**CLACKAMAS RIVER WATER BOARD OF COMMISSIONERS**

**REGULAR BOARD MEETING**

**BOARD INDEX OF AUDIOTAPE**

**January 8, 2015**

|  |  |  |  |
| --- | --- | --- | --- |
| **COMMISSIONERS PRESENT:** | | **STAFF PRESENT:** | |
| Larry Sowa, President | Lee Moore, General Manager | |
| Ken Humberston, Secretary | | Carol Bryck, Chief Financial Officer | |
| Hugh Kalani | | Bob George, District Engineer | |
| Dave Mc Neel | Adam Bjornstedt, Engineering Manager | | | |
| *Absent: Grafton Sterling* | | Erin Skinner, Exec Asst./Legal Coordinator | | |
|  | | CRW Employees: Donn Bunyard, Kham Keobounnam | |

**VISITORS:**

Casey Camors (City of Milwaukie), Graciela Humberston , Mona Kalani, Keith Miller (SWA), Warren Mitchell, Ernie Platt (SWA)

**Call to Order**

The meeting was called to order at **6:00 pm** by President Sowa. The pledge of allegiance was recited.

**MOTION:** Ken Humberston moved to approve the agenda. Hugh Kalani seconded the motion.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Public Comment**

None

**Agenda Item 1.0: Second Reading of Resolution 06-2015, by title only – Amending Board Policy Section 1.9 Agenda Preparation** *– Lee E. Moore, Sr*

**MOTION:** Ken Humberston moved the Board approve the Resolution 06-2015 Amending Board Policy Section 1.9 Agenda Preparation by title only. Hugh Kalani seconded the motion.

This resolution moves our distribution of board packet materials timeline from 21 days to 17 days.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 2.0: Second Reading of Resolution 07-2015, by title only – Amending Board Policy Section 1.10 Preparation for Board Meetings** *– Lee E. Moore, Sr*

**MOTION:** Ken Humberston moved that the Board approve Resolution 07-2015 amending Board Policy Section 1.10 by title only. Hugh Kalani seconded the motion.

This resolution will save the District money as we will no longer be sending out two meeting notices. The agenda will now serve as the meeting notice.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 3.0: First Reading of Resolution 09-2015, by title only – Amending Board Policy Section 3.2 Budget Committee – Membership and Responsibilities***– Lee E. Moore, Sr*

**MOTION:** Ken Humberston moved that the Board approve Resolution 09-2015 amending Board Policy Section 3.2 Budget Committee – Membership and Responsibilities by title only. Hugh Kalani seconded the motion.

Due to the Biennial Budget, this will extend the Budget Committee membership terms to four years.

**MOTION CARRIED 3-1**

**Ayes:** Humberston, Kalani, Mc Neel

**Nays:** Sowa

**Abstentions:** None

**Agenda Item 4.0: Appoint Budget Officer for BN 2015-2017***– Carol Bryck*

**MOTION:** Ken Humberston moved that the CRW Board adopt resolution No. 10-2015 appointing Carol Bryck, Chief Financial Officer, as the CRW Budget Officer for biennial period 2015-2017. Hugh Kalani seconded the motion.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 5.0: Adopt Intergovernmental Agreement with the City of Milwaukie for billing services***– Carol Bryck*

**MOTION:** Ken Humberston moved to adopt Resolution 11-2015 and approve the City of Milwaukie and Clackamas River Water Intergovernmental Agreement for billing retail water service within the city limits of the City of Milwaukie for Clackamas River Water customers (with minor typos on the resolution page to be corrected. Hugh Kalani seconded the motion.

The effective dates of this agreement will be from January 2015-2025. The question was asked whether this will allow the City of Milwaukie to shut off water and sewer for customers who do not pay their bill and the answer was yes.

**MOTION CARRIED 3-1**

**Ayes:** Humberston, Kalani, Mc Neel

**Nays:** Sowa

**Abstentions:** None

**Agenda Item 6.0: PGE DSG Agreement for Emergency Generator -** *Adam Bjornstedt*

**MOTION:** Ken Humberston moved to approve the revised PGE-DSG Agreement and authorize the Board President to sign the agreement for another 10 year term. Hugh Kalani seconded the motion.

The original agreement that was set up for the emergency generator was approved by the Board in February of 2012. The new agreement will be effective for another 10-year term. Changes to the agreement reflect PGE’s streamlining and clarifying of terms and conditions for PGE and program participants. The discussion raised some questions regarding the difference between “occurrence” versus “claims made” insurance coverage and the purpose of the “waiver of subrogation” clause which will be answered in an email from legal counsel.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 7.0: Cross-Connection Control Ordinance -** *Adam Bjornstedt*

**MOTION:** Ken Humberston moved to approve the Cross-Connection Control Ordinance 01-2015, by title only. Hugh Kalani seconded the motion.

Lee Moore proposed a possible amendment to the ordinance under Section 6. Penalty. The last sentence of the ordinance states *“In addition to termination of service under the District’s Rules and Regulations, violation of this ordinance shall also be subject to a civil penalty of $500 for each day of violation*.” Given the nature of the CRW customer base, we would like to modify this penalty to start at a lesser threshold and build *up to* $500. The intent of this penalty is to obtain compliance, not punish people. By mention of the revision at this meeting, it is CRW’s intent to come back at the next meeting with a revised ordinance for the second reading. As the mover of the motion, Ken Humberston had no objection to this and Hugh Kalani seconded.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 8.0: Appointment of Budget Committee Members for the Biennium 2015-2017, Resolution 12-2015***– Carol Bryck*

**MOTION:** Ken Humberston moved to table this Resolution for the February Board Meeting. Hugh Kalani seconded the motion.

