PUBLIC UTILITY DISTRICT No. 1 of Whatcom County

Agenda for the
Regular Meeting of March 23, 2021
8:00 a.m. via Zoom Teleconference

1. Call to Order | Pledge of Allegiance
2. Approval of Agenda
3. Consent Agenda
   a) Approval of the Meeting Minutes of the Meeting of March 9, 2021
   b) Approval of Claims for March 23, 2021
4. Old Business
   a) Energy Policies Development Update and Discussion
   b) Governor’s Open Public Meetings Requirements (COVID-19) Update
   c) General Manager Appointment Process Update
   d) New Positions Hiring Update
5. New Business
   a) Approval of Northwest Intergovernmental Energy Supply (NIES) Specific Resource Investigation (SRI) Agreement for Ruby Flats Solar Project
   b) Approve Resolution No. 788 – Amending Administrative Employees Compensation Policy
   c) Approve Resolution No. 789 – Cancellation of Warrant
   d) Approve Resolution No. 790 – Regarding Road to Recovery Phase 3 – Open Public Meetings
6. General Manager Report
   a) Special Meetings Topics
7. Get to Know You
8. Commissioner Reports
9. Public Comment
10. Executive Session: Potential Litigation RCW 42.30.110(1)
    (Separate Executive Session Zoom Platform invite from Legal Counsel)
11. Adjourn

Until further notice: Whatcom PUD’s Offices are closed to public access. Due to the Updated Open Public Meetings Act General Guidance Regarding the COVID-19 Event, the PUD Meeting Room is not open to the public. All Commissioners will participate via teleconference.

The public meeting can be accessed by internet: https://us02web.zoom.us/j/84060617408
Or by telephone: Dial 1 (253) 215 8782 or 1 (346) 248 7799
Webinar ID: 840 6061 7408

Next Commission Meetings
April 13 & 27, 2021 | 8:00 a.m. | Regular Meetings
Access information will be announced - the public may join the meeting by teleconference.
Contact: Ann Grimm, Commission Clerk at (360) 384-4288 x 27 • www.pudwhatcom.org
1. **Call to Order | Pledge of Allegiance**

The special meeting of the Board of Commissioners of Public Utility District No. 1 of Whatcom County was called to order at 8:01 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 via Zoom teleconference included Commissioner Mike Murphy, Commissioner Christine Grant, Commissioner Atul Deshmane, and Legal Counsel Jon Sitkin. Staff attending via teleconference: Steve Jilk, General Manager; Ann Grimm, Executive Assistant; Rebecca Schlotterback, Manager of Contracts and Regulatory Compliance; Annette Smith, Director of Finance; Brian Walters, Assistant General Manager; Duane Holden, Director of Utility Operations; Paul Siegmund, Manager of Automation and Technology; Aaron Peterson, IT/SCADA Technician; Mike Macomber, IT/SCADA Technician; Alec Strand, Project Manager; Devin Crabtree, Chief Water Operator; Jon Littlefield, Electric System Supervisor; and, Traci Irvine Accountant I.

**Public attending via teleconference:**
- Anna Berg, Jeff Fuller and Todd O’Keefe – The Energy Authority
- Darrell Gray, Nooksack Salmon Enhancement Association
- Dave Olson, Cornerstone Management, Inc.
- Curt Schoenfelder, Wilson Engineering
- Willow Cook, Kiki Huntington, Emma Ledsham, Jacob Roman and Nick Thomas – WWU Technical Writing Class Students
- Carryn Vande Griend, PSE
- Lauren Turner, Phillips 66
- Rick Maricle, Citizen
- Eric Alm, Citizen
- Josh Edward, Citizen
- Max and Carol Perry, Citizens

2. **Approval of Agenda**

**ACTION:** Commissioner Murphy motioned to APPROVE THE AGENDA OF MARCH 9, 2021. Commissioner Grant second the motion. Motion passed unanimously.

3. **Approval of Consent Agenda**

**ACTION:** Commissioner Murphy motioned to APPROVE THE CONSENT AGENDA OF MARCH 9, 2021: THE MINUTES OF THE SPECIAL MEETING OF FEBRUARY 26, 2021 AND CLAIMS OF MARCH 9, 2021. Commissioner Grant second the motion. Motion passed unanimously.

Claims of March 9, 2021:

<table>
<thead>
<tr>
<th>VENDOR NAME</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td>ARBITRAGE GROUP INC.</td>
<td>750.00</td>
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<tr>
<td>ASPECT CONSULTING LLC</td>
<td>5,216.25</td>
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<tr>
<td>BELLINGHAM HERALD</td>
<td>581.25</td>
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<tr>
<td>CARPENTER CABLE SERVICES INC</td>
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<tr>
<td>CENTRAL WELDING SUPPLY</td>
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<tr>
<td>CESCO NEW CONCEPT CHEMICAL PRODUCTS</td>
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</tr>
<tr>
<td>CHMELIK SITKIN &amp; DAVIS</td>
<td>11,088.00</td>
</tr>
<tr>
<td>CORNERSTONE MANAGEMENT, INC.</td>
<td>806.25</td>
</tr>
</tbody>
</table>
EDGE ANALYTICAL LABORATORIES                              20.00
FERNDALE ACE HARDWARE                                     15.21
FERNDALE CITY OF                                          12,822.91
HEALTH PROMOTIONS NORTHWEST                               90.00
HOMEWARD DESIGNS, LLC                                      1,317.50
INDUSTRIAL SUPPLY, INC                                    124.30
IVOXY CONSULTING LLC                                      8,800.00
MASSMUTUAL RETIREMENT SVCS LLC                            10,999.99
MILLS ELECTRIC                                            2,807.01
MOODY'S INVESTORS SERVICE, INC.                           25,000.00
MORTIMER, TOM                                             541.50
NORTHWEST FIBER DBA ZIPLY FIBER                           1,403.98
NORTHWEST MOWING & GARDENING                              540.26
NP INFORMATION SYSTEMS (3-D CORP)                          252.18
NW INTERGO'V'L ENERGY SUPPLY COOPERATIVE                   12,787.00
PACIFIC SURVEY & ENGINEERING                              10,686.00
PACIFIC UNDERWRITERS CORP INC                             399.26
PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC                150.90
PLATT ELECTRIC SUPPLY CO                                  13.10
PUD #1 OF WHATCOM COUNTY                                   2,494.95
PUGET SOUND ENERGY, INC                                   5,331.48
REGENCE BLUE SHIELD                                       40,980.42
REISNER DISTRIBUTION, INC                                 1,125.63
RICOH USA                                                 184.58
S&P GLOBAL PLATTS                                         2,864.40
SHRED-IT USA                                              44.66
SSC - SANITARY SERVICE COMPANY                            513.28
TEAMSTER LOCAL #231                                       528.00
TYLER TECHNOLOGIES-INCODE                                 488.94
UNITED WAY OF WHATCOM COUNTY                              495.00
UTILITIES UNDERGROUND LOCATION                            23.22
VERIZON WIRELESS                                          1,883.32
WA ST DEPT TRANSP-NW REGION                                213.55
WASHINGTON DENTAL SERVICE                                 2,779.10
WASHINGTON TEAMSTERS WELFARE                              12,029.15
WATERHOUSE ENVIRONMENTAL SERVICES CORP                    37,782.72
WHATCOM COUNTY TREASURER                                  702.09
WHATCOM JANITORIAL                                        1,250.00
GRAND TOTAL                                               $220,470.57

4. Old Business
   a) The Energy Authority – Presentation No. 2
This is the second workshop and slide presentation by The Energy Authority. Today’s presentation will focus on policies, which the Commission will need to consider that will support the District’s efforts to acquire new energy resources and manage a diverse power supply portfolio that includes both federal and non-federal power supply from a variety of generating sources. Such policies include contract and pricing risks, counterparty credit worthiness, resource portfolio rate structures. Also discussed was District staffing and third parties services required for both the resource acquisition and portfolio management phases.

