



PUBLIC WORKS COMMITTEE MINUTES

4:00 PM December 7, 2022
City Hall 2nd Floor Large Conference Room

CALL TO ORDER

Members Present: Mayor Scott Korthuis, Councilors Gary Bode, Ron De Valois, and Jerry Kuiken

Staff Present: City Administrator John Williams; Public Works Director Steve Banham; Programs Manager Mark Sandal; and Sr. Admin. Assistant Jessica King

Public Present: Angie Estey (Trane), Karen Welch (City Consultant), Arend Meijer (Whatcom Co. Health)

ACTION ITEMS

1. **Approve Minutes from November 9, 2022**

DeValois noted that Item #3 for “Stormwater Source Control Inspection Options” should read 290 instead of 209.

De Valois motioned to approve the minutes as corrected and Bode seconded the motion.

Action

The minutes from November 9, 2022, were approved as amended.

2. **Stormwater Source Control Inspections**

Banham discussed the attached scope of work with the County to assist with Source Control Inspections required by the City’s Stormwater NPDES Permit. The alternative discussed at the last meeting was to increase funding to Welch under her City contract for additional inspections or to hire additional inhouse.

Sandal said that the City’s Fats Oils & Greases (FOG) inspections currently performed by City staff can be counted towards the City annual inspection requirements under the Permit.

Arend Meijer, from the Whatcom County Health Department, discussed their pollution prevention program and voluntary compliance. The purpose of the program is to identify areas of environmental concern. Under this agreement, the County would forward any issues found to the City for follow-up. The County uses these visits to inform business about incentive programs, nonhazardous material substitution programs, spill kits and to help with spill plans. Any enforcement would be done by the City. The initial types of

businesses inspected are those that have a higher potential as a source. Examples of these include gas stations, auto repair and manufacturing.

Welch added that the City's own oil and grease program focuses on voluntary compliance and any enforcement is done by the City.

Bode expressed initial concerns about enforcement from the inspections based on recent experience with the Health Department (COVID) and wanted to avoid similar financial peril for small business owners. He would prefer Lynden being able to maintain their own autonomy with this program.

Banham said that the City can terminate the agreement if the City does not like how things are proceeding once the program and inspections have started. Bode expressed interest in having staff review that provision.

Welch said that the County will only inspect businesses from the list of 290 provided by the City. Additionally, Meijer said that the City of Lynden would be able to have a representative from the City come along on the inspections.

Action

The Public Works Committee concurred to recommend forwarding the Interlocal Agreement with the Whatcom County Health Department to City Council for approval.

3. Wastewater Treatment Plant Maintenance Building Design-Build Process

Bode introduced Angie Estey from Trane. Estey presented the Trane/Omnia Partners program in which state and public entities utilize Request for Proposal (RFP) contract processes (preferential pricing interlocal program) with fixed pricing. This is similar to the pricing and timeline of the Department of Enterprise Services (DES) process. Trane is one of approximately a dozen of firms in Washington that are under contract with the State DES to perform this design-build process.

Estey discussed the benefits of design-build, collaboration, and next steps.

Banham said that building suppliers and contractors would work with Trane to provide the finalization of design and construction. The City would work with Trane on the preliminary elements and design review.

Kuiken asked Estey if she would come and do a presentation when the item goes to Council, and she agreed to come.

Action

The Public Works Committee concurred to recommend forwarding the contract with Trane and Omnia to City Council for approval.

4. Award Janitorial Bids (2023)

Two bids were received November 15, 2022. Staff recommends awarding to MSNW Group, the lowest responsive and responsible bidder. MSNW has been the City's janitorial service provider since 2009.

Action

The Public Works Committee concurred to recommend forwarding the contract with MSNW Group to City Council for approval.

5. Role of City with WID FEMA-Funded Ditch Cleaning

Sumas is assisting surrounding Water Improvement Districts (WIDs) with contracting for flood-related ditch cleaning services to be funded by FEMA. The City has an Interlocal Agreement with surrounding WIDs. Banham posed the question to the Committee “What role does City of Lynden want to have?”

Bode said that the Sumas’ ditches are filled with silt from 2021 flooding. Banham said WIDs identified that this silt is from the 2021 flooding and will use FEMA money from the 2021 Federal flood event (WA-4635DR).

Korthuis and Bode said that it would be beneficial to work with the farmers on this project. DeValois pointed out that cooperating with local agriculture is included in the City’s Comprehensive Plan.

Action

The Public Works Committee concurred to recommend that staff pursue working with local Water Improvement Districts for FEMA-funded ditch cleaning.

6. Recommendation to Award Bid – Northwest Washington Fairgrounds

19 bids were received for this project. The Certified Bid Tabulation was presented at the meeting. This project is funded by Ecology and City ARPA funds.

Banham discussed that the bids are under review by the City attorney for a possible bid irregularity associated with some of the Ecology requirements.

Additionally, staff is in the process of finalizing an easement with the fairgrounds as required by the Department of Ecology.

Action

The Public Works Committee recommended forwarding the bids to City Council to award to the lowest responsive and responsible bidder based on the determination of the City Attorney Bob Carmichael.

