

**MINUTES OF THE REGULAR
MEETING OF THE COMMISSION**

January 9, 2024

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 Jaime Arnett. 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 and Peter Ruffatto. 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; Jon Littlefield, Electric System Supervisor; Devin Crabtree, Chief Water Operator; Kurt Wank, Director of Utility Operations; and Stephanie Hooper, Accountant I.

Public attending:

Jack Wellman, Puget Sound Energy
 Dave Olson, Citizen
 Rick Maricle, Citizen
 Darrell Gray, NSEA
 James van der Voort, NSEA

2. Approval of Agenda

Requested change for Executive Session - it will not include water adjudication; there will be two general litigation topics discussed.

ACTION: Commissioner Deshmane made the motion to APPROVE THE AGENDA JANUARY 9, 2024 AS AMENDED. Commissioner Grant second the motion. Motion passed unanimously.

3. Approval of Consent Agenda

- a) Approval of Meeting Minutes of the Regular Meeting of December 12, 2023;
- b) Approval of Meeting Minutes of the Regular Meeting of December 19, 2023, and
- c) Approval of the Claims of January 9, 2024:

<u>VENDOR NAME</u>	<u>AMOUNT</u>
AMERICAN PUBLIC POWER ASSOCIATION	3,839.91
ASSOCIATION OF WASHINGTON CITIES	500.00
AT&T MOBILITY	1,801.22
CENTRAL WELDING SUPPLY	75.58
CHMELIK SITKIN & DAVIS	14,760.63
CONNER, ERIC	50.82
CONSOR NORTH AMERICA, INC.	12,952.63
CORNERSTONE MANAGEMENT, INC.	387.00
CULLIGAN NORTHWEST	68.21
DESHMANE, ATUL	532.98
EDGE ANALYTICAL LABORATORIES	24.00
FCS GROUP	935.00
FERNDALE ACE HARDWARE	184.86
FERNDALE AUTO PARTS	54.53
FLOWERVE FSD CORPORATION	13,423.74
GRANICH ENGINEERED PRODUCTS, INC.	3,538.19
GRAY MATTER SYSTEMS, LLC	5,836.00
HDR ENGINEERING, INC.	3,512.32
HEALTH PROMOTIONS NORTHWEST	150.00
IVOXY CONSULTING LLC	8,961.15
MALLORY SAFETY & SUPPLY LLC	208.97
MINMAX	2,835.00
NATIONAL SAFETY, INC.	716.76
NORTH COAST ELECTRIC COMPANY	1,637.12
NORTHWEST FIBER DBA ZIPLY FIBER	2,903.59
NP INFORMATION SYSTEMS (3-D CORP)	269.82
P&P EXCAVATING, LLC	13,782.30
PACIFIC NORTHWEST UTILITIES	1,000.00
PUBLIC POWER COUNCIL	3,570.00
PUBLIC UTILITY RISK MANAGEMENT SERV	9,748.49
PUGET SOUND ENERGY, INC	4,191.92

RDS - RECYCLING & DISPOSAL SERVICE	59.23
REGENCE BLUE SHIELD	46,318.38
REISNER DISTRIBUTION, INC	1,219.96
RICOH USA	199.49
SMITH MECHANICAL	519.81
SSC - SANITARY SERVICE COMPANY	613.13
STAR RENTALS	1,705.78
TEAMSTER LOCAL #231	616.00
UNITED WAY OF WHATCOM COUNTY	707.00
VALVOLINE	355.94
WASHINGTON DENTAL SERVICE	2,828.05
WASHINGTON TEAMSTERS WELFARE	13,567.40
WHATCOM COUNTY COUNCIL OF GOVERNMENTS	150.00
<u>WHATCOM JANITORIAL</u>	<u>2,860.00</u>
GRAND TOTAL	\$184,172.91

ACTION: Commissioner Grant made the motion to APPROVE THE CONSENT AGENDA OF JANUARY 12, 2023. Commissioner Deshmane second the motion. Motion passed unanimously.

4. **Public Comment** – None made.

5. **General Manager’s Report**

- Will be on vacation after the January 23 meeting, Assistant General Manager Walters will cover;
- Will provide additional updates during Old Business.

6. **Old Business**

a) **Broadband Program Update**

- Comments were made regarding the initial proposals regarding BEAD funding; What has been submitted should be available next week;
- Staff continues to look for additional broadband grants;
- Point Roberts Broadband Project Request for Qualifications – District is reviewing final cost estimates, contract negotiations and is preparing for Commission approval at the January 23 meeting.

b) **Adjudication Update**

- Sitkin discussed a pending bill regarding adding a fifth judge for assistance with the judicial system in Whatcom County. This requires legislative action.
- Senate Bill 5828 was also discussed, which concerns water rights adjudication commissioners and referees;
- Discussed the Department of Ecology’s draft court claim forms for small use (residential groundwater up to 500 gallons per day) and for water right full-length the adjudication. Comments are due March 2, 2024.
- Sitkin will be giving local presentations on the adjudication process this week and next;

c) **Geothermal Update**

- Focusing on lobbying efforts and has contracted with a lobbyist regarding geothermal and thermal.
- Grant and Heimgartner met with the Lummi Nation and Nooksack Tribal Council regarding geothermal presentation; possible engagement of a local workforce in the future.
- Commissioner Grant will be the representative to make comments on two Senate hearings this week regarding House Bill 2129 – promoting the development of geothermal energy resources.