   ACTION: No action requested or taken. Information only.
5. **a) Nooksack Salmon Enhancement Association Presentation**

**Background:** The Commission has approved funding requests from The Nooksack Salmon Enhancement Association (NSEA) since 2010. The funding supported the Washington Conservation Corps (WCC) Crew work on habitat restoration on various streams throughout Whatcom County and Nooksack tributaries. From 2010 to 2019, the Commission has continued to provide funds to support the request from NSEA. There were no funding requests in 2011 and 2020.

For 2021, NSEA is requesting funding to provide project oversight, acquire restoration materials such as plants, vole and beaver protection, and large woody debris for salmon habitat restoration of lowland streams. The work will be performed again by the Washington Conservation Corps (WCC) Crew and managed by NSEA staff. A minimum of 20 salmon habitat restorations projects will be implemented on WRIA 1 lowland streams. NSEA provides a project report to the Commission at the completion of the project.

Darrell Gray, Project Manager of NSEA presented highlights from past work funded by the Whatcom PUD. Whatcom PUD has had no other requests to support habitat restoration other than NSEA’s request for 2021. Funding has been allocated in the 2021 budget for this purpose.

NSEA will follow up with a report and/or presentation of the projects accomplished. The Commissioners thanked Gray for the update and information.

**ACTION:** Commissioner Murphy motioned to APPROVE FUNDING IN THE AMOUNT OF $20,000.00 FOR NOOKSACK SALMON ENHANCEMENT ASSOCIATION TO SUPPORT WASHINGTON CONSERVATION CORPS CREW WORK ON HABITAT RESTORATION PROJECTS FOR 2021. Commissioner Grant second the motion. Motion passed unanimously.

Clerk Note: Prior to the next presentation, the Commission recessed for a seven minute break at 10:53 a.m.

**b) Western Washington University Students – Social Media Presentation**

**Background:** Students from Western Washington University’s Professional and Technical Writing Class recently approached the District on creating a social media plan using one or more of several different platforms. On February 5, students met via Zoom with Commissioner Grant, General Manager Jilk and Ann Grimm to review their ideas and suggestions on how Whatcom PUD could move forward with a social media plan.

Working in collaboration, the group has benchmarked and did external research on different PUD websites and social media outlets, and presented their results. The students’ main recommendation was to go with Facebook, who can reach younger and middle-aged adults and seniors. Instagram was also highly recommended as it is connected with Facebook and can duplicate posts.

The students will provide deliverables including a social media guide, posting calendar and in-depth job description for the social media intern. Commissioner Grant thanked the students for their work and background information on other PUD’s social media sites.

**ACTION:** No action requested or taken. Information only.

**c) Water System Plan Update**
The District is required to update its Water System Plan to meet Washington State Department of Health (DOH) requirements. The District has contracted with Dave Olson to assist the District in this update. Mr. Olson has also contracted with Wilson Engineering to assist, has worked with legal counsel Tom Mortimer, and our staff in this process.

Olson and Wilson Engineering staff provided a presentation as an update to the process and provide a list of subsequent steps that our consultants will be completing, along with decisions the Commission will be asked to make in order to complete the update and get DOH approval by October of this year.

The purpose of the plan is to:
- Identify the PUD’s potable water service areas, existing systems, service policies, future needs, and related issues, in a manner consistent with the Whatcom County Comprehensive Plan, WAC 246-290, and other applicable local, state and federal laws
- Non-potable Industrial Water Supply System activities of the PUD are not included as an integral part of this WSP. This approach was selected to provide clarity as to which facilities and operations are under the public water system (DOH) regulatory framework

Requirements:
- Water systems within a Critical Water Supply Service Area are required to complete a WSP under the Public Water System Coordinate Act of 1977. Upon approval by DOH, this plan update will become a part of the Whatcom County Coordinated Water System Plan (CWSP)
- Water System Plan (WSP) must be updated and submitted to the Washington State Department of Health (DOH) at least every ten years in accordance with the regulatory requirements contained in WAC 246-290-100

Process:
- Consultants were engaged 2020: WAC 246-290-040 requires a licensed P.E to prepare and submit the WSP. Some elements are best developed by PUD staff and consultants while others plan elements must be completed by a P.E. such as the hydraulic analysis for example
- A preplan meeting was held with DOH Regional Planners to establish content needed for approval
- A draft WSP is being prepared for staff and commissioner review
- PUD will hold a WSP public informational meetings to receive public comment
- Adjacent utilities and local agencies will be engaged at various levels for input
- A Water Use Efficiency Goals (WUE) public forum will be held followed by adoption of WUE Goals
- The WSP will be adopted and then submitted to Whatcom County for a consistency review
- The WSP will be submitted to DOH for approval
- DOH will forward a copy to Ecology for review and comment
- Upon approval by DOH the PUD Commissioners will adopt the final WSP

Next Steps:
April 2021 Update draft WSP after Healthy Pet non-potable demand is off the potable system Commissioners and staff internal review of draft WSP
Spring 2021 Public Forum to introduce Water System Plan Public Forum on service areas followed by adoption of amended service areas Public Forum on Water Use Efficiency followed by WUE goal setting Adoption of Cross Connection Control Program Adoption of Water System Plan for submittal to WSDOH and Whatcom County
Fall 2021 Adopt Final Water System Plan following WSDOH approval

ACTION: No action requested or taken. Information only.

6. General Manager’s Report
Looking at the Minutes of Commission Meetings through this year’s meeting, Commissioner Grant and Jilk recommend to abbreviate and limit the Minutes more to action items. Recently some of the Minutes were several, up to 19, pages long. Because we are now recording our meetings on Zoom and potentially the same in the future, all meeting details can be accessed there. Sitkin said that would be appropriate as long as there is a reference to the Zoom recording in the Meeting Minutes.

Jilk received an action alert from WPUDA during the meeting this morning indicating they are expecting a vote in the Senate Committee on SB 1336, this Thursday. WPUDA is asking PUDs to contact their local Senators to voice their support.

7. Get-to-Know You
   This is an opportunity for staff members to introduce themselves to the Commission. This week, Annette Smith introduced herself with a brief description of her tenure (15 years this fall) at the PUD. Dave Olson shared his background in working with staff and the Commission for about the last 20 years.

8. Commissioner Reports
   Murphy – no report.
   Grant – Seth Vidana (City of Bellingham) has asked for a second meeting with Walters, Jilk and Grant to discuss possible roles of the PUD as the City talks about their climate goals. She had a call with George Caan (WPUDA) to discuss telecom bills. They are still trying to push SB 1336 but also want to work with Senator Wellman with SB 5383.
   Deshmane – Is planning to attend a PPC event on power supply and the Simpson Proposal (removing Snake River dams) and providing an update on finding a new General Manager for the PUD. Deshmane plans to take on the process in four steps: (1) Identify a consultant to support Commission of identifying a GM (2) Work with Commission to define a detailed position description; (3) Identify where we should seek recruitment for the position; (4) Process of evaluating candidates. He wants to start the process now and plans to oversee the process on behalf of the Commission to search and identify a consultant. He would like to have a “GM Recruitment Update” at each future Commission meeting. Murphy agrees with the steps and hiring a consultant, but unsure if Deshmane is referring to seeking candidates in-state or out-of-state. Grant agrees and hopes that they will find a facilitator on which the Commission all agrees with. Deshmane plans a transparent process showing major milestones in finding a consultant. Murphy also commented on the length of our Commission meetings and the need to focus on the most important items. Five hours is too long and people begin to lose focus.

9. Public Comment
   Eric Alm, representing a small community of Stuart Mountain and the Y Road, wants to emphasize that the PUD is a great hope for him to get his neighborhood connected to broadband. He would like to see a local network from a provider. Wave Communications has stopped returning his calls. Alm is frustrated with the private internet provider(s) and thinks the PUD can be a potential to serve and work with other entities to bring connections out to underserved areas.