INFORMATION ITEMS

7. Annual Supplies/Services Bids to be Awarded

- 1) Rocks, Gravel, Materials
- 2) Chemicals
- 3) Lab Analysis (no bids received)
- 4) Grease Traps
- 5) Mowing
- 6) Pest Control

King presented the bid tabs for the above projects. Low bidders for each item will be notified next week. No bid was received for lab analysis, so the City will continue using the certified labs they already use.

8. Fishtrap Creek Bank Erosion at South Park and Parkview Streets

Sandal explained the eroding location for this and that it's affecting a City right of way area. He said that Dave Timmer met with Darrel Gray with Nooksack Salmon Enhancement (NSEA) to inspect this area. The adjoining properties may have some responsibility for erosion repair.

Bode asked what the next step is and asked whether staff will apply to Washington State Department of Fish and Wildlife (WDFW) to help repair this. Sandal said plans will be drafted and that permits will need to be issued by WDFW that will identify what type of work could be done to enforce the bank and that the City could work with NSEA repair this.

9. Projects Update

East Front Street Stabilization – Emergency Repair

DeKoster was scheduled to start December 5; however, Sandal said the weather has not been good for paving, so they did not start project yet. Banham reminded the Committee that this is a temporary solution to the stabilization.

Pepin Creek Main Street Bridge

Sandal said that Interwest Construction will be paving or placing gravel on the bridge approaches so the road can be opened by Friday, December 23rd. Bode asked if asphalt grindings could be used instead of gravel. Sandal explained that the gravel will act like the grindings would.

De Valois asked if it would be one way traffic. Sandal explained there would be two narrow lanes. One-way traffic may be needed during some phases of paving. The final asphalt lift will likely be applied next spring.

Pepin Creek Relocation and Street Infrastructure

Banham said City is pursuing a Federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) planning grant of \$2 million in 2023. The grant application is due at the end of February.

West Main Street - Berthusen Roundabout

Banham stated that \$4.5 million in Community Economic and Revitalization Board (CERB) funding was received. The pre-contract conditions must be met by May 18, 2023, after which time the contract will be signed. Bode asked if this was on a 20-year loan. Banham confirmed that it was. Korthuis said the initial offer letter was signed following City Council approval of the Resolution to Accept Funding on Monday night.

South 6th Street CIPP

Banham said Iron Horse is finishing construction. The City is working with Western Refinery Services to replace manhole rings and covers that were identified as needing replacement during the project.

Guide Meridian Pump Station

Banham said that the precast base has been set for the wet well and Colacurcio is working on the gravity sewer line to the west.

South Park Water/Street/Sidewalk Improvements

Sandal and Banham said that the community coordination has been excellent on this project. The project has been suspended due to weather with the contractor keeping the street in a travelable condition. The contractor will not be charged working days during this suspension.

Bradley Road Complete Street Improvement

The City is seeking a Congressional earmark for the roundabout portion of this project. The State funding is currently in the third phase of a 16-year funding program.

Cedar Drive Utility and Street Improvements

Banham said that since the last Public Works Committee meeting, staff has been looking into the possibility of providing a sidewalk on one side of Cedar Drive.

8691 Benson Road

Banham stated that the City has hired a contractor for asbestos abatement. The training burn will occur in early 2023.

Wastewater Treatment Plant Expansion

Banham said that completion of the SEPA and the Engineering Report makes the project eligible for an Ecology grant/loan, which was applied for in September. Staff expects to hear results of the application in January 2023.

Jim Kaemingk Trail Extension - Depot to 8th

Banham stated that United States Fish and Wildlife comments were received by the Army Corps of Engineers (ACOE), but the ACOE is still waiting for National Marine Fisheries Service comments. Staff is asking for assistance from the lobbyist with Congressional delegation.

Bode asked if an agreement had been reached for the Top family yet. Banham said this is still being discussed with the attorneys.

Community Center Renovation

Banham stated that interviews are scheduled with two firms on December 8. He added that the intent is to repair the exterior envelope of the building, including roofing, HVAC, and seismic upgrades. Staff may pursue a future grant if additional needed renovations are identified.

Pine Street Bridge

The City received a \$5.5M Public Works Trust Fund loan (20 years, 1.39%). Sandal said the loan interest rate of 1.39% will drop by one-quarter percent if project finished within four years and one-half percent if finished in three years.

Banham said that box culverts are expected to be used for this project.

10. New Vector Truck Received by Systems Crew

Banham said the Systems crew received their new vector and the old one will also be kept in service.

11. Truck Parking on Front Street

The Committee reviewed an email from a resident regarding extended-length truck parking on Front Street. Banham explained that City code already has a section that addresses vehicle length for the downtown corridor.

Bode said that the decision to include angle parking on Front Street was to provide more parking than parallel parking would allow. The Committee discussed that the existing angle parking encourages slower speeds.

The Committee agreed that the existing code is adequate and does not need to be changed.

NEW BUSINESS:

12. Concern about Location of South B.C. Avenue and Front Street Crosswalk

Location

Kuiken inquired about the location of the crosswalk at South B.C. Avenue and Front Street. The current location is to the west of the intersection. Banham stated that he will have staff review this crosswalk location.

Action

The Public Works Committee requested to have Public Works staff review the crosswalk layout at South B.C. Avenue and Front Street.

ADJOURNMENT: The meeting was adjourned at 5:50 p.m.

NEXT MEETING: January 4, 2022