



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

REGULAR SESSION OF THE BOARD OF COMMISSIONERS

Minutes

November 24, 2021

Board President Laura Abele called the Regular Session to order at 8:00 a.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
Current Finance Manager/Treasurer Jenny Signs
Operations Manager Brent Winters
Recording Secretary Rachael Hope

Also in attendance were Melanie Mankamyer of Wilson Engineering and Dan Burwell of RH2 Engineering. They and all above attendees participated remotely by phone or video conferencing.

In physical attendance were Kevin Cook, District Water Treatment Plant Operator, and from the Washington State Department of Health, Jolyn Leslie, Regional Engineer, NW Regional Office; Laura McLaughlin, Regional Engineer, NW Regional Office; and Sheri Miller, Field Operations Manager, Office of Drinking Water Headquarters.

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

Citron moved, Ford seconded, approval of:

- Payroll for Pay Period #23 (10/30/2021 through 11/12/2021) totaling \$47,726.86
- Payroll Benefits for Pay Period #23 totaling \$51,656.35
- Accounts Payable Vouchers totaling \$150,031.96

Motion passed.

Resolution No. 879 Update to Master Fees and Charges Schedule

Clary explained that from time-to-time the Board of Commissioners reviews and updates the District's fees and charges to ensure that the District receives appropriate payment for services rendered. The current revision of the Master Fees & Charges Schedule (Schedule 27) was adopted by the Board under Resolution No. 860 during its regularly scheduled meeting on September 11, 2019.

A key component of the Master Fees and Charges Schedule are the District's rates for water sales and sewer service. Historically, the District performs a comprehensive analysis every five years to ensure rates are sufficient to fund current capital and operational cost projections; typically adopting multi-year rate increases for each utility that "smooth" the necessary increases throughout the five year planning horizon.

Additional revisions to the Master Fees and Charges Schedule proposed through Resolution No. 879 consist of cleanup of the schedule (e.g., deletion of fees that are no longer applicable due to their expiration) and accounting for inflation. Of note is the addition of the definition of the maximum allowable credit that a qualifying customer may receive for installation of a private water booster pump. This credit was defined to be listed within the Master Fees and Charges Schedule by adoption of Resolution No. 778, but was never previously incorporated. Discussion followed.

Action Taken

Citron moved, McRoberts seconded, to adopt Resolution No. 879, as presented. Motion passed.

Resolution No. 880 Affirmation of the General Manager's Emergency Declaration associated with the November Flood

Clary recalled that on or around November 12, 2021, a significant rain event began that caused flooding throughout Whatcom County and specifically within the District's service area. The flood event exceeded the capacity of the District's infrastructure, resulting in the need to procure assistance from external sources to assist the District in mitigating damage and other impacts.

In accordance with applicable sections of the Revised Code of Washington, the General Manager declared an emergency associated with the flood event on November 15, 2021, and executed a public works contract with multiple sewage tanker transport contractors to assist the District in its response. Per District Administrative Code Section 2.16.3(3), if an emergency contract is awarded without competitive bidding, the Board of Commissioners or its designee must enter a written finding of an emergency into the public record no later than two (2) weeks following the contract award." Resolution No. 880 has been developed to meet statutory and District requirements associated with public works contracting for the emergency repairs.

Action Taken

Citron moved, Carter seconded, to adopt Resolution No. 880 as presented. Motion passed.

Draft 2022 Budget Presentation

Signs introduced the most recent draft of the District's 2022 Budget, and highlighted updates to the draft budget since the November 10 Regular Board Meeting, with the goal of review and approval by the Board of Commissioners prior to the end of December in advance of the budget year. Discussion followed.

Division 7 Reservoir Replacement Project Professional Services Agreement

Hunter recounted that as reported by BHC in December 2016, significant deficiencies exist in the Division 7 Reservoir's ability to meet existing earthquake code requirements. The 2017 Water System Plan also analyzed the capacity of the Division 7 reservoir and found it to be significantly oversized. After investigating several options, staff recommended replacing the existing welded steel 1-million gallon Division 7 reservoir with two smaller concrete 185,000 gallon reservoirs.

The project has been split into two phases: Phase 1 – Design/Permitting; and Phase 2 – Construction. Phase 1 is in progress with the goal to complete in 2022. The Phase 1 scope of work covers project management, pre-design, engineering design, and bid process and the 2021 Budget included \$63,000, intended to be a small

amount of funding to begin preliminary design, permitting, easement acquisition, and grant/loan application support.

In 2018, the District submitted a FEMA Hazard Mitigation Grant application to replace the Division 7 Reservoir with two new reservoirs constructed to meet seismic standards, and to implement ShakeAlert (earthquake early warning system) on the new reservoirs. The grant application is still under consideration by the federal and state governments.

As of November 18, 2021, \$15,403.15 of the budgeted amount had been spent, with \$47,596.85 remaining. Since the District has not yet received an official notice of a grant award, staff recommended authorizing the proposed scope of work, but limiting the time and material expenses to \$47,000. When Wilson reaches that threshold, the project will be suspended until grant funds are guaranteed, or the District allocates additional funding from other sources. Discussion followed.