   Max Perry is recommending the PUD goes back to public (in-person) meetings as soon as possible. Due to technical difficulties, we could not clearly receive Mr. Perry’s comments.

Adjourn
There being no further business for the meeting, Commissioner Deshmane adjourned the regular meeting at 1:04 p.m.
Atul Deshmane, President

Michael Murphy, Vice President  Christine Grant, Secretary

**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/2021-agendas-packets-meeting-minutes-recordings/](https://www.pudwhatcom.org/the-commission/2021-agendas-packets-meeting-minutes-recordings/)
Memo

To: Commissioners Deshmane, Grant and Murphy
From: Brian Walters – Assistant General Manager
Date: March 23, 2021
Re: Staff Update on Energy Resource Policies Development

**Background:** As discussed at previous meetings, there are several factors currently in play, which have prompted District staff to begin investigating the possible acquisition of new energy resources that may not be provided by the District’s current supplier, the Bonneville Power Administration (BPA).

The District earlier this year joined the energy supply group Northwest Intergovernmental Energy Supply (NIES). The public utility members comprising this group can jointly investigate and acquire energy supply from whatever resources the group elects to pursue. At the March 23 meeting, the District’s Commission will be asked to consider approval of an agreement that will enable the District to participate in feasibility analysis of a proposed new solar project to be sited in the Richland, WA area. Energy Northwest and the private company Tucci Energy are the two entities developing the project.

By September 30, 2021, the District must notify whether or not it intends to diversify its power supply by adding non-federal energy resources to its portfolio during the final four years of the BPA power purchase agreement (PPA). If the District elects to purchase a portion of the output what is now called the Ruby Flats Solar project, this resource would be the first non-federal power purchase in the District’s history.

**Energy Resource Policies Development**

Over the past several months, the non-profit firm The Energy Authority (TEA) has engaged District staff in a series of workshops. TEA’s five presentations (three for staff, two for Commission) have covered various aspects of energy resource planning and acquisition, and management of diversified energy supply portfolios. TEA’s last presentation to the Commission included discussion of policies that needed to be developed and adopted by the Commission to guide future acquisition and management of energy resources. This policies will serve as guide posts for District staff as new resources are considered and the risks associated with these resources are assessed and mitigated. It will be important to begin developing policies in advance of need, particularly in the case of larger scale energy resources, which come with larger potential risks and rewards.
**TEA Energy Policy Discussion Slides**
Accompanying this memo is a set of nine slides, previously developed by TEA. The first three in the set are new. They weren’t included in TEA’s presentation to the Commission on March 9 due to time constraints. The slides contain a set of questions directed at staff and Commissioners. The questions were developed at the request of staff and they are intended to prompt thought and discussion regarding what policies the District might develop and adopt. The remaining six slides have been copied from TEA’s last presentation and they touch on policies as well.

**Moving Forward on Energy Resource Policies Development**
Staff would like today to engage the Commissioners in a discussion of how to move forward on developing the required policies to support new energy resources acquisition and management.

**ACTION REQUESTED:** No action requested. Discussion only.
Commission Briefing

Energy Policy Development
for
Energy Resource Planning, Acquisition, and Management

March 23, 2021

General Strategy Questions

1. What is the PUD’s vision for its future power supply portfolio?
2. What will be PUD’s policies/treatment on resource acquisition for:
   • Entire customer base
   • A new customer (<10MW)
   • A new large customer (>10 MW)
   • A customer who wants to self supply or develop its own resource (net meter)?
3. What are three “legs of the stool”?
   • What is desired outcome – end of day?
   • What is timing for that desired outcome – the “by when”?
   • What are costs/rate impacts of that desired outcome?
   • Is diversification important?
4. Does vision support future resource acquisition through least cost approach?
5. Will the vision retain/attract customers?
6. What are cost/risk tradeoffs (policy and financial) of the vision?
7. Is vision/strategy flexible to take advantage of opportunities?
Resource Acquisition Questions

1. What is PUD's timing, size and term of need?
2. Which resource types can be considered? (ties to vision)
3. Which resources are most suitable ("best fit") for existing portfolio?
   - BPA Tier 2 (all or portion)
   - Short term Market purchase (all or portion)
   - Renewable resource (continue to explore, seek alignment in qty, timing, price)
4. What consideration will the PUD give to the wants of new large customers?
5. What is PUD's level of risk tolerance with respect to new resource acquisition?
   - Contract for via power purchase agreement (resource owner/developer encompasses risks in contract price)
   - Participant in a new resource (price encompasses known risks; costs to manage/stay apprised, extraordinary maintenance and other costs may apply)
   - Partner on resource via contract (they build, PUD owns or shares operating costs, contracts for the resource’s energy output)
   - Build, own, operate a new resource (pursue site, contract to develop, PUD owns-operates or contracts with an operator to perform day to day)
   - Contract on behalf of a new large customer (what happens if the customer goes away)
6. What will rate treatment be for new acquisitions?

Portfolio Management Questions

1. What level of financial reserves would PUD be willing to carry to back increased resource risk?
2. How does the ability to pass-through risks to customers impact the level of financial reserves carried by the PUD?
3. What level of staffing is PUD willing to consider to support various functions (resource planning, acquisition, supply portfolio management)?
4. Is there a balance between in-house staffing and outside contract services that seems appropriate for the PUD?
5. What risk management policy and procedures would the PUD want?
6. What types of counterparty credit and how frequently would PUD review?
7. What planning standard (energy and capacity) would PUD adopt to ensure it can meet its load growth obligation.
Where to Start?

- Board approves policy and long-term power purchase agreements
- Policy basics:
  - Applies to all short- to-medium term (< 3-5 years) related business activities that may impact the energy risk profile of the District (physical and financial).
  - Often includes delegation of authority to General Manager, Risk Management Committee, Energy Risk Manager, etc.

Policy Basics

1. An energy trading policy details scope of permitted activities:
   - Defines commodities, products and markets utility can engage in:
     - Electricity, energy, natural gas
     - Products (physical, financial)
     - Environmental attributes or renewable energy credits, emissions
   - Energy pricing, contracting and term
   - Trading and hedging activities
   - Counterparty credit risk management for wholesale energy market trading (or possibly customer, if applicable)
Risk Management Structure

• Best practice is oversight by an energy Risk Management Committee (RMC).
  • Comprised of managers and staff from across the utility.
  • Responsibilities include establishing, reviewing and modifying portfolio risk management standards, limits and procedures in support of the Board’s policy.
  • RMC establishes procedures to address organizational structure (segregation of duties)
  • Procedures to detail controls or metrics to identify/manage the District’s exposure to various risks.
• RMC routinely reports out to Board on these controls and metrics, including violation of any limits or procedures.

Policy Basics

1. An energy trading policy details scope of permitted activities:
   • Defines commodities, products and markets utility can engage in:
     • Electricity, energy, natural gas
     • Products (physical, financial)
     • Environmental attributes or renewable energy credits, emissions
   • Energy pricing, contracting and term
   • Trading and hedging activities
   • Counterparty credit risk management for wholesale energy market trading (or possibly customer, if applicable)
Segregation of Duties

- Graphic shows traditional approach to segregation of duties
- Functionally separates portfolio management activities

Front Office
- Maintains direct, day-to-day responsibility for the execution and management of transactions

Middle Office
- Independent market and credit risk management
- Reports to the RMC and serves primary role in implementing the policy

Back Office
- Performs activities related to settlement of transactions
- Supports risk control efforts (deal entry, data collection, billing)

- Execution of transactions is arms length from activity of monitoring counterparty credit risk and paying/settling transactions
Memo

To: Commissioners Deshmane, Grant, and Murphy
From: Brian Walters – Assistant General Manager
Date: January 26, 2021
Re: Approval for Northwest Intergovernmental Energy Supply (NIES) Specific Resource Investigation Agreement

Requested Action: APPROVE NIES SPECIFIC RESOURCE INVESTIGATION AGREEMENT AND AUTHORIZE DISTRICT’S GENERAL MANAGER TO SIGN THE AGREEMENT.

