



LAKE WHATCOM WATER & SEWER DISTRICT

1220 Lakeway Drive
Bellingham, WA, 98229

(360) 734-9224
Fax 738-8250

MEMORANDUM

Date: May 4, 2022

RE: Virtual Meeting Attendance

For the foreseeable future, Lake Whatcom Water & Sewer District's Board of Commissioners will be attending regular meetings by phone/video conference. Per Governor Inslee's [Proclamation No. 20-28.3](#), the District will provide access to interested public via phone/internet utilizing the GoToMeeting platform.

Attending a Meeting

If you would like to attend the May 11, 2022 regular board meeting, access details can be found below. In this evolving climate, we are committed to doing everything possible to provide opportunity for public comment as well as promote health and safety. As such, **the District requests that if possible, public submit comments in written form by noon the day before a scheduled meeting** for inclusion in the meeting discussion. This is *not a requirement* for making a public comment, but is helpful to the staff and commissioners for planning purposes.

May 11, 2022 Regular Board Meeting

Wed, May 11, 2022 6:30 PM – 8:00 PM (PST)

Join the meeting from your computer, tablet or smartphone.

<https://meet.goto.com/169684597>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 169-684-597

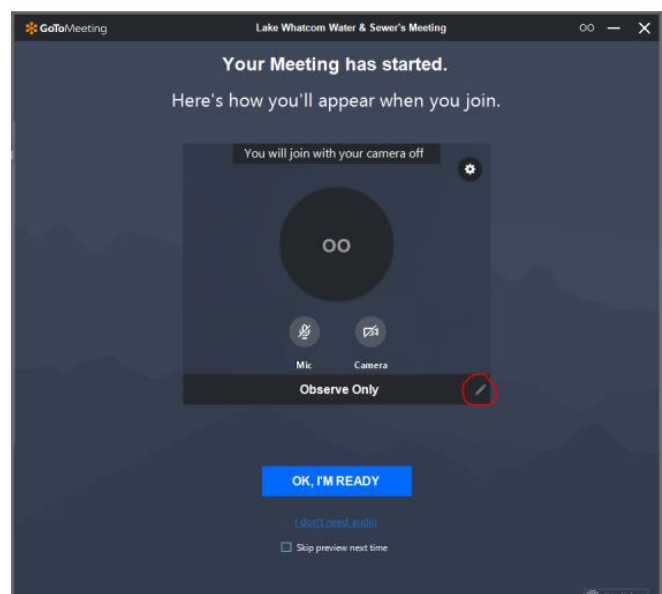
New to GoToMeeting? Get the app now and be ready when the meeting starts:

<https://meet.goto.com/install>

Attending as an Observer only

If you wish to observe a meeting, but do not plan to speak or appear on video during the meeting, you may attend anonymously.

When you click the link to log in to the meeting, a black box will appear like the one pictured below. Click the pencil icon (circled) and change your name to "Observe Only." Also make sure that your microphone and camera icon are grey and not green. You will be muted by the meeting administrator and will not be included in the roll call.



We appreciate your understanding and patience during these uncertain times.

If you have any questions, please contact Administrative Assistant

Rachael Hope at rachael.hope@lwwsd.org or 360-734-9224.

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LAKE WHATCOM WATER AND SEWER DISTRICT

1220 Lakeway Drive
Bellingham, WA 98229

REGULAR MEETING OF THE BOARD OF COMMISSIONERS

AGENDA

May 11, 2022


6:30 p.m. – Regular Session

1. CALL TO ORDER
2. ROLL CALL
3. CONFIRMATION OF COMPLIANCE WITH REMOTE MEETING ATTENDANCE PROTOCOLS
4. PUBLIC COMMENT OPPORTUNITY
At this time, members of the public may address the Board of Commissioners. Please state your name prior to making comments.
5. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA
6. CONSENT AGENDA
7. SPECIFIC ITEMS OF BUSINESS
 - A. Post Point Resource Recovery Project Discussion
8. OTHER BUSINESS
9. STAFF REPORTS
 - A. General Manager
10. PUBLIC COMMENT OPPORTUNITY
11. ADJOURNMENT



