



# PUBLIC WORKS ADVISORY COMMISSION

## AGENDA

CITY OF LANGLEY

Wednesday August 12, 2020 at 3pm

112 Second Street  
P.O. Box 366  
Langley, WA 98260  
(360) 221-4246

Join Zoom Meeting

<https://us02web.zoom.us/j/89967413395?pwd=d0JTak5FMnA3eXl1OTcvRTFieE5rdz09>

Meeting ID: 899 6741 3395

Password: 033937

One tap mobile

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Jose)

Dial by your location

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+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/j/89967413395?pwd=d0JTak5FMnA3eXl1OTcvRTFieE5rdz09>

### Call to Order:

**Approve Agenda:** Add/ Delete/Change Items

**Approve Meeting Minutes:** Regular Meeting 7/15/2020, Special Meeting 7/29/2020

### Old Business:

1. Stan-Transportation Improvement Plan
2. Randi- Water Service Area

### New Business/ Discussion:

1. Langley Infrastructure Project
  - a. 7/23/2020 Staff meeting with DGC
  - b. Public Comment
2. Discussion- Brackenwood (Hydrant & Road responsibilities)
3. Discussion -Utility Rate Goals

### Citizen Comments

### Announcements

### Adjourn

#### Current Projects:

1<sup>st</sup> Street Sidewalk

Langley Infrastructure Project, LIP-Phase 1- Existing Site Condition & Feasibility analysis  
Water Comprehensive Plan – response to DOH  
Consumer Confidence Report (Annual- Required by EPA)

#### Upcoming Projects 2020:

Saratoga Road (Debruyne to City Limits): Full Depth Recycle  
LIP-Phase 2- Design Development and Construction Documents  
Sandy Point Owners Association Contract Renewal-November 2020

#### 2020 PWAC GOALS:

Sewer Rates align with Water  
Establish Criteria & Update Sewer and Water Participation



# PUBLIC WORKS ADVISORY COMMISSION

## MINUTES

CITY OF LANGLEY

July 15, 2020 - 3pm

112 Second Street  
P.O. Box 366  
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(360) 221-4246

### I. Call to order

Dominique Emerson called to order the regular meeting of the Public Works Advisory Commission at 3:01 PM on July 15, 2020 online via Zoom.

### II. Roll call

In attendance: Dominique Emerson, Randi Perry, Stan Berryman, Tom Fox and Jim Dobberfuhl. Fred Lundahl. Council Member Peter Morton and Director of Community Planning Brigid Reynolds were also in attendance.

### III. Approval of the Agenda

Jim made a motion to approve agenda. Second by Tom. Dominique requested adding a discussion regarding E.coli sampling to new business. Motion passed unanimously.

### IV. Approval of June 10, 2020 Minutes

Tom made a motion to approve the minutes. Second by Fred. Motion passed unanimously.

### V. Old Business

1. Consumer Confidence Report- Randi reported the Consumer Confidence Report was mailed and the certification submitted to the Department of Health.

### VI. New Business

- 1) E. coli positive drinking water sample and boil water order- Randi explained one of the two monthly routine samples taken on (7/6/2020) had come back positive for E. coli (7/7/2020) in the western portion of the water system. Crews followed the Coliform Monitoring Plan and conducted the 5 required repeat samples. The repeat sample at the original E. coli Positive location came back positive for Total Coliform (7/8/2020). The Department of Health was notified, and 5 additional investigative samples were taken. These samples were negative, including the original test site (7/9/2020). An additional 5 samples were taken. These samples were also negative (7/10/2020). Island County conducted a special purpose investigation alongside staff and found small bugs within the original sample tap vacuum breaker. Randi discussed the importance dedicated sample taps. As mains are installed these taps are installed to reduce and eventually eliminate sampling on the customer side of the meter.
- 2) LIP- Randi provided an overview of the LIP-Subcontractor reports. Archeology reported no culturally significant findings, Arborist report identified a large number of CRZ's (Critical Root Zones) that extend out underneath the road and within our potential zone of construction. DCG plans to revise layouts and pipe alignments to avoid conflicts and where possible alternate construction methods (boring, bursting, etc.) can be looked at. Geotechnical report identified steep slopes and provided recommendations for erosion control and slope impact mitigation, and Critical Areas). The floor was open to the public for comment and discussion.

COMMENT 1.: The larger significant trees are on the north side of Edgecliff, it is a no brainer the Utilities should go on the south side.

DISCUSSION: The piping alignments have not yet been decided and all efforts will be made to avoid Critical Root Zones. The intention is not to remove trees, alternate construction methods will be considered to mitigate tree damage. Arborists will be called in during construction if needed.

