



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

## REGULAR SESSION OF THE BOARD OF COMMISSIONERS Minutes

*April 12, 2023*

Board President Todd Citron called the Regular Session to order at 6:32 p.m.

**Attendees:** Commissioner Todd Citron  
Commissioner Bruce Ford  
Commissioner John Carter  
Commissioner Jeff Knakal (v)  
Commissioner David Holland  
General Manager Justin Clary  
District Engineer/Assistant GM Bill Hunter  
Operations & Maintenance Manager Jason Dahlstrom  
Recording Secretary Rachael Hope  
District Legal Counsel Bob Carmichael

Also in attendance was Ryan Peterson of Dovetail General Contractors (v). Attendees noted with (v) attended the meeting virtually.

### Consent Agenda

Clary requested the addition of Agenda Item 6.D., Division 7 Reservoir Easement Replacement Agreement. The Board agreed.

### Consent Agenda

#### **Action Taken**

**Carter moved, Ford seconded, approval of:**

- **Minutes Payroll for Pay Period #07 (03.18.2023 through 03.31.23) totaling \$45,314.38**
- **Payroll Benefits for Pay Period #07 totaling \$51,919.45**
- **Accounts Payable Vouchers totaling \$181,910.25**

**Motion passed.**

### Board of Commissioners Position No. 1 Appointment and Oath of Office

Clary recalled that Commissioner Laura Abele resigned from Position No. 1 with an effective date of March 31, 2023. Following her resignation, the District began advertising for applications for appointment to Position No. 1 during the week of February 2, 2023. The individual appointed by the Board will hold the position until the general election in November 2023, at which point the individual elected to Position No. 1 will hold the office for the remainder of the current term (through December 31, 2027). The District received one application from residents of the Position No. 1 district. The Board of Commissioners conducted an interview of the applicant during a special meeting of Board held on March 22, 2023.

#### **Action Taken**

**Carter moved, Ford seconded, to appoint David Holland to Position No. 1 of the Lake Whatcom Water and Sewer District Board of Commissioners. Motion passed.**

### **Oath of Office**

Rachael Hope, Recording Secretary & Public Notary, witnessed the Oath of Office for appointed Commissioner David Holland.

### **2023 Lake Whatcom Boulevard Sewer CIPP Project Public Works Contract Award**

Hunter summarized that this project is the third of a series of projects to systematically rehabilitate degraded gravity pipe segments along the Lake Whatcom Boulevard Sewer Interceptor to improve flow capacity. In the Fall of 2020 Wilson Engineering completed a hydraulic analysis that prioritized segments for rehabilitation, ranking them from the greatest positive impact to the least impact, on improving hydraulic capacity. The segments are located along Lake Whatcom Boulevard just west of Strawberry Point. The 2023 scope of work includes rehabilitation of approximately 1,070 feet of 14-inch diameter sanitary sewer pipe, traffic control, and sewage bypass pumping.

The District published an advertisement for bids in the Bellingham Herald on March 3, 2023. Three bids were received. Following review of mandatory and supplemental bidder responsibility criteria, staff recommended awarding the project to low bidder Insituform Technologies, LLC.

#### **Action Taken**

**Ford moved, Holland seconded, to award the 2023 Lake Whatcom Boulevard Sewer CIPP Project public works contract to Insituform Technologies, LLC for a total contract price of \$167,422.10, including 8.6% sales tax, and authorize the general manager to execute the contract. Motion passed.**

### **3153 and 3157 Agate Bay Lane Request for Single Side Sewer for Main Residence and ADU**

Hunter recalled that on March 23, 2023 the District received an Application for Sewer Permit for service to a detached Accessory Dwelling Unit (ADU) located at 3153 Agate Bay Lane. Previously, in May 2022, the District had processed and issued a redevelopment sewer permit for a Single Family Residence (SFR) located on the same parcel and addressed 3157 Agate Bay Lane.

There are two Side Sewer Permits in the customer account file both dated 10/2/1978. The older original structures were demolished and are being replaced with a new SFR and ADU. Staff intends to issue a redevelopment sewer permit for the new ADU, which proposes to utilize a new single 6-inch diameter side sewer pipe to serve both the SFR and ADU structures. In accordance with Administrative Code Section 5.4.8, District Management approves installation of a single 6-inch diameter side sewer to serve both the SFR and ADU structures. This approval requires verification by the District Commissioners prior to the construction of such a side sewer. Discussion followed.

#### **Action Taken**

**Ford moved, Holland seconded, to verify District's management's approval to authorize the installation of a single side sewer to serve both the Single Family Residence and detached Accessory Dwelling Unit located at 3153 and 3157 Agate Bay Lane, on Whatcom County Parcel Number 380325-546355-0000. Motion passed.**

### **Division 7 Reservoir Easement Replacement Agreement**

Clary explained that a 2016 structural analysis of the Lake Whatcom Water and Sewer District Division 7 Water Reservoir found significant deficiencies in its 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. Following an alternatives analysis by Wilson Engineering, staff recommended replacing the existing welded steel 1-million gallon reservoir with two smaller concrete 185,000 gallon reservoirs.

One key element of this project is acquisition of a perpetual utility easement on which the new reservoirs will be located. Both the existing and proposed reservoirs are located on property owned by The Firs Bible & Missionary Conference (The Firs). Over the past year the District has been engaged in discussions with The Firs whereby the District would acquire an easement for the new reservoirs, and after demolition and site restoration of the existing reservoir, relinquish the easement underlying that portion of The Firs' property. Based upon appraised land values, the District and The Firs reached an agreement for a new easement, as well as a temporary construction easement. Discussion followed.

**Action Taken**

**Ford moved, Holland seconded, to authorize the general manager to execute the Easement Replacement Agreement and its attached Easement Agreement and Temporary Construction Easement Agreement between the District and The Firs Bible & Missionary Conference, as presented. Motion passed.**

**Manager's Report**

Clary updated the Board on several topics, including incoming Commissioner Holland's upcoming orientation, an update on earmarked funding possibilities through Congressman Larsen's office, and the upcoming filing period for Commissioner positions for inclusion on November's ballot.

With no further business, Citron adjourned the Regular Session at 7:00 p.m.



Board President, Todd Citron

Attest: 

Recording Secretary, Rachael Hope

Minutes approved by motion at  Regular  Special Board Meeting on 4/26/23  
Date Minutes Approved