Action Taken

Citron moved, McRoberts seconded, to authorize the general manager execute a professional services agreement with Wilson Engineering, LLC for Phase 1 – Design/Permitting Scope of Work for time and materials not-to-exceed \$47,000; and that the authorized not-to-exceed amount may be increased by future amendment as additional funds are allocated by the Board of Commissioners. Motion passed.

Rocky Ridge and Lakewood Sewer Lift Stations Improvements Project Professional Services Agreement

Hunter detailed that as part of Lake Whatcom Water and Sewer District's long-term capital improvement plan, the Rocky Ridge and Lakewood Sewer Lift Stations, constructed in the late 1970's, are scheduled for renewal or replacement. Following the request for qualifications and consultant selection process, the Board authorized the General Manager to enter into negotiations with RH2 Engineering for a professional services agreement for design and permitting services. District and RH2 staff met virtually to coordinate the scope of work for the initial Phase 1 – Predesign.

The 2021 approved budget includes \$140,000 for predesign and permitting for the Rocky Ridge and Lakewood Sewer Pump Station Improvements Project. The draft 2022 budget presented at the November 10, 2021 board meeting includes an additional \$40,000 of funding which increases the total predesign and permitting budget to \$180,000. With the upcoming adoption of the 2022 budget, predesign and permitting work will be fully funded. The majority of this scope of work will be completed (and costs incurred) in 2022. Discussion followed.

Action Taken

Citron moved, Ford seconded, to authorize the general manager execute a professional services agreement with RH2 Engineering for Phase 1 – Predesign Scope of Work for time and materials not to exceed \$176,085 as presented. Motion passed.

Washington State Department of Health Treatment Optimization Program 20-year Award Presentation

The Lake Whatcom Water and Sewer District's South Shore Water System, which serves the Geneva and Sudden Valley communities, is supplied by the Sudden Valley Water Treatment Plant. The plant uses rapid filtration technology to treat water drawn from Lake Whatcom prior to distribution throughout the South Shore Water System. In 2001, the Washington State Department of Health created its Treatment Optimization Program (TOP) to recognize rapid rate filtration plants throughout Washington State for compliance with regulatory compliance. Of the 59 rapid rate filtration plants in operation in the State, the District's Sudden Valley WTP is one of four that has met regulatory requirements since the TOP's inception (20 consecutive years).

Clary turned over the discussion to the Department of Health representatives who were in attendance to present a TOP 20-year Award to Water Treatment Plant Operator Kevin Cook and the District. Each spoke to highlight the District's accomplishments in maintaining strict adherence to state regulations.

General Manager's Report

Clary opened discussion of the District's response to the November Flood Event with a summary of issues and the District's response to those issues. This included discussion of damaged pumps at the North Point Sewer Pump Station, inflow of storm water into other pump stations, sewer releases and subsequent mitigation, and ongoing recovery efforts. Discussion followed.

Clary also acknowledged the dedication of District staff during the emergency, during which the crew and Engineering department were on hand 24 hours a day working in the storm and monitoring SCADA systems, damage control, logistics, and contracting of additional tanker trucks.

Engineering Department Report

Hunter highlighted several areas, including research into replacing the District's internal server, Department of Health approval for the Eagle Ridge Booster Pump Station Conversion, and alternatives for managing reverse sewage flow at the Flat Car Pump Station.

Finance Department Report

Signs reported on revenues and expenditures through the end of October, a 20% reduction in past due accounts, and the success of the financial department in reducing the number of potential shut-offs by communicating options for payment plans and local assistance organizations.

Operations & Maintenance Department Report

Winters gave a brief report on field crew operations, including focus on employee safety, water treatment plant operations and lake turbidity, and ongoing monitoring of saturated ground.

The Board commended Winters and the staff for their work and leadership through the storm emergency.

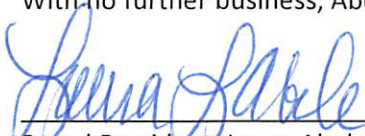
Executive Session Per RCW 42.30.140(4)(a) Collective Bargaining – 15 Minutes

Abele recessed the Regular Session to Executive Session at 9:57 a.m. It was estimated that the Executive Session would take 15 minutes, and action was not anticipated. The purpose of the Executive Session was to consider issues related to collective bargaining with a labor union. Abele recessed the Executive Session and reconvened the Regular Session at 10:07 a.m.

Executive Session Per RCW 42.30.110(1)(g) Reviewing the Performance of a Public Employee – 30 Minutes

Abele recessed the Regular Session to Executive Session at 10:07 a.m. It was estimated that the Executive Session would take 30 minutes. The purpose of the Executive Session was to discuss the General Manager's annual performance appraisal by the Board. Abele recessed the Executive Session and reconvened the Regular Session at 10:26 a.m. No action was taken.

With no further business, Abele adjourned the Regular Session 10:26 a.m.



Board President, Laura Abele

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at Regular Special Board Meeting on Dec 8, 2021
Date Minutes Approved