Background: The Northwest Intergovernmental Energy Supply (NIES) organization is a utility member organization consisting of municipal, cooperative, and public utility district members. NIES’s purpose is to investigate, acquire, and help manage on behalf of its participating members new energy resources. NIES provides consulting, contract, and oversight services on behalf of its members. NIES does not have nor provide short term 24/7 trading floor or in-day, in-hour resource management services.

On January 26, 2021, the District’s Commission approved two agreements with NIES:

1. Northwest Intergovernmental Energy Supply Membership Agreement (NIES)
2. Joint Resource Planning and Acquisition Agreement (JRPAA)

The first agreement, as the name implies, enabled the District to become a member of NIES and participate in NIES activities. The second agreement enabled the District to engage in new energy resource investigations, resource purchase contract negotiations, and resource acquisition in concert with other participating members.

Since the beginning of the year, a subset of NIES members, including the District have been evaluating whether to pursue an energy output purchase from a proposed new solar project now called the Ruby Flats Solar Project. The participating members have concluded discussions on what the scope of the due diligence investigation of the project should entail. In order to proceed with the investigation, those members electing to move forward must execute in accordance with the JRPAA Agreement a Specific Resource Investigation Agreement (SRI).
Specific Provisions in SRI Agreement:

Accompanying this memo for the Commission’s review is a copy of the SRI Agreement. Among the key provisions in the SRI Agreement to review are the following:

Section 2.2 - Initial SRI Costs

Section 2.3 – Completion SRI Costs

Section 2.4 – Member’s Allocated Share

Section 2.8 – Member’s Voting Rights

Section 2.9 - Member’s Fixed Purchase Amount

Section 6.1 – Termination Date

Exhibit A – Member’s Initial SRI Costs

Exhibit A is in essence the work order for the SRI Agreement. It contains the budget maximum cost exposure for each participating member for both the Initial Investigation phase and the Completion phase of the SRI work.

Section A under the exhibit identifies each participating member’s cost share and resource share for purposes of the Initial Investigation. For the District, the maximum cost exposure is $5,000. The energy resource share is 2 aMWs.

Section B under the exhibit identifies each remaining member’s cost share and resource share for the Completion phase of the SRI. This section has purposely not been completed. Under the contract structure, it has been anticipated that after the Initial Investigation, one or more participating members may want to drop out or change the energy resource amounts for which the utility may want to obligate itself for. At the end of the Initial phase, the budget and resource amounts will be adjusted for the Completion phase.

Therefore, for those members still wanting to move forward, there will be an amendment to Exhibit A (work order) requiring either the District’s General Manager or Commission to approve pursuant to the District’s Policy.

Fiscal Impact: Approval and subsequent execution of the SRI Agreement will have no fiscal impact on the District. There are sufficient administrative funds in the approve 2021 Budget to accommodate the SRI budget obligation.

Recommended Action: APPROVE NIES SPECIFIC RESOURCE INVESTIGATION AGREEMENT AND AUTHORIZE DISTRICT’S GENERAL MANAGER TO SIGN THE AGREEMENT.
Memo

To: Commissioners Deshmane, Grant and Murphy
From: Stephan Jilk
Date: March 23, 2021
Re: Approval of Resolution No. 788 – Amend the Policy for Employee Compensation for Administrative Employees

Requested Action: ADOPT RESOLUTION NO. 788 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY (“DISTRICT”) AMENDING THE POLICY FOR EMPLOYEE COMPENSATION FOR ADMINISTRATIVE EMPLOYEES FOR THE PURPOSES OF AMENDING A JOB DESCRIPTION AND SALARY RANGE.

Background: This is a recommendation for the Commission to adopt a resolution amending the District’s Policy for Employee Compensation for Administrative Employees (Exhibit A). This policy provides guidelines for establishing a methodology for updating and setting salary ranges for all non-bargaining unit employee positions, establishing employee positions and job descriptions for all positions, and information on additional benefits and compensation as offered by the District.

Resolution No. 788 will update the following sections of the Policy for Employee Compensation for Administrative Employees:

1) Position Job Description
I am proposing to add make the following changes to the current Project Manager Job Description. In response to the District’s Strategic Planning effort in terms of planning and oversite of capital projects, infrastructure and facility maintenance, the District is now seeking the requirements of a Bachelor Degree in Electrical or Civil Engineering, Construction Management or equivalent, and a minimum of five years managing construction projects. (Or combination thereof.) This position will focus on the District’s activities related to electric, fiber and water facilities.

This is recommendation for Commission approval is of the amended Project Manager Job Description.
2) **Position Titles and Yearly Salary Ranges List**
   The Position Title of Project Manager will remain the same. Because of the revised education/skills upgrade requirement of the position, I am proposing to amend the salary range from $65,000 - $85,000 to $75,000 - $95,000.

   This is a recommendation for Commission approval of the recommended salary range change for the Project Manager Position. The proposed and current salary ranges is listed as Exhibit “B” in Resolution No. 788.

   The General Manager establishes individual salaries as he/she implements the *Policy for Employee Compensation for Administrative Employees* established and approved by the Commission.

3) The proposed, amended job description of Project Manager is listed as Exhibit “C”.

   Amending the Policy, revising the current job description and respective salary range will allow the General Manager to fill this position.

**Fiscal Impact:** All actions taken by the General Manager to implement the *Policy for Employee Compensation for Administrative Employees* will be within the annual budget as approved by the Commission. The amendment to the Project Manager’s salary range is budgeted for in the 2021 budget.

**Recommended Action:** ADOPT RESOLUTION NO. 788 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY (“DISTRICT”) AMENDING THE *POLICY FOR EMPLOYEE COMPENSATION FOR ADMINISTRATIVE EMPLOYEES* FOR THE PURPOSES OF AMENDING A JOB DESCRIPTION AND SALARY RANGE.
RESOLUTION NO. 788

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY ("DISTRICT") AMENDING THE POLICY FOR EMPLOYEE COMPENSATION FOR ADMINISTRATIVE EMPLOYEES FOR PURPOSES OF AMENDING JOB DESCRIPTION AND SALARY RANGE FOR PROJECT MANAGER POSITION

WHEREAS, RCW 54.12.090 authorizes the Board of Commissioners of the District (the "Commission") to create positions and fix salaries; and

WHEREAS, the Commission finds it in the best interest of the District to annually review the policy for administrating a compensation program "Policy for Employee Compensation of Administrative Employees" attached hereto as "Exhibit A" for the Administrative Employees (non-bargaining unit) of the District; and

WHEREAS, RCW 54.16.100 authorizes the General Manager to recommend to the Commission compensation of the Administrative Employees (non-bargaining unit), including salaries; and

WHEREAS, the General Manager has reviewed the organization of the District and the positions and salary ranges required to efficiently manage and achieve the goals of the District; and

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Whatcom County as follows:

I
The Policy for Employee Compensation for Administrative Employees of the Commission of the Public Utility District No.1 of Whatcom County attached hereto as Exhibit “A”, is amended for the purpose of amending one job description/title position and amending that annual salary range for the Administrative Employees of the District; and

II
The titles of all positions have been established and all position titles added to the Position Titles and Yearly Salary Ranges List for District Administrative Employees, attached hereto as Exhibit “B” (the "Salary Ranges List"). The position of “Project Manager” remains on the Position Titles List, however, the respective job description has been amended and is attached hereto as Exhibit “C”; and

III
The salary range for the position of “Project Manager” is included and set forth in the attached Salary Ranges List for District Administrative Employees (Exhibit “B”) has been reviewed and established in accordance with the Policy for Employee Compensation for Administrative Employees; and

IV
Effective March 23, 2021, the position titles shown on the attached Salary Ranges List for District Administrative Employees are hereby authorized and classified in the salary range shown and supersede any previous lists.
ADOPTED by the Board of Commissioners of Public Utility District No. 1 of Whatcom County at a regular meeting thereof, held this 23 day of March 2021.

