate an associated PSA. Discussion followed.

Action Taken

Citron moved, McRoberts seconded, to authorize the General Manager to enter into negotiation of a professional services agreement with Wilson Engineering, LLC for on-call general engineering services for a period of performance not to exceed five years. Motion passed.

Board Meeting Format Discussion

Clary recalled that at the outset of the COVID-19 pandemic, Governor Inslee issued Proclamation No. 20-05 declaring a state of emergency throughout Washington State, and Proclamation No. 20-28 prohibiting in-person meetings and waiving and suspending laws associated with the Open Public Meetings Act (Chapter 42.30 RCW). As a result, the District converted to an entirely remote meeting format using the GoToMeeting online meeting platform.

As a public agency, meetings of the District's governing body (the Board of Commissioners) are subject to the requirements of the OPMA. On June 30, 2021, Governor Inslee substantially amended the Miscellaneous Venues guidance to remove nearly all capacity and operational restrictions that had previously been in that guidance document. The newly revised Miscellaneous Venues guidance now only applies to venues for public meetings and provides in its entirety:

As of June 30, 2021, the following apply to governing bodies of public agencies opting to host in-person public meetings under the Open Public Meetings Act, as permitted under Emergency Proclamation 20-28, et seq:

- *No restrictions on capacity*
- *No physical distancing requirements*
- *Follow current applicable face covering requirements as outlined in Proclamation 20-25, et seq, Secretary of Health Order 20-03.2, and LNI Publication F414-179.*

Clary suggested Board discussion regarding when and how to return to in-person public meetings, with key considerations being the removal physical distancing requirements, potential proof of vaccination requirements, and ability to continue to provide a virtual/remote attendance option. Discussion ensued, in which the Board requested to begin in-person meetings beginning with the August 11 regular board meeting, with an option in place for remote access for both staff and public.

General Manager's Report

Clary updated the Board on several topics, including the District's continued response to the COVID-19 pandemic, increases in permit sales and new construction projects within the District, and formal welcoming of new Finance Manager/Treasurer Jennifer Signs. A lengthy discussion followed regarding

the Department of Ecology Draft Puget Sound Nutrient General Permit, which will continue via a regular agenda item at the July 28, 2021 regular board meeting.

With no further business, Abele adjourned the Regular Session 7:33 p.m.



Board President, Laura Abele

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on July 28, 2021
Date Minutes Approved