**AGENDA
BILL
Item 6**

Consent Agenda

DATE SUBMITTED:	May 4, 2022	MEETING DATE:	May 11, 2022
TO: BOARD OF COMMISSIONERS	FROM: Rachael Hope		
GENERAL MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. See below		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input checked="" type="checkbox"/>	INFORMATIONAL /OTHER <input type="checkbox"/>

****TO BE UPDATED 05.11.2022****

BACKGROUND / EXPLANATION OF IMPACT

- Payroll for Pay Period #09 (04/16/2022 through 04/29/2022) totaling \$49,005.01
- Payroll Benefits for Pay Period #09 totaling \$52,747.63
- Accounts Payable Vouchers total to be added

FISCAL IMPACT

Fiscal impact is as indicated in the payroll/benefits/accounts payable quantities defined above. All costs are within the Board-approved 2022 Budget.

RECOMMENDED BOARD ACTION

Staff recommends the Board approve the Consent Agenda.

PROPOSED MOTION

A recommended motion is:

“I move to approve the Consent Agenda as presented.”

PAYROLL

CHECK REGISTER

Lake Whatcom W-S District

Time: 13:27:00 Date: 05/02/2022


05/05/2022 To: 05/05/2022

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
1298	05/05/2022	Payroll	5	EFT		225.99	04/16/2022 - 04/29/2022 PR 9
1299	05/05/2022	Payroll	5	EFT		782.39	04/16/2022 - 04/29/2022 PR 9
1300	05/05/2022	Payroll	5	EFT		469.71	04/16/2022 - 04/29/2022 PR 9
1301	05/05/2022	Payroll	5	EFT		3,547.75	04/16/2022 - 04/29/2022 PR 9
1302	05/05/2022	Payroll	5	EFT		3,710.17	04/16/2022 - 04/29/2022 PR 9
1303	05/05/2022	Payroll	5	EFT		2,689.01	04/16/2022 - 04/29/2022 PR 9
1305	05/05/2022	Payroll	5	EFT		2,703.93	04/16/2022 - 04/29/2022 PR 9
1307	05/05/2022	Payroll	5	EFT		1,759.85	04/16/2022 - 04/29/2022 PR 9
1308	05/05/2022	Payroll	5	EFT		3,016.25	04/16/2022 - 04/29/2022 PR 9
1309	05/05/2022	Payroll	5	EFT		2,138.18	04/16/2022 - 04/29/2022 PR 9
1310	05/05/2022	Payroll	5	EFT		3,468.30	04/16/2022 - 04/29/2022 PR 9
1311	05/05/2022	Payroll	5	EFT		2,074.19	04/16/2022 - 04/29/2022 PR 9
1312	05/05/2022	Payroll	5	EFT		2,411.13	04/16/2022 - 04/29/2022 PR 9
1313	05/05/2022	Payroll	5	EFT		936.62	04/16/2022 - 04/29/2022 PR 9
1314	05/05/2022	Payroll	5	EFT		2,590.79	04/16/2022 - 04/29/2022 PR 9
1315	05/05/2022	Payroll	5	EFT		1,623.97	04/16/2022 - 04/29/2022 PR 9
1316	05/05/2022	Payroll	5	EFT		2,173.45	04/16/2022 - 04/29/2022 PR 9
1317	05/05/2022	Payroll	5	EFT		3,223.44	04/16/2022 - 04/29/2022 PR 9
1318	05/05/2022	Payroll	5	EFT		1,924.49	04/16/2022 - 04/29/2022 PR 9
1319	05/05/2022	Payroll	5	EFT		2,961.15	04/16/2022 - 04/29/2022 PR 9
1320	05/05/2022	Payroll	5	EFT		2,618.98	04/16/2022 - 04/29/2022 PR 9
1304	05/05/2022	Payroll	5	12801		469.71	04/16/2022 - 04/29/2022 PR 9
1306	05/05/2022	Payroll	5	12802		1,485.56	04/16/2022 - 04/29/2022 PR 9
401 Water Fund						15,441.96	
402 Sewer Fund						33,563.05	

49,005.01 Payroll: 49,005.01

I do hereby certify, under penalty of perjury, that the above is an unpaid, just, and due obligation as described herein, and that I am authorized to certify this claim.