Public Utility District No. 1
of Whatcom County

__________________________
Atul Deshmane, President/Commissioner

__________________________
Michael Murphy, Vice President/Commissioner

__________________________
Christine Grant, Secretary/Commissioner
Public Utility District Number 1 of Whatcom County

Policy for Employee Compensation of Administrative Employees

**Purpose:** This policy provides guidelines, responsibilities and authorities for the administration of the compensation for District Administrative (non-bargaining unit) Employees. This policy is subject to change, from time to time, by the Commission. This program is designed to promote, attract, and maintain a skilled workforce for the District.

The administration of this policy, where practicable, is to encourage career and professional development within the workforce. One of the goals of this policy is to reward increasing levels of responsibility and overall knowledge of the utility business. Demonstrated ability to incorporate the knowledge and experience to the benefit of the District will be a consideration in addressing compensation. To accomplish this, the District’s compensation program is designed to strive for the following:

1. **Encourage the recruitment, retention and motivation of qualified employees.** *The District seeks to compensate employees consistent with industry wages and the local economy.*

2. **Comply with Federal and State Laws and Equal Employment Opportunity standards.** *The District compensates its employees in accordance with all applicable local, state and federal laws regarding race; color, religion; gender; marital status; national origin; citizenship status; age; sensory, mental or physical disability; disabled or Vietnam-era veteran, or any other status protected by law.*

3. **Identify other employment/compensation benefits for District Administrative Employees.** *The total measure of compensation will normally take into consideration all benefits enjoyed by employees inclusive of, but not limited to, salary, health insurance and benefits, personal leave, deferred compensation and retirement plans.*

**Requirements**

This policy shall apply to District Administrative Employees under the direction and supervision of the General Manager. The General Manager is charged with the administration of this policy, but is not covered by this policy. The terms and conditions of employment for the General Manager are determined by Contract with the Board of Commissioners.

**At Will Employment**

Public Utility District No. 1 of Whatcom County retains the *at will* status for all District Administrative Employees. As such, the employment relationship can be terminated at any time, with or without cause, by the District or the employee. No District representative has the authority to enter into any agreement for employment for a specified period of time or make any representations or agreement contrary to *at will* employment unless specifically authorized in writing by the Board of Commissioners.
Salary Administration
The compensation of the District’s Administrative Employees is subject to availability of budgeted funds. As part of the annual budgeting process, the Commission will review and approve, at the Commission’s discretion, funds to be allocated for total compensation, which includes salaries, all other compensation related expenses, and all benefit plans (medical, dental, vacation, retirement, and personal leave).

Salary Range
The Commission will establish a salary range for each District Administrative Employee position in accordance with this policy. Each salary level will list the yearly salary range within which the salary paid must fall, except as otherwise provided herein.

Industry Salary Comparison
The salary range will be reviewed annually and may be adjusted by the Commission utilizing as a guide both the most applicable Consumer Price Index, the Washington Public Utility Districts Association’s Salary, Wage and Benefit Survey, and the District’s Collective Bargaining Agreement wage schedule as reference. Internal equity is a factor to be considered by the District when assessing comparable levels of responsibility while addressing variations in local and regional labor markets.

The General Manager or his designee shall procure annually or at least every two years, salary schedules of equivalent jobs in utilities and other comparable industries to determine the appropriateness of the District’s salaries. Based on this review, and/or other factors such as cost of living and/or inflation, the General Manager will submit for approval a revised schedule of salary ranges to the Commissioners.

Salary Level
Each administrative job is placed in an existing salary level by evaluation of the job description. Normally, the level of salary compensation falls within a range for each position at the District. Placement within the range is subject to case-by-case analysis of the individual and factors including, but not limited to, level of experience, education, knowledge of job, knowledge of utility business, ability to efficiently perform duties and level of responsibility.

Each District Administrative Employee’s salary will be determined by the General Manager in conjunction with District lead managers/supervisors using the salary ranges set by the Commission.

Other Factors in Determining Salary Levels or Ranges
Proposed salary level or range placements which are contrary to the statement above made as a recognition of special skills, talents, accomplishments or circumstances brought to the job or as a result of special labor market conditions will be reviewed by the General Manager and/or designated staff. Several factors can determine the appropriate range. These include:

- Market conditions;
- The particular role;
- Education, professional training and/or certifications;
- Number of years relevant functional and/or industry experience;
- Number of staff previously supervised;
- Special abilities or national recognition; or
Part-time and/or temporary employment salary level/salary ranges that do not include additional benefits such as District-covered health insurance, paid holidays, paid vacation and paid sick leave (other than required by law).

The General Manager shall have the flexibility of filling such positions which are already approved by the Commission to set salary levels or ranges that are not tied to an hourly rate.

**Salary Adjustments**
Changes within a range will normally occur on January 1 of each year or at other times deemed appropriate by the supervisor and approved by the General Manager. Salary increases of any nature are at the discretion of the District and no employee is entitled to any adjustment until approved by the General Manager.

Individual salary adjustments may occur throughout the year as appropriate for

- Cost of living adjustments;
- Increases for employees in new positions or entry level of the ranges;
- Change in responsibility or demonstrated competencies within the position;
- Change of position;
- Performance; or
- Other special circumstances as may occur.

**Voluntary Transfer/Demotion**
Voluntary transfers to a job with a lower salary level or demotions because of inadequate performance or other valid reasons may result in a salary reduction to a point within the new salary ranges.

**Fair Labor Standards Act**
It is the intent of the District to fully comply with applicable laws, including the Fair Labor Standards Act. Each administrative position will be classified as exempt or non-exempt from overtime. Job descriptions will reflect the classification.

**Personal Leave**
Accrual rates and beginning balances for personal leave may be adjusted as determined by the General Manager within the limitations described below. Adjustments outside the following limitations require Commission review and prior approval. Adjustments within the following limitations are determined by the General Manager.

- The base pay for the individual must remain within the salary range;
- The adjustment for any individual in the budget year will be limited to 10%;
- The total adjustments for all subject employees within a budget year shall be limited to the annual budget approved by the Commission;
- Personal leave accrual rate up to the standard accrual rate based on years of relevant experience.
As new positions are created or substantively changed, salary ranges will be determined by the Commission. Job descriptions may be reviewed every two years or whenever significant changes occur to the duties or responsibilities of the position. New or updated job descriptions may be addressed when filling vacancies or promoting staff members.

**Additional Benefits and Other Compensation:**

**Health Care**
Exempt and Non-exempt employees will be provided with health care coverage consisting of medical, dental, vision and employee assistance programs. Specifics of these benefits may change from year to year. See the HR Administrator for additional information.

**Vacation Benefits**
Employees begin to accrue vacation benefits upon the date of hire. Once employees successfully complete their 90-day introductory period, they are eligible to begin to use accrued vacation time based on prorated benefit eligibility. For additional information, please see “Time Off and Benefits” in the Employee Handbook.