COMMENT 2.: Clarify trees in the ROW and private trees and impacts.

DISCUSSION: The CRZ's will be mapped to provide clarification.

COMMENT 3.: There is concern that the environmental report did not include all the potential wetlands defined in the Cities Comp Plan maps and not all wetlands are discussed in summary specifically wetland E and F.

DISCUSSION: City will ensure all wetlands are identified on the maps. There looks to be a lettering issue A-D are listed with rating summaries and the following page has an additional letter A followed by F. Seems the second A should be the missing wetland ratings summary for wetland E. It looks that all utility installation will be operating with buffers of wetlands not wetlands themselves. The mapping will provide clarity.

COMMENT 4.: There is concern as to why we would place waterline along slope at the top of the bluff.

DISCUSSION: The plan replaces the waterline that is existing in this area.



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CITY OF LANGLEY

July 15, 2020 - 3pm

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COMMENT 5.: What is the Construction timeline?  
DISCUSSION: The City anticipates Phase 3-Construction to begin in 2021.  
COMMENT 6.: Will properties have access to driveways?  
DISCUSSION: The City tries to maintain local access during construction, there will be interruptions to access during construction but attempts to notify will be made to those directly affected and also posted on the LIP website.

COMMENT 7.: ROW along Furman is close to properties and parking, there is concern regarding parking and trees in this area. Are there provisions for damage to trees on private property? What about ROW trees?

DISCUSSION: The City will make all efforts to avoid damage to root structures where possible. History shows that significant trees within ROW's have been replaced, example flowering plum trees during the 1<sup>st</sup> street waterline replacement. Code requires the replacement of certain trees on private property. The City will work with the property owner to replace trees impacted by construction. Sometimes the replacement location will vary to avoid future damage to infrastructure.

- 3) Water Comp Plan-Service Area (Outside City Limits)- The Langley Municipal Code 13.01.110 Service Outside City Limits which limits service to 1 connection to existing parcels as of Oct 1 1994 that front a water main, subject to completion of 2 phases of construction projects identified in the 1992 Water Comp Plan. These projects have not all been complete to date. This is problematic as our code restricts service to our Coordinated Water System Boundary. Tom pointed out this is a conflict of Municipal Water Law and he is eager to see resolve. Perry stated this would take coordinated effort with Island County and possible County Code or procedural changes. Brigid recommended City meet with Island County as next step. Dominique also expressed support for staff to move forward.
- 4) Transportation Improvement Plan- Stan presented the draft transportation plan. The annual update of this document is mandated, but recently the deadline for completion has been moved to the end of the year. All 2021 pavement sections included are planned to be funded by the LIP. The priorities for out years were of concern as 4<sup>th</sup> Street seems worse that Edgecliff to City Limits. Stan reminded that the TIP allows for staff to obtain funding. Randi remembers a full overlay from Camano to Furman in the LIP, but trench patching or partial lane coverage beyond. 4<sup>th</sup> may be complete overlay from Anthes to Cascade. Stan will clarify paving that is included in the LIP. Are grants available for upgrading bike lanes? Yes, Stan will look into this further. It was recommended that pedestrian and multimodal improvements be clearly referenced. Stan will update to incorporate recommendations. Floor open for comment.

COMMENT 1.: A private party purchased the property along Noble Creek.

COMMENT 2.: Are trail maps available for walkers?

DISCUSSION: Fred has copies of the chamber produced trail maps. He also recommended "Getting to the Water's Edge"

COMMENT 3.: There are storm grates that present hazards most notably near 6<sup>th</sup> and Cascade and Camano. These problems should be addressed as part of future street projects.

### VII. Citizen Comments- no addition comments

### VIII. Announcements

Stan informed the group that the Saratoga Road Project Bid opening had taken place. He received 2 bids, one bid didn't have proper signatures and was classified nonresponsive. The bid was awarded to SRV, with construction taking place in the Fall of 2020.

Special Meeting (Topic-Rate Structure) Wednesday July 29, 2020 3 pm (Virtual- Zoom).

Next Board Meeting Wednesday August 12, 2020 pm (Virtual-Zoom).

### IX. Adjournment

Dominique Emerson adjourned the meeting at approximately 4:35pm.

Minutes submitted by: Randi Perry



# PUBLIC WORKS ADVISORY COMMISSION

## MINUTES

CITY OF LANGLEY

July 29, 2020 - 3pm

112 Second Street  
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### I. Call to order

Dominique Emerson called to order the Special meeting of the Public Works Advisory Commission at 3:04 PM on July 29, 2020 online via Zoom.