Sign  Date 5/3/2022
General Manager, Justin Clary

Board Authorization - The duly elected board for this district has reviewed the claims listed and approved the payment by motion at the meeting listed below:

Board President, Laura Abele

Attest : _____
Recording Secretary, Rachael Hope

Approved by motion at _____ Regular _____ Special Board Meeting on _____
Date Approved

BENEFITS

CHECK REGISTER

Lake Whatcom W-S District

Time: 13:35:42 Date: 05/02/2022

05/05/2022 To: 05/05/2022

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
1321	05/05/2022	Payroll	5	EFT	UNITED STATES TREASURY	17,540.48	941 Deposit for Pay Cycle(s) 05/05/2022 - 05/05/2022
1322	05/05/2022	Payroll	5	EFT	WA ST SUPPORT ENFORCEMENT REGISTRY	208.34	Pay Cycle(s) 05/05/2022 To 05/05/2022 - SUP ENF
1323	05/05/2022	Payroll	5	12803	AFLAC	354.85	Pay Cycle(s) 05/05/2022 To 05/05/2022 - AFLAC Pre-Tax; Pay Cycle(s) 05/05/2022 To 05/05/2022 - AFLAC Post-Tax
1324	05/05/2022	Payroll	5	12804	AFSCME LOCAL	379.20	Pay Cycle(s) 05/05/2022 To 05/05/2022 - Union Dues; Pay Cycle(s) 05/05/2022 To 05/05/2022 - Union Fund
1325	05/05/2022	Payroll	5	12805	DEPARTMENT OF RETIREMENT SYSTEMS	5,018.00	Pay Cycle(s) 05/05/2022 To 05/05/2022 - DCP
1326	05/05/2022	Payroll	5	12806	HRA VEBA TRUST (PAYEE)	590.00	Pay Cycle(s) 05/05/2022 To 05/05/2022 - VEBA
1327	05/05/2022	Payroll	5	12807	VANTAGEPOINT TRANSFER AGENTS - 306798	100.00	Pay Cycle(s) 05/05/2022 To 05/05/2022 - ICMA
1328	05/05/2022	Payroll	5	12808	WA ST HEALTH CARE AUTHORITY	16,611.95	Pay Cycle(s) 05/05/2022 To 05/05/2022 - PEBB Medical; Pay Cycle(s) 05/05/2022 To 05/05/2022 - PEBB ADD LTD; Pay Cycle(s) 05/05/2022 To 05/05/2022 - PEBB SMK Surcharge; Pay Cycle(s) 05/05/2022 To 05/05
1329	05/05/2022	Payroll	5	12809	WA ST PUBLIC EMP RET PLAN 2	8,784.66	Pay Cycle(s) 05/05/2022 To 05/05/2022 - PERS 2
1330	05/05/2022	Payroll	5	12810	WA ST PUBLIC EMP RET PLAN 3	3,160.15	Pay Cycle(s) 05/05/2022 To 05/05/2022 - PERS 3
401 Water Fund						38,921.79	
402 Sewer Fund						13,825.84	

52,747.63 Payroll: 52,747.63

CHECK REGISTER

BENEFITS

Lake Whatcom W-S District


Time: 13:35:42 Date: 05/02/2022

05/05/2022 To: 05/05/2022

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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I do hereby certify, under penalty of perjury, that the above is an unpaid, just, and due obligation as described herein, and that I am authorized to certify this claim.

