



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

August 11, 2021

Board President Laura Abele called the Regular Session to order at 6:35 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 Mankamyer 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.

Changes to Agenda

Clary requested the addition of Item 10, an Executive Session for the purpose of discussing the minimum price for which real estate will be offered for sale or lease. The Board agreed.

Consent Agenda

Action Taken

Ford moved, Citron seconded, approval of:

- 2nd Quarter 2021 Payroll Taxes totaling \$7,660.37
- Payroll for Pay Period #16 (07/24/2021 through 08/06/2021) totaling \$46,474.68
- Payroll Benefits for Pay Period #16 totaling \$53,579.64
- Accounts Payable Vouchers totaling \$93,702.40
- Minutes for the July 28, 2021 Regular Board Meeting

Motion passed.

Presentation on Sewer System Buildout Capacity Needs Analysis

Hunter detailed that the District owns and operates wastewater collection and conveyance infrastructure serving development on the north and south shores of Lake Whatcom. All wastewater collected by the District is conveyed to the City of Bellingham's sewage conveyance system for ultimate treatment at the city's Post Point Wastewater Treatment Plant (WWTP). Acceptance and treatment of District sewage is governed by an interlocal agreement between the City and District that was executed in 2014. Under the terms of the agreement, the District is responsible for 4.8% of the cost of any capital improvements to the WWTP.

Due to possible changes to the overall sewer system capacity needs since the last analysis performed during the development of the 2020 Comprehensive Sewer Plan; and anticipation of the City of Bellingham's 2025 solids handling capital improvement project beginning in 2025, the Board requested a review of the District's capacity needs at the Post Point WWTP relative to current full system buildout flow projections.

Wilson Engineering has conducted an analysis of full system buildout flow projections relative to WWTP capacity and cumulative average hourly metered flows to the City of Bellingham from the 2020-2021 wet season (October-April) along with known peaks in January 2015 and February 2020. Based on this information, it appears the District currently needs the full the contractual instantaneous flow rate of 2,400 gallons per minute to convey wastewater to the City of Bellingham Post Point Wastewater Treatment Plant. Discussion followed.

On Call Engineering Services Professional Services Agreement Approval

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

As expiration of the current on-call engineering services PSA approached, the District issued a request for qualifications through publication in the Bellingham Herald on May 20, 2021. The District received responses from five consultant teams by the 4:00 p.m., June 17, 2021, deadline. 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 and, based upon qualifications presented, recommended that the Board select Wilson Engineering, LLC and authorize staff to negotiate an associated PSA. The Board subsequently approved that recommendation during its regularly scheduled July 14, 2021, meeting. Staff presented the Board with the finalized Professional Services Agreement for approval.

Action Taken

Citron moved, Ford seconded, to authorize the general manager execute the professional services agreement with Wilson Engineering, LLC for on-call general engineering services as presented. Motion passed.

Agate Heights Water Treatment Plant Upgrade Public Works Contract Close-out

Hunter recalled that this project upgraded the Agate Heights Water Treatment Plant manganese water treatment equipment and associated automation and supervisory control systems. The upgrade increased the number of equivalent residential units (ERU) that can be served from 57 ERU to 81 ERU, providing capacity for future growth and extensions through developer extension agreements, utility local improvement districts, or other means. The Board of Commissioners approved the contract award of the Agate Heights Water Treatment Plant Upgrades public works contract to Equity Builders LLC during its regularly scheduled meeting on December 30, 2020. Equity Builders LLC has completed all contract requirements as of July 22, 2021 and staff recommended accepting the project as complete.

Action Taken

Ford moved, Citron seconded, to accept the Agate Heights Water Treatment Plant Upgrades Project as complete and authorize staff to close-out the public works contract. Motion passed.

COVID-19-specific Customer Payment Plan Discussion

Signs recounted that on July 2, 2021, Governor Jay Inslee issued a final extension of a proclamation prohibiting utilities from shutting off or imposing late fees on customers for lack of payment due to the COVID-19 pandemic. The proclamation is now scheduled to expire September 30, 2021. Utilities have been urged to find ways in which we can support customers once the moratorium expires and encouraged to continue to make good faith efforts to reach customers with past-due accounts, help customers identify utility, local, state, and federal financial assistance programs, extend payment plans, waive disconnection, reconnection, and late fees during the disconnection moratorium, and refrain from placing liens on customer with overdue accounts.

Given the unique circumstances surrounding the COVID-19 pandemic and the above mentioned moratorium, utility districts across the region are modifying their similar payment plan structure to further assist customers affected by COVID-19 to remain in compliance of Title 57 of the RCW that requires delinquent accounts to be brought current. Signs presented the Board with the District's current administrative code regarding past-due accounts, as well as questions for consideration around grace periods, the length of available payment plan options, and issuance of liens on past due accounts. Discussion followed.

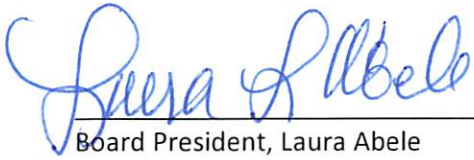
General Manager's Report

Clary updated the Board on several topics, including the District's continued response to the COVID-19 pandemic and new project pages available as resources on the District website. He also provided the Board with requests from the recording secretary to ensure clarity in motions and other actions during virtual meetings.

Executive Session Per RCW 42.30.110(1)(c) Minimum Price for Real Estate – 30 Minutes

Abele recessed the Regular Session to Executive Session at 7:41 p.m. It was estimated that the Executive Session would take 30 minutes. The purpose of the Executive Session was to discuss the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. Abele recessed the Executive Session and reconvened the Regular Session at 7:55 p.m. No action was taken.

With no further business, Abele adjourned the Regular Session 7:55 p.m.


Board President, Laura Abele

Attest: 
Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on Aug 25, 2021
Date Minutes Approved