### II. Roll call

In attendance: Dominique Emerson, Randi Perry, Stan Berryman, Tom Fox, Jim Dobberfuhl and Fred Lundahl. Council Member Peter Morton and Staff Darlene Baldwin were also in attendance.

### III. Approval of the Agenda

Fred made a motion to approve agenda. Second by Jim. Motion passed unanimously.

### IV. New Business

- 1) Randi gave power point presentation giving an overview of the 2012 Drinking Water Rate Memo. The presentation highlighted the history of drinking water rates, the goals of the structure change and different structure options considered. The 2012 structure change from uniform block to inclining block change met the following goals:

- Fully fund 6-year CIP projects and actually complete them
- Implement low income senior & disabled rate reduction program
- Cover operations and maintenance costs
- Increased funding reliability
- Build reserve funding

In addition to inclining the blocks the City increased residential base rates to cover O&M and a portion for capital improvements. This allowed the utility to complete a project per year, cover O&M, and implement rate reduction program. This structure serves the utility well.

General discussion regarding both water and sewer utilities took place. Low consumption full time resident vs. second home is difficult to differentiate, worth exploring. Usage data is available, needs to be broke down and analyzed. 7000 gallons is the bimonthly usage per ERU (equivalent residential usage).

- 2) The current sewer rate structure was discussed. The source of the 3750 included in base rate is unknown. Tom suggested a good way to determine the base usage is to compare the winter average use to the sweater treatment plant flow. I&I and septage contributing approximately 32,000 gpd in 2014. Randi is working to provide updated information. Averaging pro's and con's to be explored further. Winter averaging may not be the right fit for Langley, alternate structures should be explored. Empty homes in the winter are only paying base rate sewer in the summer months.

### V. Citizen Comments- no addition comments

### VI. Announcements

Next Board Meeting Wednesday August 12, 2020 pm (Virtual-Zoom).

### VII. Adjournment

Dominique Emerson adjourned the meeting at approximately 4:33pm.

Minutes submitted by: Randi Perry

11.00

L-37425-21

DECLARATION AS TO EASEMENTS

THIS DECLARATION is made this 16<sup>th</sup> day of January, 1996, by the following declarants to state and establish the following:

WHEREAS, JAMES L. PUGH and PAULA E. PUGH, husband and wife, are the owners of those parcels of real property in the Town of Langley, Island County, Washington, which are legally described in Exhibit "A", which exhibit is attached to and incorporated into this Declaration by this reference, and which parcels of property are referred to herein as Parcels "A", "B", and "C", respectively; and,

WHEREAS, the named Declarants desire to extinguish a portion of that certain existing easement which is described in the correction deed recorded on April 19, 1949, as Auditor's No. 74701, records of Island County, Washington, and, to add an additional easement area affecting and benefiting the described and referenced parcels to the remaining unextinguished portion of said easement, Auditor's No. 74701.

NOW, THEREFORE, the Declarants, as the owners of the referenced Parcels "A", "B", and "C", respectively, do hereby extinguish that portion of that certain existing easement which is described in the correction deed which was recorded on April 19, 1949, as Auditor's No. 74701, records of Island County, Washington, which lies within said Parcel "C", easterly of the following described line, which line is referred to in this document as Line "1":

Situate in the State of Washington, County of Island:

That portion of Government Lot 3, Section 34, Township 30 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at the Southwest corner of Government Lot 3, which is marked by a concrete monument in the center of the county road and from which the Section corner of Sections 33 and 34, said Township and Range, bears South 0° 20' 45" West 1288.76 feet; thence North 89° 30' 45" East 254 feet down the center of the county road to the Southwest corner of those premises conveyed to Herbert D. Gildow, et al., by deed dated November 15, 1946, filed December 30, 1946, under Auditor's file no. 67008, records of Island County, Washington; thence North 0° 20' 45" East 816.81 feet; thence South 89° 39' 15" East 143.48 feet to the true point of beginning of said Line "1"; thence South 0° 20' 45" West 20 feet to the terminus of said Line "1";

FURTHER, the Declarants, as the owners of the referenced Parcels "A", "B", and "C", respectively, do hereby declare, create, and establish a nonexclusive easement for ingress, egress, and the installation,

DECLARATION - Page 1

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Art Hyland, ISLAND COUNTY AUDITOR  
DEPUTY: CS REQUESTED BY:  
First American Title Company

GNRL BK 700 PG 2811

maintenance, repair, and/or replacement of utilities: (1) which easement includes and adds to the remaining, unextinguished portion of the above-referenced, Auditor's No. 74701; (2) which easement is for the benefit of the owners, their heirs, successors, and assigns of Parcel "B"; and (3) which easement is twenty (20) feet in width, and runs over, under, and across those portions of Parcel "A" and Parcel "C" which lie westerly of Line "1", as described above.