CRW has not received any applications at this time. This is something that we will bring back at the February meeting. As far as recruitment activities, a notice was put out on the December 31st billing statement, a notice was posted on the CRW website, Carol Bryck has sent out an email to all employees – also copying the General Managers of neighboring regions to the to ask if they know any of our customers who might have an interest in serving on the Budget Committee. Board members will also direct anyone Carol’s way who they might know with an interest in serving.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Consent Agenda**

CA-1: Gross Payroll and Account Paid for December 2014

CA-2: Cash Position and Transfers

**MOTION:** Ken Humberston moved the Board approve the Consent Agenda as presented. Hugh Kalani seconded the motion.

There was a discussion regarding the payment made to Geosyntec Consultants and the two outstanding permits that CRW has pending. Carol Bryck was able to answer questions regarding transfers to the LGIP account.

**MOTION CARRIED 4-0**

**Ayes:** Humberston, Kalani, Mc Neel, Sowa

**Nays:** None

**Abstentions:** None

**Agenda Item 9.0: Presentation of proposed budget calendar and notification to Board of available Budget training opportunities** *– Carol Bryck, CFO*

The proposed budget calendar was presented. Board Members will check their schedules and approve the calendar at the February Board Meeting. Carol Bryck also gave information on the upcoming Local Budget Workshops.

**Agenda Item 10.0 General Manager’s Report**

* Clackamas County Chamber luncheon: The topic of this meeting was a report that was distributed by Metro regarding housing. The focus of the Metro Report was on following a Portland model which is vertical growth versus single family residence.
* CRWP Meeting: There were a couple of presentations at this meeting. The first was from the US Geological Service regarding monitors they have placed in the Clackamas River to monitor the impacts of the recent forest fire. The second presentation was from EWEB on emergency preparedness and water jugs for that purpose. Another item of note was that CRWP has completed its analysis of the Lake Oswego pipe that’s going to be abandoned when their new treatment plant comes on line. After additional study the General Managers concluded that the use of that line was neither practical nor feasible. The abandoned intertie that CRW has with Rockwood is still the preferred way to go.
* Labor Relations Training: CRW’s labor relations firm put on a joint training on labor relations and public employment laws for managers of both CRW & Sunrise. This was a very informative presentation with good attendance.
* Labor Relations Update: After much preparation early in the week, the entire day of the 7th was spent in mediation. We were not successful in arriving at an agreement.
* Carver Bridge Update: CRW is still experiencing problems with the contractor in terms of the pipe installation on the bridge. Clackamas County has transmitted a letter on CRW’s behalf, letting the contactor know that the problem is theirs to fix.
* Department Highlights:
* Engineering
  + The Engineering Department has been extremely busy working on the draft master plan.
  + They have participated in several meetings with Sunrise Water discussing joining the engineering functions under the 190 agreement.
  + The Engineering and Operations groups have continued with their integration
  + CIP – Design coordination for waterline relocations related to County projects.
    - Bell Avenue
    - Tolbert Bridge
    - Monterey Avenue extension
  + Preliminary design for Hatton Road transmission main
  + Studying water service in the CRW Meyers/Leland Road service area
  + Private development projects
  + Numerous Water Services projects
  + Development and Transportation Projects
    - Carver Bridge
    - Sunrise JTA
    - Mable Lane
    - 82nd Ave at King Rd – County Project
    - 70th Ave – County Project
* Emergency Management
  + We have been putting on trainings in Emergency Preparedness and Incident Command.
  + There have been discussions with Sunrise Water about performing their COOP planning and there is a June 1st 2015 date for that to complete.
  + We have also had some joint confined space training with Sunrise Water, Boring, and the City of Lake Oswego.
* FACS
  + CRW customers are now able to sign up for RapidPay or recurring credit card payments on the web site at [www.crwater.com](http://www.crwater.com)
  + An employee of 27 years will be retiring in January of 2015
* HR
  + We have been assisting Sunrise with recruitments in their Operations Department
  + There is a temporary opening in our Water Quality department to cover an employee who will be out on maternity leave.
  + Jeff Griffin let us know previously that he thought he could get a reduced insurance premium from the insurance carrier. He now has that down to 4%, which was a good effort on his part.
* Water Resources
  + We are working on the SCADA project with Sunrise water. All of the CRW and Sunrise SCADA Equipment is now located at CRW. There are significant savings coming out of this integration.
  + The Oregon Health Authority just finished an audit of our south service area

**Agenda Item 11.0 Public Comment**

Warren Mitchell - Mr. Mitchel stated that he wanted to address an issue and clear it up in public record. He felt that false information was presented in the General Manager’s Report at the December meeting. He said there was a reported that the court documents stated that he had to sell assets, but he claims that was untrue. Mr. Mitchell wanted to state on public record that all court costs were deferred. He also asked that in the future management clarify which court case they are referring to.

Mr. Moore commented that at the December meeting he had read directly from the State Court of Appeals document.

**Agenda Item 12.0 Commissioner Business**

Commissioner Humberston presented Carol Bryck with the Government Finance Officers Association Distinguished Budget Presentation Award commending Clackamas River Water for its annual budget for the fiscal year beginning July 1st 2014. The Board congratulated Carol and her staff on a job well done.

Each Board member has carbon copy tablet for expense reimbursement forms and a reminder was given to submit the forms reports.

There was a discussion on Oregon City development and concerns that Beaver Creek Hamlet citizens may not be receptive to CRW selling water to the Evergreen Development.

**Meeting adjourned at 7:16 pm**