Sign  Date 5/3/2022
General Manager, Justin Clary

Board Authorization - The duly elected board for this district has reviewed the claims listed and approved the payment by motion at the meeting listed below:

Board President, Laura Abele

Attest : _____
Recording Secretary, Rachael Hope

Approved by motion at _____ Regular _____ Special Board Meeting on _____
Date Approved



**AGENDA
BILL
Item 7.A**

**City of Bellingham Resource
Recovery Project Discussion**

DATE SUBMITTED:	May 4, 2022	MEETING DATE:	May 11, 2022
TO: BOARD OF COMMISSIONERS	FROM: Justin Clary, General Manager		
GENERAL MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. none		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL /OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

The City of Bellingham owns and operates the Post Point Wastewater Treatment Plant, which receives and treats the District's wastewater through an interlocal agreement between the City and District. The solids handling process equipment (including incinerators) at the facility are reaching the end of their useful lives and require replacement. Based upon the City's policy for climate action and community feedback on various replacement options, a digestion process with energy recovery has been identified as the preferred solution. Since the last presentation to the Board in April 2021, the City and its consultant have been proceeding with design, permitting, and cost estimating associated with this project (referred to as the Resource Recovery Project).

Also since the April 2021 presentation, the City has received a number of comments from the community pertaining to consideration of the presence (and associated risk) of per- and polyfluoroalkyl substances (PFAS) within the compostable end product of the proposed digestion process. Though PFAS has gained significant notoriety over the past decade pertaining to human health risk associated with its potential presence in drinking water (the risk of which is still being defined by state and federal agencies), its presence and associated risk in wastewater treatment end products has only recently come to light (in regard to drinking water, there have been no detections of PFAS in Lake Whatcom water to-date).

Based upon the community's concern with the potential for PFAS in the compostable end product of the proposed digestion process, the City has held significant discussion pertaining to the current Resource Recovery Project, and if any additional processes should be considered to address PFAS. With the potential for any additional processes to increase project costs significantly relative to the already historically costly project, the City provided an update to the Board on the project during the Board's April 27 meeting. Following presents staff's understanding of Board concerns with the proposed project (for further discussion during the May 11 meeting):

1. *Liability. If the City proceeds with some form of land application of the biosolids (following anerobic digestion) prior to state/federal maximum contaminant levels being set for PFAS in biosolids, there is a risk of future suit against the City, and possibly the District as the largest customer and public partner in financing the project, for*

- contamination. As such, the District requests indemnification from the City against future liability should it proceed with the project prior to regulatory standards being set.*
- 2. Housing Affordability. The U.S. Department of Housing and Urban Development (HUD) includes utility cost in its affordable housing calculation. With housing costs escalating throughout the region and recognizing significant rate increases will be necessary to finance the Resource Recovery Project and the soon-to-follow nutrient removal processes at Post Point, housing affordability is of significant concern to the Board (e.g., Sudden Valley has for a long time been considered a relief valve to Bellingham's high home prices). Proceeding with the Resource Recovery Project without having an understanding of future PFAS regulations may result in the requirement of a costly additional process (gasification, pyrolysis, hydrothermal liquefaction, etc.), which will require additional rate increases and put affordable housing out of the reach of even more in the community.*
 - 3. Climate Action Goal Attainment. Past presentations by the City did a tremendous job in demonstrating the overall operational carbon footprint reduction of the anaerobic digestion/compost-production alternative over other prior-considered alternatives (including incineration). However, it is unclear regarding the magnitude of this reduction if the City is ultimately required to transport a thickened biosolid product for landfill disposal in eastern Washington if local land application/compost sale is not a viable option due to the presence of PFAS (estimates are that transport to eastern Washington would increase from the current one load/week of incinerator ash to one load/day of biosolids).*
 - 4. Operational Costs. It is the District's understanding that past operational cost calculations of the anaerobic digestion alternative were based on relatively local land application (with potential growth over time in the marketability of the product). The District is interested in the operational costs relative to other alternatives if transport to and disposal in eastern Washington landfills, or operation of some form of thermal treatment process (with end product landfill disposal) becomes necessary relative to the other prior-considered alternatives.*