FURTHER, the Declarants, provide that the access and utility easement provided herein also expressly runs to the benefit of public utility providers, including, but not limited to, the City of Langley, Puget Power and Light Company, South Whidbey Telephone, and any properly enfranchised cable television company, respectively, and their respective successors and assigns, providing them with the right to install, lay, construct, renew, operate, and maintain conduits, pipelines, cables, and wires, together with any necessary facilities and equipment for the purposes of providing Parcel "B" or Parcel "C" with water, sewer, electrical, telephone, and television cable services, respectively.

FURTHER, The actions taken by the Declarants as to the referenced easements shall bind the Declarants, and their heirs, successors and/or assigns, as the owners and future owner(s) of the referenced Parcels "A", "B", and "C", respectively, and, as such, shall be considered as running with the land.

IN WITNESS WHEREOF, the undersigned Declarants have executed this Declaration on the date above set forth.

James L. Pugh  
JAMES L. PUGH

Paula E. Pugh  
PAULA E. PUGH

STATE OF WASHINGTON)

County of Island ) ss.

On this 16<sup>th</sup> day of January, A.D. 1996, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared JAMES L. PUGH and PAULA E. PUGH, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Sharon B. Brown  
Notary Public in and for the State of  
Washington, residing at Clinton  
My commission expires 9-11-97

DECLARATION - Page 2

EXHIBIT "A"

PARCEL A:

That portion of Government Lot 3, Section 34, Township 30 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at the Southwest corner of Government Lot 3, which is marked by a concrete monument in the center of the county road and from which the section corner of Sections 33 and 34, said township and range, bears South 0°20'45" West 1288.76 feet;  
thence North 89°30'45" East 254 feet down the center of the county road to the Southwest corner of those premises conveyed to Herbert D. Gildow, et ux, by deed dated November 15, 1946, filed December 30, 1946, under Auditor's File No. 67008, recorded in Volume 62 of Deeds, page 634 records of Island County, Washington;  
thence continue North 89°30'45" East 30 feet;  
thence North 0°25'45" East 640 feet to the true point of beginning;  
thence continue North 0°25'45" East 176.29 feet;  
thence South 89°30'45" West 30 feet;  
thence South 0°20'45" West 176.29 feet;  
thence North 89°30'45" East 30 feet to the true point of beginning;

EXCEPT that certain roadway, approximately 16 feet in width, running along the West line thereof, as quieted in the City of Langley by Island County Superior Court Cause No. 9165.

PARCEL B:

That portion of Government Lot 3, Section 34, Township 30 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at the Southwest corner of said Government Lot 3, which is marked by a concrete monument in the center of the county road and from which the section corner to Sections 33 and 34, said township and range, bears South 0°20'45" West, 1288.76 feet;  
thence North 89°30'45" East down the center of the county road 254 feet;

Exhibit "A" continued

Exhibit "A"  
Page 2

thence North 0°20'45" East 816.81 feet;  
thence South 89°39'15" East 123.48 feet to the true point of  
beginning; thence continue South 89°39'15" East 125 feet to  
the East line of those premises conveyed to Herbert D.  
Gildow, et ux, by deed dated November 15, 1946, filed  
December 30, 1946, under Auditor's File No. 67008, recorded  
in  
Volume 62, of Deeds page 634 records of Island County,  
Washington;  
thence North 0°20'45" East along said East line 240 feet  
more or less, to the Government Lot line;  
thence North 80°53'15" West 126.48 feet along said Government Lot  
line to a point from which the true point of beginning bears  
South 0°20'45" West;  
thence South 0°20'45" West 259.28 feet; more or less, to the  
true point of beginning;

PARCEL C:

That portion of Government Lot 3, Section 34, Township 30  
North, Range 3 East of the Willamette Meridian, described as  
follows:

Beginning at the Southwest corner of Government Lot 3, which  
is marked by a concrete monument in the center of the county  
road and from which the section corner of Sections 33 and  
34, said township and range, bears South 0°20'45" West  
1288.76 feet;  
thence North 89°30'45" East 284 feet down the center of the  
county road;  
thence North 0°20'45" East 640 feet to the true point of  
beginning;  
thence continue North 0°20'45" East 176.29 feet;  
thence South 89°39'15" East 224 feet to the East line of  
those premises conveyed to Herbert D. Gildow, et ux, by deed  
dated November 15, 1946, filed December 30, 1946, under  
Auditor's File No. 67008, recorded in Volume 62 of Deeds  
page 634, records of Island County, Washington;  
thence South 0°20'45" West along said East line 172.38 feet;  
thence South 89°30'45" West 224 feet to the true point of  
beginning.

