



## LAKE WHATCOM WATER AND SEWER DISTRICT

1220 Lakeway Drive  
Bellingham, WA 98229

### REGULAR SESSION OF THE BOARD OF COMMISSIONERS

## Minutes

*November 09, 2022*

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

<b>Attendees:</b>	Commissioner Laura Abele (v)	General Manager Justin Clary
	Commissioner Todd Citron (v)	District Engineer/Assistant GM Bill Hunter
	Commissioner John Carter (v)	Finance Manager/Treasurer Jenny Signs
	Commissioner Bruce Ford (v)	Operations/Maintenance Manager Brent Winters
	Commissioner Jeff Knakal	Recording Secretary Rachael Hope

Also in attendance were:

- Jason Dahlstrom, incoming Operations/Maintenance Manager
- Luke Phifer of Carmichael Clark
- Mitchell & Brittany Barrows, District Residents

Attendees noted with (v) attended the meeting virtually.

#### Roll Call

General Manager Justin Clary performed a roll call.

#### Changes to Agenda

Clary requested the addition of a business item presenting District Resolution No. 887 after item 6.B. The Board agreed.

#### Consent Agenda

##### Action Taken

Citron moved, Knakal seconded, approval of:

- Meeting Minutes for the October 12, 2022 Regular Board Meeting
- Meeting Minutes for the October 26, 2022 Regular Board Meeting
- Payroll for Pay Period #22 (10/15/2022 through 10/28/2022) totaling \$47,073.70
- Payroll Benefits for Pay Period #22 totaling \$54,462.20
- Accounts Payable Vouchers totaling \$286,230.60

Motion passed.

#### Resolution No. 886 - Update to Master Fees and Charges Schedule

Clary recalled that in accordance with the powers granted under Revised Code of Washington Section 57.08.007, 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 and Charges Schedule was adopted by the Board under Resolution No. 879 on November 24, 2021.

A component of the Master Fees and Charges Schedule is the District's water and sewer general facilities charges (GFCs), which are set at the equitable share of system costs for properties wishing to connect to District services. Following the most recent analysis in 2017, FCS Group was selected to conduct an updated analysis as included in the 2022 Board-adopted Budget. This analysis began with a Board presentation at the April 27, 2022 Board meeting, and further discussion took place during regularly scheduled meetings in September and October.

During its October 26 meeting, the Board directed staff to develop a resolution revising the Master Fees and Charges Schedule, effective January 1, 2023. The proposed Master Fees and Charges Schedule 29 also accommodates extension of charges in lieu of assessment associated with Utility Local Improvement District (ULID) No. 18 through 2028 defined in Resolution No. 885 adopted by the Board during its September 28, 2022, meeting. Other revisions to the Schedule are clerical in nature (e.g., deleting fees that will no longer be applicable in 2023).

**Action Taken**

**Citron moved, Ford seconded to adopt Resolution No. 886, as presented. Motion passed.**

**Developer Extension Agreement Application for 2588 Woodcliff Lane Water Main Extension**

Hunter explained that District resident Mitchell Barrows submitted an application to establish a Developer Extension Agreement (DEA) with the District for a water main extension to serve 2588 Woodcliff Lane. The application was received on August 29, 2022, and the application fee was paid on September 15, 2022. The subject property is an undeveloped parcel near Lake Whatcom Boulevard, just north of Sudden Valley. The proposed development is one single family residence on a single parcel.

The first step in the DEA process is for the Board of Commissioners to evaluate whether to allow an extension and to determine any conditions of a contract. Hunter highlighted requirements from the District's Administrative Code Section 3.4; including locations and key issues on both the water and sewer service sides of the undeveloped property. Discussion followed.

