



Contact: Ann Grimm

Public Utility District No. 1 of Whatcom County
(360) 384-4288 ext. 27

**NOTICE OF PUBLIC HEARING REGARDING THE PROPOSED 2024 BUDGET FOR
PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY**

Notice is hereby given that the Board of Commissioners of Public Utility District No. 1 of Whatcom County (District) will hold a public hearing at the District's Regular Commission Meeting on **Tuesday, November 28, 2023** at 8:15 A.M. at the District's Administration Office, 1705 Trigg Road, Ferndale, WA.

The purpose of the hearing will be to receive public comment on the proposed 2024 budget. The proposed budget is available for review on the District website at the following link, under Annual Budget Books:

<https://www.pudwhatcom.org/the-commission/financial-documents/>

All Commissioners will participate in-person, Zoom platform or by teleconference:

To attend the public hearing via Zoom/internet: <https://us02web.zoom.us/j/87812248689>

Or by telephone (253) 215-8782;

Webinar ID 878 1224 8689

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PUBLIC UTILITY DISTRICT No. 1 of Whatcom County

Agenda for the Regular Meeting of November 28, 2023

8:15 a.m. at the PUD Office

(In-person, Zoom, & Teleconference)

1. Call to Order | Pledge of Allegiance
2. Approval of Agenda (2 minutes)
3. Consent Agenda (3 min.)
 - a) Approval of the Minutes of the Regular Meeting of November 14, 2023
 - b) Approval of Claims for November 28, 2023
4. Public Comment (10 minutes – Individual speakers: 3 min.)
5. General Manager Report (60 min.)
6. Old Business (15 min.)
 - a) Broadband Program Update
 - b) Adjudication Update
 - c) Board Retreat Discussion
7. New Business (50 min.)
 - a) Second Draft 2024 Budget Presentation
 - b) Public Hearing on Proposed Draft 2024 Budget
 - c) Approve Resolution No. 838 – Declaring Surplus of Certain District Property
 - d) December 19th Meeting (Confirm Zoom/teleconference only to approve Claims)
8. Operations Report (10 minutes)
9. Commissioner Reports (10 minutes)
 - a) Upcoming Per Diem Requests
10. Public Comment (10 minutes– Individual speakers: 3 min.)
11. Executive Session: RCW 42.30.110(1)(i): Potential Litigation – Water Rights Adjudication (20 min.)
12. Adjourn (*Estimated 10:30 a.m.*)

Notice:

All Commissioners will participate either in-person, via Zoom/internet or teleconference.

The public meeting can be accessed: In-person at location announced;

By internet: <https://us02web.zoom.us/j/87812248689>

Or telephone: Dial 1 (253) 215 8782 or 1 (346) 248 7799

Webinar ID: 878 1224 8689

Next Commission Meetings

December 12 & 19, 2023 | 8:15 a.m. | Regular Meetings – District Office

1705 Trigg Road, Ferndale, WA 98248

or other location announced

Contact: Ann Grimm, Commission Clerk (360) 384-4288 x 27

www.pudwhatcom.org

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MINUTES OF THE REGULAR MEETING OF THE COMMISSION

November 14, 2023

1. Call to Order | Pledge of Allegiance

The regular meeting of the Board of Commissioners of Public Utility District No. 1 of Whatcom County was called to order at 8:15 a.m. by Commissioner Atul Deshmane. Said meeting was open to the public and notice thereof had been given as required by law. Those present included: Commissioner Atul Deshmane, Commissioner Christine Grant, Commissioner Jaime Arnett and Legal Counsel Jon Sitkin. Staff: Chris Heimgartner, General Manager; Assistant General Manager Brian Walters; Andrew Entrikin, Broadband Program Manager; Ann Grimm, Executive Assistant; Annette Smith, Director of Finance; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Paul Siegmund, Manager of Automation and Technology; Mike Macomber, IT/SCADA Technician; Aaron Peterson, IT/SCADA Technician; Jon Littlefield, Electric System Supervisor; Stephanie Hooper, Accountant I; and Garrett Love-Smith, Project Manager.

Public attending:

Rick Maricle, Citizen

Colin Howard, Citizen

Jack Wellman, Puget Sound Energy

2. Approval of Agenda

The agenda was amended to add under New Business, 7c, Approval of Resolution No. 837.

ACTION: Commissioner Grant made the motion to APPROVE THE AGENDA OF NOVEMBER 14, 2023, AS AMENDED. Commissioner Arnett second the motion. Motion passed unanimously.