In closing, PFAS maximum contaminant levels for drinking water are still a number of years from finalization at the state and federal levels, let alone the definition of allowable risk levels for PFAS in wastewater treatment end products. With such significant unknowns related to the viability of biosolids disposal, the District believes it prudent to allow for risk levels to be developed, even if it means postponing climate action goal attainment and investing significant dollars into the existing incinerators. Such a step could also allow for better integration of plant improvements with nitrate removal processes that are anticipated associated with the Puget Sound Nutrient Permit.

FISCAL IMPACT

No impacts will be incurred in the 2022 Budget. Based upon the interlocal agreement between the City and District for wastewater treatment, the District's share of any capital improvements to the Post Point WWTP will be 4.8% of the total costs (currently estimated at approximately \$10.5 million in 2028).

APPLICABLE EFFECTIVE UTILITY MANAGEMENT ATTRIBUTE(S)

Product Quality

Financial Viability

Infrastructure Strategy and Performance

Community Sustainability

RECOMMENDED BOARD ACTION

No action is recommended.


PROPOSED MOTION

Not applicable.



**AGENDA
BILL
Item 9.A**

**General Manager's
Report**

DATE SUBMITTED:	May 4, 2022	MEETING DATE:	May 11, 2022
TO: BOARD OF COMMISSIONERS	FROM: Justin Clary, General Manager		
GENERAL MANAGER APPROVAL			
ATTACHED DOCUMENTS	1. General Manager's Report		
TYPE OF ACTION REQUESTED	RESOLUTION <input type="checkbox"/>	FORMAL ACTION/ MOTION <input type="checkbox"/>	INFORMATIONAL /OTHER <input checked="" type="checkbox"/>

BACKGROUND / EXPLANATION OF IMPACT

Updated information from the General Manager in advance of the Board meeting.

FISCAL IMPACT

None.

RECOMMENDED BOARD ACTION

None required.

PROPOSED MOTION

None.



LAKE WHATCOM WATER AND SEWER DISTRICT
General Manager's Report
Upcoming Dates & Announcements
Regular Meeting – Wednesday, May 11, 2022 – 6:30 p.m.

Important Upcoming Dates

Lake Whatcom Water & Sewer District			
Regular Board Meeting	Wed May 25, 2022	8:00 a.m.	Remote Attendance
Employee Staff Meeting	Thu May 12, 2022	8:00 a.m.	Remote Attendance Commissioner Carter to attend
Investment Comm. Meeting	Wed Jul 27, 2022	10:00 a.m.	Remote Attendance
Safety Committee Meeting	Thu May 26, 2022	8:00 a.m.	Remote Attendance
Lake Whatcom Management Program			
Policy Group Meeting	Wed Jun 1, 2022	3:00 p.m.	Remote Attendance
Joint Councils Meeting	March 2023	TBD	TBD
Other Meetings			
WASWD Section III Meeting	Tue May 10, 2022	6:00 p.m.	TBD
Whatcom Water Districts Caucus Meeting	Wed May 18, 2022	2:00 p.m.	Remote Attendance
Whatcom County Council of Governments Board Meeting	Wed May 11, 2022	3:00 p.m.	Remote Attendance

Committee Meeting Reports

Safety Committee:

- Committee met on April 28. Discussion included status of installation of fall protection anchors at lift station wet wells and the need for a fall protection anchor on the Opal reservoir, the development of District ladder inventory per the ladder safety program, and the status of safety program review and staff training/certifications.

Investment Committee:

- Committee met on April 27. Discussion included shifting of \$320,000 to the LGIP account to take better advantage of anticipated interest rates, transition to a biennial budget, and development of an additional customer assistance program.