d) **Board Retreat Discussion**

- Deshmane contacted more consultants; discussion ensued to contact Kelly Smith Johnston (Mayor of Centralia) to act as a facilitator, and further discussed what the Commission is seeking for a board retreat. Commissioner Arnett said topics relating to achieving the goals of strategic plan at the retreat; however, there are other topics such as engaging staff in the retreat and explore ideas on how the Commission interacts with each other, staff and the public, working as a team, and learning more about the culture of the PUD.

e) **WPUDA Day on the Hill**

Day on the Hill in Olympia is February 14. Commissioners discussed who will be attending and assisting the Washington PUD Association’s event for legislators.

7. **New Business**

a) **Nooksack Salmon Enhancement Association (NSEA) Presentation**

Since 2010, the Commission has approved funding requests from the Nooksack Salmon Enhancement Association (NSEA) for habitat restoration projects.

James van der Voort provided an update on the 2023 projects. For 2024, 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 Watershed Resource Inventory Area 1 lowland streams. Funding has been allocated in the 2024 budget for this purpose.

ACTION: Commissioner Grant made the motion to APPROVE FUNDING IN THE AMOUNT OF \$20,000 FOR NOOKSACK SALMON ENHANCEMENT ASSOCIATION (NSEA) TO SUPPORT WASHINGTON CONSERVATION CORPS WORK ON HABITAT RESTORATION PROJECTS FOR 2024. Commissioner Deshmane second the motion. Motion passed unanimously.

b) Approve Professional Services Agreement with Electric Power Systems

In February of 2021, the Commission approved the Standard Agreement for Professional Consulting Services with Electric Power Systems to provide services to the District that involved current and/or future capital improvement and maintenance projects related to the District's electric facilities. The initial term of the Agreement extended through December 31, 2023.

Under the Agreement, the Consultant's general scope of services will include the performance of tasks focused on completing Capital Improvement and other maintenance projects associated with Whatcom PUD's systems related to its electric operations and administrative services.

If approved, the term of the new PSA would extend through December 31, 2026. There is no fiscal impact to the District.

ACTION: Commissioner Grant made the motion to APPROVE A PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH ELECTRIC POWER SYSTEMS FOR ELECTRICAL CONSULTING SERVICES, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT. Commissioner Deshmane second the motion. Motion passed unanimously.

8. Operations Report

- Walters reported on the state of the weather, weather vulnerability and impact on our operations. With bad weather forecasted this week, water operations are preparing ahead of time for any storm related incidents, especially for river turbidity spikes and possibility of frazil ice conditions.

9. Commissioner Reports

Grant:

- Will be providing testimony at two Senate hearings this week;
- Will attend the WPUDA Board of Directors meeting via Zoom
- Discussed the meetings with the Lummi Nation and Nooksack Tribe regarding possible geo-thermal opportunities.
- Is having ongoing conversations with Eric Hirst regarding water conservation.

Arnett:

- Will be attending the January WPUDA meetings via Zoom.

Deshmane:

- Will be attending the January WPUDA meetings in person.
- Is not attending the Public Power Council meeting.
- Will respond to email from WPUDA's Nicholas Garcia;
- Plans to attend the State Auditor's Exit Interview next week.

10. Public Comment – None made.

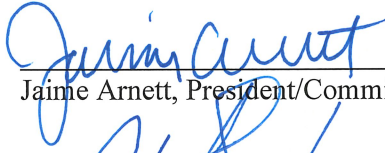
11. Executive Session

Commissioner Arnett requested an Executive Session pursuant to RCW 42.30.110(1)(i) general litigation and RCW 42.30.110(1)(g) to review the qualifications and/or performance of a public employee. Estimated time for Executive Session was thirty (30) minutes. The Commission President indicated no action is anticipated to be taken after the adjournment of Executive Session. After a short break, the Commission adjourned to Executive Session at 10:15 a.m.

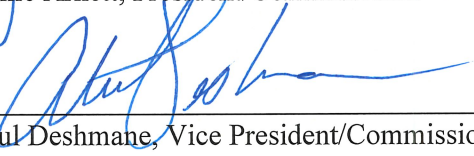
- At 10:49 a.m. an additional eleven (11) minutes was requested;
- At 11:00 a.m., an additional five (5) minutes was requested

12. Adjourn

There being no further business for the regular meeting, Commissioner Arnett adjourned the regular meeting at 11:05 a.m.



Jaime Arnett, President/Commissioner



Atul Deshmane, Vice President/Commissioner



Christine Grant, 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/2024-agenda-packets-meeting-minutes-recordings/>