3. Approval of Consent Agenda

a) Approval of Meeting Minutes of the Regular Meeting of October 24, 2023; and

b) Approval of the Claims of November 14, 2023:

VENDOR NAME	AMOUNT
ALL SEASON SPRAYING	1,221.75
APPLIED INDUSTRIAL TECHNOLOGIES, INC	91.33
INDUSTRIAL SUPPLY, INC	8,922.44
ASPEN, INC.	3,395.00
AT&T MOBILITY	1,801.22
BAY CITY SUPPLY	145.11
BELLINGHAM HERALD	510.63
CDW/COMPUTER DISCOUNT WAREHOUSE	1,708.62
CENTRAL WELDING SUPPLY	96.48
CONSOR NORTH AMERICA, INC.	45,834.57
CORNERSTONE MANAGEMENT, INC.	731.00
CULLIGAN NORTHWEST	332.58
EDGE ANALYTICAL LABORATORIES	24.00
EXACT SCIENTIFIC SERVICES INC.	27.00
FASTENAL	175.83
FCS GROUP	6,016.25
FERGUSON ENTERPRISES, INC	379.92
FERNDALE ACE HARDWARE	57.38
FERNDALE CITY OF	251.59

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GRIMM, ANN	110.70
GUARDIAN SECURITY SYSTEMS, INC	96.89
HARDWARE SALES, INC.	475.24
HDR ENGINEERING, INC.	8,608.68
HEALTH PROMOTIONS NORTHWEST	150.00
HEIMGARTNER, CHRIS	1,191.27
K ENGINEERS, INC.	72.50
KCDA PURCHASING COOPERATIVE	209.97
MANAGEMENT SERVICES NW	689.61
NORTHWEST CASCADE, INC.	128.50
NORTHWEST FIBER DBA ZIPLY FIBER	1,450.16
NP INFORMATION SYSTEMS (3-D CORP)	269.82
P&P EXCAVATING, LLC	1,867.92
PACIFIC SURVEY & ENGINEERING	6,035.00
PLATT ELECTRIC SUPPLY CO	7,147.86
PORTAL WAY FARM & GARDEN	84.27
PUBLIC UTILITY RISK MGMT SERVICES	18,170.83
PUD #1 OF WHATCOM COUNTY	2,665.56
PUGET SOUND ENERGY, INC	7,169.85
REGENCE BLUE SHIELD	44,824.65
REISNER DISTRIBUTION, INC	1,837.54
RICOH USA	300.28
SCHLOTTERBACK, REBECCA	124.06
SD MYERS	2,268.00
SOUND PUBLISHING	205.80
SSC - SANITARY SERVICE COMPANY	615.59
STAR RENTALS	1,814.58
TEAMSTER LOCAL #231	616.00
TUPPER MACK WELLS PLLC	7,286.00
UNITED WAY OF WHATCOM COUNTY	742.00
UTILITIES UNDERGROUND LOCATION	19.35
WASHINGTON DENTAL SERVICE	2,941.95
WASHINGTON TEAMSTERS WELFARE	13,273.40
WIN-911	1,400.00
WINDWOOD ENTERPRISES INC.	1,781.04
GRAND TOTAL	\$208,367.57

ACTION: Commissioner Grant made the motion to APPROVE THE CONSENT AGENDA OF NOVEMBER 14, 2023. Commissioner Arnett second the motion. Motion passed unanimously.

4. **Public Comment** – None made.

5. **General Manager’s Report**

- Updated on the status of the geothermal project.

6. **Old Business**

a) **Broadband Program Update**

- Heimgartner presented updates from the Washington State Broadband Office’s recent Notification of Funding Opportunities.

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b) Adjudication Update

- Sitkin attended a *Water Law Institute Continuing Legal Education* seminar and provided an update.
- Discussed addressing an incorrect public comment made by a Thurston PUD Commissioner at a WA State Department of Ecology meeting regarding Whatcom PUD industrial water rights and the Nooksack Adjudication process.

c) Board Retreat Discussion

- Heimgartner did not have an opportunity to further research and will report back at the next meeting with consultants and tentative date ideas.

7. New Business

a) Approval of Professional Services Agreement with Ivoxy Consulting

Whatcom PUD previously executed a Professional Consulting Services Agreement (“PSA”) with IVOXY Consulting on April 29, 2022. The PSA will expire on its own terms December 31, 2023.

Under the Agreement, the Consultant’s general scope of services will include the performance of tasks focused on maintaining and improving the cybersecurity, IT infrastructure, and cloud solutions associated with Whatcom PUD’s systems related to its electric and water operations and administrative services. If approved, the term of the new PSA would extend through December 31, 2025.