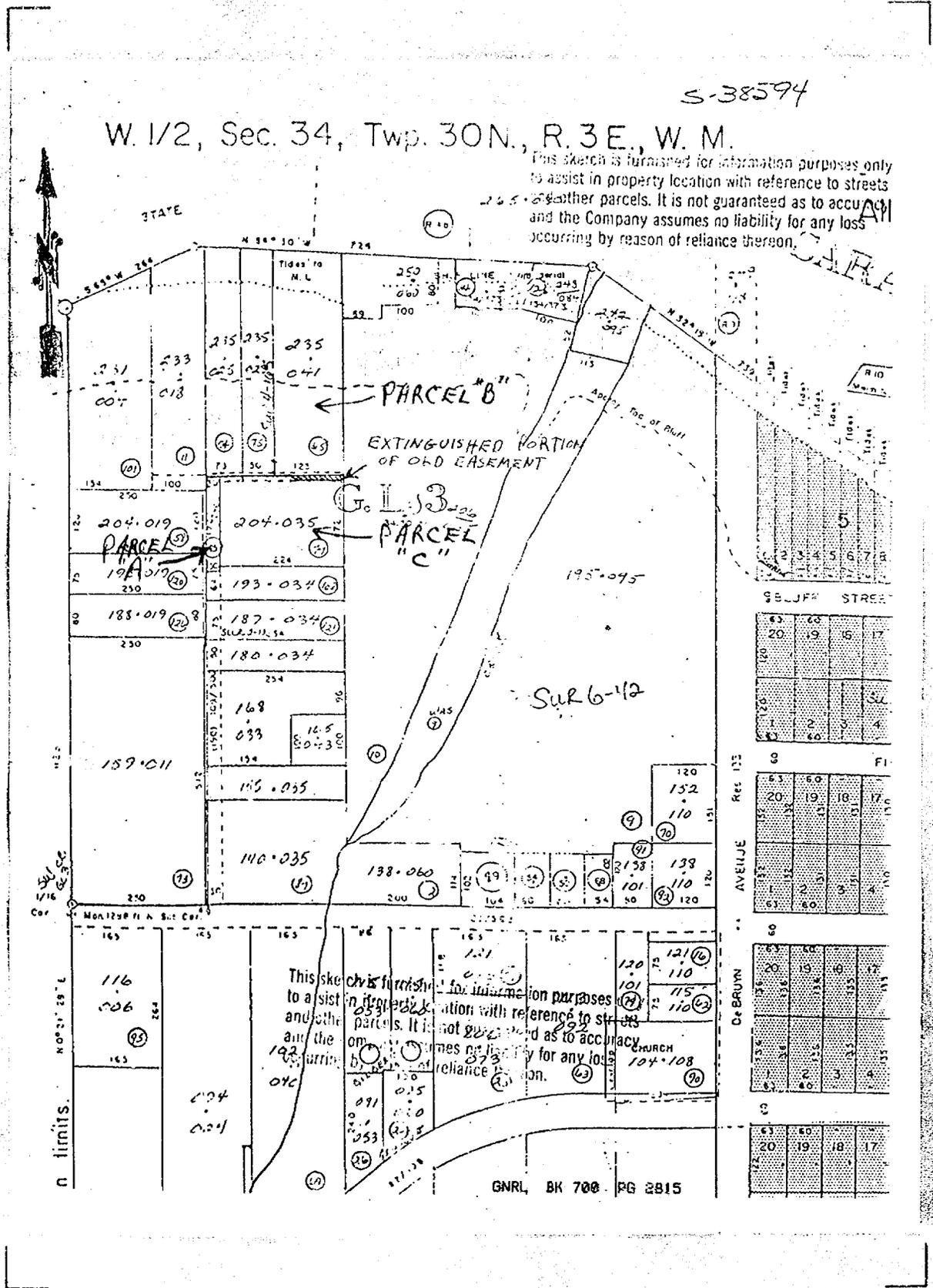
ALL situate in Island County, Washington.

\*\*\*\*\*

S-38594

W. 1/2, Sec. 34, Twp. 30N., R. 3E., W. M.

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. It is not guaranteed as to accuracy and the Company assumes no liability for any loss occurring by reason of reliance thereon.



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