Upcoming Board Meeting Topics

- Post Point resource recovery project discussion
- Authority to surplus equipment
- Division 7 reservoir replacement project status presentation

2022 Initiatives Status

Administration and Operations

Capital Improvement Project Financing Plan

- Develop a financial plan that proactively prepares the District for significant capital projects on the near-term horizon while maintaining Board-defined operational levels-of-service.
The board adopted an updated rate structure in 2021 and a review of general facilities charges is underway, both of which incorporate anticipated CIP costs over the next decade. Related efforts include meeting with Cathi Read of the state Department of Commerce's Small Communities Initiative to discuss funding strategies, application for a FEMA Hazard Mitigation Grant for the Sudden Valley WTP chlorine contact basin replacement; and ongoing dialogue with city of Bellingham staff regarding financing the Post Point WWTP resource recovery project.

General Facilities Charges Review

- Conduct a review of District water and sewer general facilities (connection) charges (GFCs) to ensure appropriate fees are being assessed to new development.
Project kick-off presentation was provided during the April 27 meeting; staff are compiling data for the consultant.

Records Management System Overhaul

- Complete transition of the District's current records management system to a more robust system that ensures compliance with statutory requirements and gains efficiencies in document management.
A District-consultant meeting was held on April 28. The next step is to develop a procurement plan for records management software.

Safety Program Update

- Continue systematic review and revision of District's safety programs by updating nine programs in 2022.
The safety committee has finalized updates to three programs (PPE, safety responsibilities, and slips, trips and falls) and is reviewing the heat-related illness and respirator programs. Safety audits of the administration building and maintenance shop were conducted on April 28 and 29, respectively. Annual inspection of all facility and vehicle fire extinguishers was conducted on May 5.

Capital Improvement Program Support

- Support the Engineering Department through management of specific capital improvement project(s).
The general manger is managing the Eagleridge Water Booster Station Conversion (District Project No. C2011) and Division 30 Reservoir Hazardous Tree Removal (District Project No. M2226) projects, and completed the Commissioner Boundary update (District Project No. A2116).

Emergency Response/System Security

Emergency Readiness

- Re-engage with Whatcom County Department of Emergency Management to hold tabletop emergency response exercises, as well as a field exercise (pandemic-dependent).
District tabletop exercise is scheduled for May 26 at the Whatcom County Division of Emergency Management facility.

Cybersecurity Assessment

- Hire an IT-service provider to perform a third-party assessment of the District's vulnerability to cybercriminal attack.

To be initiated; J Clary and B Hunter attended WSRMP-provided webinar on April 21.

Community/Public Relations

General

- Website
The District's web content is reviewed and updated on a regular basis.
- Social Media
Posts are made to District Facebook and LinkedIn pages regularly; Nextdoor is regularly monitored for District-related posts.
- Press Releases
Press releases were issued on March 2 (commissioner redistricting public hearing) and March 21 (sewage overflow at North Point lift station).

Intergovernmental Relations

- *J Clary served on the interview panel on May 2 for the Mukilteo Water & Wastewater District's general manager hiring process.*
- *J Clary attended the WASWD general managers' virtual meeting on May 4.*
- *J Clary and B Hunter scheduled to meet on May 10 with Whatcom County Health Department staff to refine the coordination of public notice following sewage releases.*
- *J Clary scheduled to attend the WASWD Section III meeting on May 10.*
- *J Clary scheduled to meet with The Firs management on May 11 associated with the Division 7 reservoir replacement project.*

Lake Whatcom Water Quality

Lake Whatcom Management Program

- Participate in meetings of Lake Whatcom Management Program partners.
No LWMP-related meetings have been held since issuance of the last manager's report.

Onsite Septic System Conversion Program

- Pursue connection of the one remaining septic-served parcel located within 200 feet of District sewer system identified in the memorandum to the Board dated April 9, 2020.
To be initiated.