ACTION: Commissioner Grant made the motion to APPROVE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH IVOXY CONSULTING FOR IT SUPPORT SERVICES, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT. Commissioner Arnett second the motion. Motion made unanimously.

b) Approval of Professional Consulting Agreement with Geneva Consulting

The Commission approved the Agreement with Becky Peterson/Geneva Consulting on December 13, 2018, to provide technical services for the District regarding Whatcom County WRIA 1 water supply planning projects. The initial term of the Agreement expired on December 31, 2020. The Commission approved Amendment No. 1 on December 15, 2020 to extend the term of the Professional Services Agreement to December 31, 2023.

The District continues to require technical services for Whatcom County WRIA 1 water supply planning projects and District staff would like the term of the Agreement to be extended.

District staff recommends approval of Amendment No. 2, which would extend the term of the Agreement through December 31, 2027. Work will be performed under individual task orders as needed and approved by the District Commission or the General Manager.

ACTION: Commissioner Arnett made the motion to APPROVE AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH GENEVA CONSULTING TO PROVIDE TECHNICAL SERVICES FOR THE DISTRICT REGARDING WHATCOM COUNTY WRIA 1 WATER SUPPLY PLANNING PROJECTS, AND AUTHORIZE THE GENERAL MANAGER TO SIGN THE AGREEMENT. Commissioner Grant second the motion. Motion passed unanimously.

c) Approve Resolution No. 837 – Honoring Traci Irvine, Accountant

Heimgartner announced that yesterday was Irvine’s last day. Irvine began at the PUD in January 2017 and served as Accountant and Receptionist. She will be missed. Resolution 837 recognized Irvine for her dedication, commitment and service to the PUD and the citizens of Whatcom County.

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ACTION: Commissioner Grant made the motion to APPROVE RESOLUTION NO. 837 HONORING TRACI IRVINE ON SIX YEARS OF SERVICE. Commissioner Arnett second the motion. Motion passed unanimously.

8. Operations Report

Walters reported:

- Crew is working on closing out projects for 2023 and preparing for upcoming projects in 2024.
- Focus remains on aging issues of Water Treatment Plant 1, to include testing/balancing tests for the high-head motors and intake pumps, and a risk/failure analysis to give an idea of what to focus on first.

9. Commissioner Reports

Arnett: Planning to attend the WPUDA meetings this week via Zoom.

Grant:

- Attended Energy Northwest Meeting last week;
- Will be presenting along with Heimgartner at the Bellingham Climate Impact Advisory Committee meeting on Thursday.
- Will attend the WPUDA Water Committee meeting viz Zoom.

Deshmane:

- Attending the WPUDA meetings this week in Olympia.
- Discussed nuclear reactor permitting and other processes, geothermal and commented that energy supply is short.

10. Public Comment

Rick Maricle commented on exempt wells required to report to the statutory authority.

11. Adjourn

There being no further business for the regular meeting, Deshmane adjourned the regular meeting at 10:35 a.m.

Atul Deshmane, President/Commissioner

Christine Grant, Vice President/Commissioner

Jaime Arnett, Secretary/Commissioner

Commission Clerk Note:

Video recordings of the Whatcom PUD Commission Meetings are available online at the following link on the PUD's Website: <https://www.pudwhatcom.org/the-commission/2023-agendas-packets-meeting-minutes-recordings/>

AGENDA ITEM #7a
November 28, 2023

Action Memo

To: Commissioners Arnett, Deshmane and Grant
From: Annette Smith, Director of Finance
Date: November 28, 2023
Re: **Second Draft 2024 Budget Presentation**

Requested Action:

Information only.

Background:

The second 2024 Draft Budget will be presented in summary through a PowerPoint presentation at the November 28 regular Commission meeting, followed by the Public Hearing for the proposed 2024 budget. The complete draft budget is available online at:

<https://www.pudwhatcom.org/the-commission/financial-documents/>

Note: Scroll to the bottom of the page under Annual Budget Books.

Recommended Action:

No action requested. Information only.

Action Memo

To: Commissioners Arnett, Deshmane and Grant
From: Chris Heimgartner, General Manager
Date: November 28, 2023
Re: **Approve Resolution No. 838 – Declaring Certain Property of the District Surplus and Authorize Staff to Auction/Recycle/Dispose of the Surplus Property**

Requested Action:

APPROVE RESOLUTION NO. 838 – DECLARING CERTAIN DISTRICT PROPERTY SURPLUS THAT IS INADEQUATE, OBSOLETE OR NO LONGER FUNCTIONAL, AND HAS LITTLE OR NO VALUE TO THE OPERATIONS OF THE DISTRICT'S UTILITIES AND AUTHORIZE DISTRICT STAFF TO UTILIZE THE BEST METHOD(S) (AUCTION, RECYCLE, DISPOSAL, ETC.) TO DISPOSE OF THE DISTRICT PROPERTY.