### Vacation Schedule for District Administrative Employees

<table>
<thead>
<tr>
<th>Year</th>
<th>Annual Accrual</th>
<th>Monthly Accrual</th>
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<tbody>
<tr>
<td>1</td>
<td>88 hours</td>
<td>7.33 hours</td>
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<tr>
<td>2</td>
<td>88 hours</td>
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<tr>
<td>3</td>
<td>96 hours</td>
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<tr>
<td>4</td>
<td>112 hours</td>
<td>9.33 hours</td>
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<tr>
<td>5</td>
<td>128 hours</td>
<td>10.66 hours</td>
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<tr>
<td>6</td>
<td>128 hours</td>
<td>10.66 hours</td>
</tr>
<tr>
<td>7</td>
<td>136 hours</td>
<td>11.33 hours</td>
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<tr>
<td>8</td>
<td>144 hours</td>
<td>12.00 hours</td>
</tr>
<tr>
<td>9</td>
<td>152 hours</td>
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<tr>
<td>10</td>
<td>168 hours</td>
<td>14.00 hours</td>
</tr>
<tr>
<td>11</td>
<td>176 hours</td>
<td>14.66 hours</td>
</tr>
<tr>
<td>12</td>
<td>192 hours</td>
<td>16.00 hours</td>
</tr>
<tr>
<td>13</td>
<td>208 hours</td>
<td>17.33 hours</td>
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<tr>
<td>14</td>
<td>224 hours</td>
<td>18.66 hours</td>
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<tr>
<td>15</td>
<td>240 hours</td>
<td>20.00 hours</td>
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<tr>
<td>16</td>
<td>248 hours</td>
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<tr>
<td>17</td>
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<td>18</td>
<td>264 hours</td>
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<tr>
<td>19</td>
<td>272 hours</td>
<td>22.66 hours</td>
</tr>
<tr>
<td>20</td>
<td>280 hours</td>
<td>23.33 hours</td>
</tr>
</tbody>
</table>
Sick Leave Benefits
Employees shall receive a maximum of 12 days (96 hours) of paid sick leave per calendar year accrued at a rate of 8 hours per month. Sick leave benefits are based on prorated benefit eligibility. For additional information, please see “Time Off and Benefits” in the Employee Handbook.

Policy for Leave without Pay
If an employee requests time away from work, the employee may request leave without pay for up to 80 hours in a 12-month period. Requests for unpaid leave must be approved by the immediate supervisor and the General Manager. Upon approval by the General Manager, employees will not be required to use any accrued vacation and floaters before receiving unpaid leave. If approved by the General Manager, the employee’s health benefits can be maintained during the unpaid leave. However, vacation time, floating holidays and sick leave hours will not be accrued during the unpaid leave.

Floaters (in lieu of Holidays)
Employees shall receive a maximum of 12 days (96 hours) “floating” paid holidays per calendar year accrued at a rate of 8 hours per month based on prorated benefit eligibility. For additional information, please see “Time Off and Benefits” in the Employee Handbook.

Deferred Compensation Program
Employees covered by this policy may be eligible to participate in 401a or 457k deferred compensation program consistent with all state and federal regulations and receives District contribution in lieu of the District’s contribution to the Washington Public Employees Retirement System (PERS). Such benefit shall be set annually by the Commission and is currently set at 8.7% of the employee’s base salary.

Separation of Employment
District Administrative Employees: Since employment with the District is “at will”, both the employee and the District have the right to terminate employment at any time, with or without cause or advance notice, and without compensation except for time actually worked and accrued benefits, if any. Whether termination is voluntary or involuntary, employees will receive their final pay on the next regularly schedule payroll date following the employee’s last day worked.

1. Vacation and Floating Holidays: All accrued vacation and floating holiday leave benefits will be paid at one-hundred percent (100%) at time of termination.

2. Sick Leave Benefits: Any accrued sick leave benefits will be cashed out at the following schedule based on years of service:
   Greater than 20 years – at fifty percent (50%) of the unused balance at time of termination
   Sixteen to 20 years – at forty percent (40%) of the unused balance at time of termination
   Less than 16 years – at twenty-five percent (25%) of the unused balance at time of termination

3. Death: If the employee dies while employed by the District, the employment is terminated immediately. Upon such termination, the employee will receive his/her final paycheck, plus all accrued but unused benefits as noted above in item 1; and, any accrued sick leave benefits will
be cashed out at one hundred percent (100%) of the unused balance at time of termination due to death.

EFFECTIVE: March 23, 2021
PROPOSED Resolution No. 788; March 23, 2021
Superseded Resolution Nos. 787, 777, 761, 752, 744, 737, 734, 720, 716, 702, 695, 687, 675, 663, 550, 560.
<table>
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<tr>
<th>Position Title</th>
<th>2021 Approved Range</th>
<th>2021 PROPOSED Range</th>
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<tr>
<td></td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>Assistant General Manager</td>
<td>2020 Approved: $125,000 - $150,000</td>
<td>No Change</td>
</tr>
<tr>
<td>Utility Operations - Director</td>
<td>2017 Approved: $105,000 - $120,000</td>
<td>No Change</td>
</tr>
<tr>
<td>Finance - Director</td>
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<td>$120,000</td>
</tr>
<tr>
<td>Electric System Supervisor**</td>
<td>$95,000</td>
<td>$110,000</td>
</tr>
<tr>
<td>Automation &amp; Technology - Manager</td>
<td>$90,000</td>
<td>$110,000</td>
</tr>
<tr>
<td>Substation Technician II*</td>
<td>$80,000</td>
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</tr>
<tr>
<td>Substation Technician I*</td>
<td>$75,000</td>
<td>$95,000</td>
</tr>
<tr>
<td>Contracts &amp; Regulatory Compliance - Manager</td>
<td>$75,000</td>
<td>$95,000</td>
</tr>
<tr>
<td>Broadband Services Analyst</td>
<td>$75,000</td>
<td>$95,000</td>
</tr>
<tr>
<td>Electric Utility Analyst</td>
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<tr>
<td>Executive Assistant</td>
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<td>$85,000</td>
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<tr>
<td>IT/SCADA Tech (M)</td>
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<td>No Change</td>
</tr>
<tr>
<td>IT/SCADA Tech (P)</td>
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<td>$78,000</td>
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<tr>
<td>Accountant I</td>
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**OPEN POSITIONS**

Manager - Construction & Facilities
Assistant Finance Director
Process and Control Engineer
Water System Supervisor

* Substation Technician (I and II) are hourly paid positions. Salary range is stated in annualized hours (2,080) hours without overtime or special pay.

** Electric System Supervisor is a hourly paid positions. Salary range is stated in annualized hours (2,080) hours without overtime or special pay.
**PUBLIC UTILITY DISTRICT NO. 1 of Whatcom County**

<table>
<thead>
<tr>
<th>Job Title:</th>
<th>Project Manager</th>
<th>Department:</th>
<th>Operations</th>
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<tr>
<td>Reports To:</td>
<td>Director – Utility Operations</td>
<td>Status:</td>
<td>Exempt</td>
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<tr>
<td>Salary Range:</td>
<td>$75,000 to $95,000</td>
<td>Position Type:</td>
<td>FTE</td>
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</tbody>
</table>

**SUMMARY**

Plan, manage and/or provide staff support for District capital and maintenance projects; assist with the selection of contractors and consultants; coordinate activities of contractors and District staff in completing maintenance, repair and improvements to the District's water and electric utility systems or other District facilities. Perform duties, as generally described below.

**Supervision Received:**

Works under the general supervision of the Director of Utility Operations.

**Supervision Provided:**

Supervise District staff, as may be assigned by the Director of Utility Operations. Carry out supervisory responsibilities as assigned in accordance with the organization's policies and applicable laws.

