



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

October 13, 2021

Board President Laura Abele called the Regular Session to order at 6:31 p.m.

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

Also in attendance were District employees Rich Munson, Jonathan Lydiard, and Ken Zangari; as well as one observation only attendee. 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

General Manager Justin Clary requested that Item 7A regarding Resolution 877 be delayed until Commissioner Carter was able to fix some connection issues. The Board agreed.

Consent Agenda

Action Taken

McRoberts moved, Citron seconded, approval of:

- Minutes for the September 29, 2021 Regular Board Meeting
- Payroll for Pay Period #20 (09/28/2021 through 10/01/2021) totaling \$49,362.38
- Payroll Benefits for Pay Period #20 totaling \$52,658.28
- Accounts Payable Vouchers totaling \$309,358.11

Motion passed.

Dellesta and Edgewater Sewer Lift Stations Improvements Public Works Contract Close-out

Hunter recalled that the Board of Commissioners approved the contract award of the Dellesta and Edgewater Sewer Pump Station Improvements public works contract (District Capital Project No. C1802-CON) to RAM Construction General Contractors LLC (RAM) during its regularly scheduled meeting on June 10, 2020. RAM has completed all contract requirements. Staff recommended accepting the Dellesta and Edgewater Sewer Pump Station Improvements construction contract as complete.

Action Taken

Ford moved, McRoberts seconded, to accept the Dellesta and Edgewater Sewer Pump Stations Improvements construction contract as complete and authorize staff to close-out the public works contract. Motion passed.

Beaver and Flat Car Lift Stations PLC and UPS Improvements Public Works Contract Close-out

Hunter explained the Board of Commissioners approved the contract award of the Beaver and Flat Car PLC and UPS Improvements contract (District Capital Project No. M1917) to Quality Controls Corporation (QCC) during its regularly scheduled meeting on October 28, 2020. QCC has completed all contract requirements. Staff recommended accepting the Beaver and Flat Car Sewer Lift Stations PLC and UPS Improvement construction contract as complete.

Action Taken

Ford moved, McRoberts seconded, to accept the Beaver and Flat Car Sewer Lift Stations PLC and UPS Improvements construction contract as complete and authorize staff to close-out the public works contract. Motion passed.

Resolution No. 877 Mandatory Vaccination of District Staff, Volunteers and On-site Contractors

Clary apprised the Board that on August 9, 2021, Governor Inslee issued Proclamation No. 21.14, mandating that all State employees become fully vaccinated from COVID-19 by October 18, unless they qualify for a bona fide medical or religious exemption. Following the initial proclamation, a few local governments have also implemented a mandatory vaccination policy for their staff, and many more are beginning to consider such a policy. During the board's August 25 meeting, Commissioner Ford raised this issue, and the Board requested inclusion of discussion of adopting a mandatory vaccination policy on a future meeting agenda.

At the September 29, 2021 regular meeting Clary highlighted multiple topics and considerations, including staffing redundancy, current and available protective measures, mandatory subject of bargaining considerations, options for dis-incentivizing remaining unvaccinated, exemptions, and staffing. Discussion included contributions from District employees Jonathan Lydiard, Jason Dahlstrom, and Kristin Hemenway. The Board requested that the draft resolution be reviewed for legal compliance, as well as had specific questions relative to eligibility for unemployment and COBRA health insurance for staff whose employment is discontinued due to failure to comply with the resolution, if adopted by the Board, as well as how the District will administer a vaccination exemption process.

Action Taken

Citron moved, Ford seconded, to amend Resolution No. 877 so that any references to a December 24, 2021 deadline be replaced with a December 27, 2021 deadline. Motion passed, with Commissioner McRoberts abstaining.

Ford moved, Citron seconded, to adopt Resolution No. 877 as amended. Motion passed, with Commissioners McRoberts and Carter opposing.

Division 7 Reservoir Replacement Project Design Award

Hunter briefly highlighted that a structural analysis of the Division 7 reservoir in 2016 identified significant deficiencies in the reservoir’s ability to meet current earthquake code requirements. After an alternatives analysis completed in 2018, the Board selected replacement of the existing reservoir with two smaller reservoirs to provide system redundancy and resiliency to the facility. In 2018, the District submitted an application for a FEMA Hazard Mitigation Grant to replace the existing reservoir, as well as to install ShakeAlert (earthquake early warning system) on all District reservoirs, water pumps and water treatment plants. Though the District was notified of grant award (77.5% external funding with 12.5% District match), an official funding agreement has yet to be received. However, based upon communication with FEMA and Washington State officials, funding approval is proceeding with the goal of construction in 2023.

Based upon the current grant funding/construction schedule, the District issued a request for qualifications for design, permitting, and services during construction associated with this project through publication in the Bellingham Herald on September 13, 2021, and received responses from three consultants. A consultant selection committee comprised of Commissioner Citron, the general manager, assistant general manager/district engineer, construction engineer, engineering technician/safety officer, and water treatment plant operator was created to review the submittals and select the most qualified consultant for the project. The committee recommended awarding the project design to Wilson Engineering.

Action Taken

Ford moved, Citron seconded, to authorize the general manager to enter into negotiations of a professional services agreement with Wilson Engineering for design, permitting, and services during construction associated with the Division 7 Reservoir Replacement Project. Motion passed.

Preliminary 2022 Budget Presentation

Signs explained that the purpose of this agenda item was to present staff’s current draft and highlight various areas for feedback from the Board. Using projected revenues based upon rate increases recommended in the preliminary rate study (6% and 5% water and sewer rates, respectively), actual 2021 operating expenses, and projects defined in the District’s water and sewer capital improvement plans, District staff developed a preliminary draft budget for Board discussion. Discussion followed.

General Manager’s Report

Clary updated the Board on several topics, including the District’s continued response to the COVID-19 pandemic as well as the upcoming October 25 Board Retreat Special Work Session, an update on the District’s voluntary billing suspension policy, and the development of an agenda for the upcoming legislative session. Discussion followed.

With no further business, Abele adjourned the Regular Session 8:18 p.m.



Board President, Laura Abele

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on November 10, 2021
Date Minutes Approved