Background:

District staff has identified equipment and/or materials that are of little or no use to the operations of the District as referenced in Resolution No. 838, Exhibit A. RWC 54.16.180(2)(b) authorizes the disposition of properties, equipment and materials. The equipment listed is either obsolete, worn out, broken, or no longer works properly.

Fiscal Impact:

The District will seek to recoup any expenses from the disposal/recycle or sale of these items.

Recommended Action:

APPROVE RESOLUTION NO. 838 – DECLARING CERTAIN DISTRICT PROPERTY SURPLUS THAT IS INADEQUATE, OBSOLETE OR NO LONGER FUNCTIONAL, AND HAS LITTLE OR NO VALUE TO THE OPERATIONS OF THE DISTRICT'S UTILITIES AND AUTHORIZE DISTRICT STAFF TO UTILIZE THE BEST METHOD(S) (AUCTION, RECYCLE, DISPOSAL, ETC.) TO DISPOSE OF THE DISTRICT PROPERTY.

RESOLUTION NO. 838

**RESOLUTION BY PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY
("DISTRICT") DECLARING CERTAIN PROPERTY TO BE NO LONGER FUNCTIONAL
AND OF LITTLE OR NO VALUE FOR THE OPERATIONS OF THE DISTRICT SYSTEM,
AND AUTHORIZING THE DISPOSAL THEREOF IN ACCORDANCE WITH R.C.W.
54.16.180**

WHEREAS, the DISTRICT currently owns the property described in Exhibit "A":

WHEREAS, said property has been determined by the Commissioners to be of little value or no value, inadequate, obsolete and no longer functional for use in the DISTRICT'S operations, and

WHEREAS the DISTRICT'S best interests will be served by the disposal of said property as authorized by R.C.W. 54.16.180;

NOW, THEREFORE, BE IS RESOLVED by the Commissioners of Public Utility District No. 1 of Whatcom County declare that said property as set forth above shall be disposed of as soon hereafter as conveniently possible with the highest possible return to the District.

ADOPTED by the Commission of Public Utility District No. 1 of Whatcom County at its regular meeting on the 28th day of November 2023.

**Public Utility District No. 1
of Whatcom County**

Atul Deshmane, President/Commissioner

Christine Grant, Vice President/Commissioner

Jaime Arnett, Secretary/Commissioner

RESOLUTION No. 838 EXHIBIT "A"
PROPERTY FOR SURPLUS/DISPOSAL

Item/Model #	Description	Serial Number
MSS201501	Microsoft Surface Pro	o55868345053
MSS201411	Microsoft Surface Pro	62119243353
MS201613	Microsoft Surface Book	oo6415560457
LT201301	Lenovo Think Pad T530	R9-Z3GIT
PC201405	HP Envy 700	2MD4230HF7
PC201406	HP Envy 700	2MD4230HF8
PC201703	HP Z240	2UA723381Q
Monitor	Asus VS248	D5LMQS002818
Outdated/Old Software & Manuals from 1990's - 2000	Various	Various
2012 Chevy Colorado	Pickup 4x4/ 65,073 miles <i>Replaced Aug. 2023</i>	1GCJTBFEOC8136936
JU6H-UFADSO	Internal Comb. Engine for Pump	PE6068L255547
Refinery sub circuit switchers (outdated)	S & C Manufacturer	Unknown
Office Cubical Walls	Misc. panels/parts	N/A
Technics	Audio Receiver	N/A
Sony	5 disk CD Player	N/A
Toshiba Strata DK40	Old phone system cabinet/wiring	N/A
Coffee Maker		N/A
Shelving Material	Metal Arms	N/A
Various old, no longer used office supplies		N/A
Allen Bradley Soft Start	Soft Start for old P2 high head pump <i>Replaced with new VFD</i>	SSS 1010
Miscellaneous Pipe Fittings	Misc. brass, steel, and galvanized fittings <i>Old items, unused and outdated</i>	Misc.
2 Fan Hoods	Old fan hoods for P2 before remodel	30X42 GRAL
Truck Bed Fuel Container	<i>Replaced after leak patch failures</i>	