**Essential Duties and Responsibilities:**

- Project Management of and/or provide support for planning, design and implementation of District capital improvement projects or maintenance projects involving the District’s electric, fiber and water facilities.
- Assist in preparation of construction bidding documents, plans and specifications. Complete project documents, including but not limited to, advertisements, notices of award and/or to proceed, contracts, pay requests, and change orders, NOC's, RFI's, submittals and other required for financial tracking and audit compliance of District projects.
- Assist in the compilation, analysis, and review of data to be utilized in preparing project budgets or construction estimates for District maintenance and capital projects.
- Prepare or assist in the preparation of various permit applications, checklists, impact statements or funding applications, or other studies and reports as required for project scope or regulatory agencies.
- Represent the District at various hearings and public meetings as they pertain to project improvements or operations of the District’s utility systems.
- Directly inspect or assist with field inspections of District maintenance or capital improvement projects.
- Assist with the preparation of the District’s annual operations and capital improvements budget.
- Support other District operations staff in identifying, analyzing and prioritizing preventive and corrective maintenance and items related to District facilities.
- Manages development of a comprehensive GIS map and database of all District properties, easements, utilities, and facilities. Utilize current GPS technology for collection of field data. Integrate data into GIS mapping and produce District maps available to all staff.
- Utilize Computer Aided Drafting (CAD) skills to both supplement the GIS mapping effort, and to assist efficient planning, estimating and designing of capital and maintenance projects.
- Perform other administrative duties such as preparing project recommendations and action memorandums for the District’s Commission and providing staff support during public hearings and Commission meetings.
- Have a basic understanding of local, state and federal environmental regulations, as they may pertain to the District’s capital and maintenance projects.
- Have the willingness and ability to work with and coordinate activities among property owners, the District and other agencies on permitting and projects as needed.
- Must be available to supervise and/or work routine and non-routine shifts including nights, weekends, holidays and other periods as required during the District’s operations.
- Performs other duties as assigned.

**Qualifications:**

To perform this job successfully, an individual must be able to perform each essential duty as defined by the District. The requirements listed both above and below are representative of the knowledge, skill, and/or ability that the individual must possess to adequately perform their responsibilities. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Education and/or Experience**

Minimum of an associate degree from a technical school in construction or project management and/or five years experience managing maintenance and capital improvement projects involving utility facilities. Experience in electric substation project management is desired. An understanding and experience with public agency bidding procedures is essential.

**Language Skills:**

- Fluent in the English language with the ability to communicate clear and concise written and verbal instructions and information to coworkers, customers and others.
- Ability to write routine reports and correspondence as well as speak effectively while working with District customers, staff or supervising contractors.
- Ability to effectively prepare and present general and technical information and respond to general and technical questions from the Director of Utility Operations, Commission, employees, customers, governmental agencies, vendors, and the public.
- Ability to meet and work with the public effectively and courteously.

**Mathematical Skills:**

- Ability to work with and understand mathematical concepts such as probability and statistical inference, fundamentals of plane and solid geometry and trigonometry.
- Ability to apply other mathematical concepts such as fractions, percentages, ratios, and proportions to solve and/or prepare solutions for the improvement of the District’s infrastructure.
- Moderate drafting skills are required and surveying skills are desired.
- Ability to systematically analyze budgets, actual costs and other variables commonly associated with project management.
- Ability to define problems, collect data, establish facts, and utilize analytical or deductive reasoning to obtain acceptable solutions or conclusions.

**Other Skills and Abilities:**

- Working knowledge of construction practices commonly used in utility and building construction projects.
- Proficiency in operating a variety of computer software including, but not limited to, Microsoft applications: Windows, Word, MS Project and MS Excel.
- Working knowledge of the federal and state occupational safety requirements and necessary safety precautions applicable for the construction projects and the safe operation and maintenance at the District’s electric and water utility systems.
- Competent level of understanding and proficiency in the administration of; Public Bid Contracts, Public Agency Purchasing requirements, Washington State Prevailing Wage Law and Construction Management.
- Working knowledge or understanding of the capabilities or operational aspects of mechanical equipment commonly used in utility construction.
• Must be willing to work in a supportive role to assist the Director of Utility Operations and other District staff in the completion of District projects, and in a management role to direct consultants and/or contractors in the completion of projects.

**Degree’s, Certificates, Licenses, Registrations:**

• Bachelor’s degree in Electrical or Civil Engineering, Construction Management or equivalent is preferred, as well as a minimum of (5) years of experience managing construction projects. Any equivalent combination of education and experience that provides the applicant with the knowledge, skills and abilities to perform the job may be substituted for some requirements.

• Must possess a valid Washington State Driver’s License with driving record free from serious or frequent violation.

• Must be able to obtain security and safety clearances required to gain access into Whatcom PUD’s customer’s facilities and electric substations, i.e. Transportation Worker Identification Credential (TWIC).

**Physical Demands**

The physical demands described herein are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions required by this position.

While performing the duties of this job, the employee is regularly required to use hands and fingers to handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee may be exposed to electrical and magnetic forces, moving mechanical parts, petroleum products, toxic or caustic chemicals, vibrations, fumes or airborne particles and outside weather conditions.

The employee is frequently required to stand, talk and hear. The employee is occasionally required to walk, sit, climb, balance, stoop, kneel, crouch, crawl and/or smell. The employee must be able to sufficiently lift and/or move up to 50 pounds. Specific vision abilities required by this job include close visions, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

**Work Environment**

The work environment characteristics described herein are representative of those that an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment related to the water utility may be loud (greater than 50 dB but less than 110 dB), however there may be conditions when noise levels exceed these readings but are short in duration.

The work environment is occasionally stressful due to project deadlines and multiple requests. The noise level in the work environment is usually quiet.

**HR/OFFICE USE:**

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<tr>
<th>Reviewed By:</th>
<th>Stephan Jilk, General Manager</th>
<th>11 March 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Originally Approved By</td>
<td>COMMISSION – Resolution No. 663</td>
<td>18 December 2012</td>
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<tr>
<td>Last Updated By:</td>
<td>Commission – Resolution No. 788</td>
<td>23 March 2021 – Description &amp; Range Adj.</td>
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<tr>
<td></td>
<td>Commission – Resolution No. 716</td>
<td>20 Dec 2016 – Range Adj. (removed mid-range)</td>
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Memo

To: Commissioners Desmane, Grant and Murphy
From: Traci Irvine, Accountant I
Date: March 23, 2021
Re: Approve Resolution No. 789 – Authorizing the Cancellation of Warrant

Requested Action – APPROVE RESOLUTION NO. 789 AUTHORIZING CANCELLATION OF WARRANT NEVER RECEIVED BY THE VENDOR.

Background: The District issued a request for a Warrant on the basis of an invoice received from Tenable, Inc. and now needs to be cancelled. Following the Commission’s authorization of the issuance of the Warrant #1120102, dated January 19, 2021 was sent via U.S. Mail to the Vendor and never received. The District has requested that the County cancel Warrant No. 1120102 in the amount of $12,533.92. A new warrant will not be issued. The invoice was paid via credit card.

Fiscal Impact – No Fiscal Impact.

Recommended Action – APPROVE RESOLUTION NO. 789 AUTHORIZING CANCELLATION OF WARRANT NEVER RECEIVED.
RESOLUTION NO. 789

RESOLUTION BY THE BOARD OF COMMISSIONERS
OF PUBLIC UTILITY DISTRICT NO.1 OF WHATCOM COUNTY (DISTRICT)
AUTHORIZING THE CANCELLATION OF WARRANT NEVER RECEIVED

WHEREAS, the Revised Code of Washington, Section 39.72.010, states the County legislative
authority shall cancel county warrants never received by the vendor; and

WHEREAS, the County’s Administrative Services Department has provided a warrant that was
issued on January 19, 2021, but never received by vendor:

NOW THEREFORE BE IT RESOLVED that the District hereby cancel the warrant listed in
Exhibit A and reissue said warrant, provided further as follows:

In compliance with RCW 39.72.020, the District’s Finance Manager shall keep a full and
complete record of the canceled warrant, and any and all other warrants, bonds or other instruments
alleged to have been lost or destroyed, which were issued by the District, and of the issue of any duplicate
therefore; and upon the issuance of any duplicate, the District’s Finance Manager shall enter upon the
books of the District the cancellation of the original instrument and immediately notify the treasurer of the
County, the state auditor, and all trustees and paying agencies authorized to redeem such instruments on
behalf of the District of such cancellation; and further;

In compliance with 43.08.066, the District Finance Manager shall require the person making
application for its issue to file in a written affidavit specifically alleging on oath that that person or entity
is the proper owner, payee, or legal representative of such owner or payee of the original instrument,
giving the date of issue, the number, amount, and for what services or claim or purpose the original
instrument or series of instruments of which it is a part was issued, and that the same has been lost or
destroyed, and has not been paid, or has not been received by that person or entity.