**Action Taken**

**Motion A: Ford moved, Carter seconded to authorize the General Manager to execute a Developer Extension Agreement with Mitchel Barrows for a water main extension and water service to one single family residence at 2588 Woodcliff Lane with the following conditions:**

- 1. Connection to the District's existing gravity sewer system is required.**
- 2. Water main extension is in Lake Whatcom Boulevard right-of-way between the parcel's projected property lines onto Lake Whatcom Boulevard.**
- 3. Hydraulic modeling and water main sizing is performed by District's general engineering consultant for the full loop condition (main connected at each end) and worst-case dead-end condition between Strawberry Point and Sudden Valley.**
- 4. Water meter is located at end of new water main in Lake Whatcom Boulevard right-of-way with private service line from meter to subject property.**
- 5. Automatic water main flushing device is installed at end of new main.**

**Motion B: Citron moved, Knakal seconded, to amend the original motion to include a condition that the DEA work done by the contractor and homeowner will comply with all District rules and**

regulations, including changes made necessary by the result of the hydraulic modeling in item 3.  
**Motion B passed.**

**Motion A passed.**

**Resolution No. 887: Expressing the District's Gratitude towards Operations and Maintenance Manager Brent Winters and Recognizing His Years of Service to the Lake Whatcom Community**

Clary presented the Board with Resolution No. 887, recognizing Brent Winters for his excellent service with the District in anticipation of his retirement at the end of 2022. The resolution was read into record. The Board recognized Winters for his example to staff and hard work during his tenure as the District's first Operations and Maintenance Manager.

**Action Taken**

**Citron moved, Ford seconded to adopt Resolution No. 887, as presented. Motion passed.**

**Scenic Intertie Leak Repair Public Works Construction Contract Award**

Hunter indicated that the Scenic Avenue Intertie Valve Repair Project is located along Lakeway Drive at the intersection with Scenic Avenue, just outside the City of Bellingham limits. On September 5, 2022, the District was notified of significant surface water on Lakeway Drive near the intertie valve cluster. In coordination with the City of Bellingham it was determined the water was from a leaking District valve at the intertie between the District's and City's water systems.

This project consists of the replacement of existing piping, valve and fittings on the 8-inch ductile iron water main to restore the emergency intertie. The project replaces the defective valve as well as eliminates redundant valves. The District published an advertisement for bids in the Bellingham Herald on October 9, 2022. Four bids were received.

The apparent low bidder, Soper Hill Construction Company, LLC, met the Washington State Mandatory Bidder Responsibility Criteria established per RCW 39.04.350(1), but did not substantially meet the supplemental bidder responsibility criteria established for this project. District staff recommended awarding the Scenic Avenue Intertie Valve Repair Project contract to the lowest responsive responsible bidder.

**Action Taken**

**Citron moved, Carter seconded, to award the Scenic Avenue Intertie Valve Repair Project public works contract to Premium Services Incorporated for a total contract price of \$53,575.64 including 8.6% sales tax and authorize the General Manager to execute the contract. Motion passed.**

**Draft 2023-2024 Biennial Budget**

Signs presented the commissioners with an updated preliminary draft budget for 2023-24 using projected revenues based upon rate increases established in the Master Fees & Charges Schedule 28 and projected 2022 operating expenses and projects defined in the District's water and sewer capital improvement plans. Hunter provided updated information on continuing and active projects included in the capital improvements section of the proposed budget. Discussion followed.

**General Manager's Report**

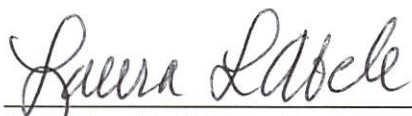
Clary updated the Board on several topics, including his recent meeting with Congressman Larsen's local liaison, FEMA funding related to the November 2021 flood event, and the District's recent press release highlighting the District's receipt of the Washington State Department of Health's Treatment Optimization

Program for its 21<sup>st</sup> consecutive year. Clary recognized Water Treatment Plant Operator Kevin Cook and operations staff for their dedication to providing quality water.

**Executive Session Per RCW 42.30.110(1)g) General Manager Performance Evaluation – 30 Minutes**

Abele recessed the Regular Session to Executive Session at 7:49 p.m. It was estimated that the Executive Session would take about 30 minutes. The purpose of the Executive Session was to discuss the General Manager’s Performance Evaluation. Abele recessed the Executive Session and reconvened the Regular Session at 8:14 p.m. No action was taken.

With no further business, Abele adjourned the Regular Session 8:15 p.m.



Board President, Laura Abele

Attest:



Recording Secretary, Rachael Hope

Minutes approved by motion at  Regular  Special Board Meeting on

12/14/2022

Date Minutes Approved