ADOPTED by the Commission of Public Utility District No.1 of Whatcom County at its regular
meeting held on the 23rd day of March 2021.

PUBLIC UTILITY DISTRICT NO. 1
OF WHATCOM COUNTY

Atul Deshmane, President/Commissioner

Christine Grant, Secretary/Commissioner

Mike Murphy, Vice-President/Commissioner

Exhibit A
Cancellation of Warrant Never Received

<table>
<thead>
<tr>
<th>Warrant No.</th>
<th>Warrant Date</th>
<th>Vendor</th>
<th>Amount</th>
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<tr>
<td>#1120102</td>
<td>1-19-2021</td>
<td>Tenable</td>
<td>($12,533.92)</td>
</tr>
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Memo

To: Commissioners Deshmane, Grant and Murphy
CC: Stephan Jilk, General Manager
From: Jon Sitkin
Date: March 17, 2021
Re: APPROVE RESOLUTION NO. 790 RE: ROAD TO RECOVERY PHASES 2 AND 3; RETENTION OF VIRTUAL MEETING WITHOUT IN PERSON COMPONENT AUTHORITY

Requested Action: Approve Resolution No. 790.

Background: As of February 11, 2021 Governor Inslee announced that many regions would be advanced into Phase 2 of his Healthy Washington - Roadmap to Recovery. Effective February 14, 2021, the whole state has advanced to Phase 2.

A. Under Phase 2, Governor Inslee has modified the suspension of Open Public Meetings Act (“OPMA”) requirements applicable to public agencies. As a result, the District has the option to incorporate in-person components to their public meetings so long as several health and safety requirements are complied with. However, such a meeting requires that the public also attend; a condition of holding an in-person component to a public meeting is that anyone that wants to attend in person has to be allowed to do so. Further, if the agency is not able to meet the applicable safety guidelines, the agency must adjourn the meeting until it can meet the guidelines or can reschedule the meeting as a virtual meeting. If the agency does not have an in-person component to a public meeting it must maintain at least a telephonic option for attendance.

B. As of March 11, 2021 Governor Inslee announced that all counties within the state will advance to Phase 3 of his Healthy Washington - Roadmap to Recovery, effective March 22, 2021. More specific guidance as to in-person meetings subject to the OPMA are likely to be released the week of March 15, 2021.
C. The conditions determining which phase Whatcom County remains in will be reviewed every 2-3 weeks by the State of Washington. It is possible that Whatcom County could return to Phase 2 if adequate safety protocols are not maintained by the citizens and businesses of Whatcom County.

D. This policy is intended to serve as guidance for the District, and its staff and officials, as it begins to transition back to in-person public meetings during Phase 2 of the Governor’s Healthy Washington – Roadmap to Recovery, and in anticipation of Phase 3.

Resolution No. 790 may be terminated at any time by the Board.

**Fiscal Impact:**

No impact is anticipated.

**Recommended Action:**

Approve Motion as follows:

Move to Approve Resolution No. 790 as presented.
RESOLUTION NUMBER 790
ADOPTING PUBLIC UTILITY DISTRICT NO. 1 OF WHATCOM COUNTY
BOARD OF COMMISSIONS OPEN PUBLIC MEETINGS POLICY
DURING PHASE 3 OF WASHINGTON'S SAFE START PHASED REOPENING POLICY:
REGARDING OPEN PUBLIC MEETINGS UNDER GOVERNOR INSLEE'S PHASE 2 AND 3
OF HEALTHY WASHINGTON - ROADMAP TO RECOVERY

Issue Date: March 23, 2021

I. BACKGROUND AND PURPOSE.

A. As of February 11, 2021 Governor Inslee announced that many regions would be advanced into Phase 2 of his Healthy Washington - Roadmap to Recovery. Effective February 14, 2021, the whole state has advanced to Phase 2.

B. Under Phase 2, Governor Inslee has modified the suspension of Open Public Meetings Act (“OPMA”) requirements applicable to public agencies. As a result, the District has the option to incorporate in-person components to their public meetings so long as several health and safety requirements are complied with. However, such a meeting requires that the public also attend; a condition of holding an in-person component to a public meeting is that anyone that wants to attend in person has to be allowed to do so. Further, if the agency is not able to meet the applicable safety guidelines, the agency must adjourn the meeting until it can meet the guidelines or can reschedule the meeting as a virtual meeting. If the agency does not have an in-person component to a public meeting it must maintain at least a telephonic option for attendance.

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D. The conditions determining which phase Whatcom County remains in will be reviewed every 2-3 weeks by the State of Washington. It is possible that Whatcom County could return to Phase 2 if adequate safety protocols are not maintained by the citizens and businesses of Whatcom County.

E. This policy is intended to serve as guidance for the District, and its staff and officials, as it begins to transition back to in-person public meetings during Phase 2 of the Governor’s Healthy Washington – Roadmap to Recovery, and in anticipation of Phase 3.

II. VIRTUAL ONLY MEETINGS.

A. During Phase 2, it is required that the District host its public meetings remotely.

B. During Phase 2, the District elects to hold its public meetings entirely via remote methods without any in-person component.

C. The District adopts and will comply with all the requirements of Proclamations 20-28 et. seq. and specifically all remote public meetings subject to RCW 42.30 and will:
(a) provide an option(s) for the public to attend the proceedings through, at minimum, telephonic access, and may also include other electronic, internet, or other means of remote access, and

(b) provide the ability of all persons attending the meeting to hear each other at the same time.¹

D. If the District Commission elects to incorporate an in-person component to its public meetings during Phase 2, then the District Commission will first adopt a separate policy to address the current COVID-19 emergency requirements and guidelines.

E. As Whatcom County approaches entering Phase 3 of Governor Inslee’s Healthy Washington - Road to Recovery on March 22, 2021, COVID-19 Proclamations and guidance related to OPMA requirements will likely be updated – it is anticipated that there will be an increase in occupancy allowed for in-person meetings (up to 50% occupancy or 400 people maximum, whichever is lower, for all indoor spaces), but all other requirements related to in-person public attendance applicable in Phase 2 will apply during Phase 3. Social distancing and face covering requirements remain in effect in Phase 3; these requirements specifically include wearing a mask or other approved face covering and maintaining six (6) feet of distancing between individuals.

F. The District will continue to meet remotely without an in-person component, until this resolution is amended or revised by the Commission.

III. UPDATES TO COVID-19 REGULATIONS.

A. Regulations and guidance regarding compliance with COVID-19 and the OPMA are frequently updated and are swiftly evolving with the State’s emergency response plans.

B. It is the Board of Commissioner’s intent that the District follow and implement all Phase 2 or Phase 3 state and local OPMA regulations and guidance, as applicable, as they are issued, and update and/or amend this policy, as necessary.

C. In the event the proclamations and guidance referenced in this policy become outdated or no longer apply, the District General Manager and Commission should consult with legal counsel regarding amendment, modification or updates hereto.

This Resolution shall continue in full force and effect until terminated by law or by further Resolution of the Commission and may be reviewed as a regular agenda item on the Commission’s agenda at the request of any Commissioner until such time as this Resolution is terminated.

ADOPTED by the Commission of Public Utility District No. 1 of Whatcom County at a Regular Meeting held this 23rd day of March 2021.

Atul Deshmane, Commission President

Michael Murphy, Vice-President

ATTEST: Christine Grant, Secretary