

**Rivergrove Water District  
Minutes-Regular Board Meeting  
August 30<sup>th</sup>, 2017**

Chair DeVries called the Rivergrove Water District regular board meeting to order at 7: AM at 17661 Pilkington Rd, Lake Oswego. Commissioners DeVries, Roth, Johnson, McDowell and Patterson were present. District Manager DJ Ezell and Finance Specialist Eelia Bean were also present.

**CONSENT AGENDA**

**Public Comment: None**

**Minutes July 26<sup>th</sup> Board Meeting-tabled until August meeting**

**UNFINISHED BUSINESS**

**TAB 1: Pre-Engineering Scope of Work-Reservoir #3**

DJ presented the Task Order scope of work as it was presented to her by Jim Helton of Murraysmith. Board held a discussion on the task contract. Highlighted items of discussion included “what is the meaning of by current seismic codes” (Item #2 on page two “current seismic codes” and does it match up to what the Oregon Resiliency Committee came out with of a determining factor of a 9.5 quake with a 5 minute duration shake.

Chair DeVries asked how do we know what type of risk we should reference in the pre-design?

Commissioner Patterson stated with the OR plan they identified both a deterministic approach and a probabilistic approach. She noticed in the scope of work that Murraysmith looks more at the probabilistic approach. The more advanced is the deterministic approach and she felt that with some of the language in this it leaves a lot to be desired.

Commissioner McDowell noted that we don’t know what is beyond or above the current code. We don’t know what that looks like.

Chair DeVries noted that from a cost management position is to design it to the current seismic code and to the Cascadia event so that we can see the cost differential. The fact is we are only obligated to design it to the current code. If it cost 30% more to go beyond and design to the Cascadia event we have to decide as stewards of the District if that is the right thing to do.

Commissioner Patterson stated it is a risk analysis what do you go to and at least ask what the comparison is then you don’t know. If 60% of our income is coming from the lower part of our district where this reservoir serves it is important.

Commissioner McDowell stated that before we even ask this question we need to find out what the seismic standard is designed for. The code is changing. He knows Jay Wilson has done a lot with the resiliency plan and is implementing it so we need to make sure the current seismic plan is in line with that resiliency plan before we start to change any verbiage in this.

Chair DeVries noted this task order gives us a minimum. If we wanted to send them a letter and ask them if they could also design and give us a cost analysis to the ORC plan design of 9.5 with 5 minute duration we could get additional information on the financial comparison.

Commissioner Johnson stated that we could ask for an explanation on what is the current code and is it updated to the Committee recommendation. They could be the same but we don’t know.

Commissioner McDowell stated that before we do the work of changing the document let’s make sure we have to do it. Find out what the code is and if it is what we are wanting then we don’t need to change the document.

Chair DeVries asked DJ to contact Jim and Mike at MS and find out what they are referring to when they state “current codes?” Is that addressing the Oregon Resiliency plan or is it less than that? DJ will do that. She also mentioned that we did ask them to give us cost differences on what a 15 foot perimeter would cost around the tank or rather than what was noted just an 8 foot perimeter which is not enough to

tow a generator up there with. They made that change in the document and the cost of the task order didn't change.

Discussion continued on cost and possibility of being taken over by Lake Oswego.

Commissioner Johnson stated when Senate bill 122 was passed it is law that we have to agree to end the District.

Discussion on cost of task contract doesn't say not to exceed \$35,000 it says budget.

Chair DeVries asked about if we have to sign a Geotech contract with this. He wanted to look over the contract prior to that for limitational liability clauses and amount of insurance coverages.

DJ thought that they would subcontract under MS and that we wouldn't have to sign one. Any insurance requirement would be through MS. DJ noted she will confirm the information about how the Geotech will be contracted.

Commissioner Patterson stated that considering how old the resiliency plan is she has not seen Jim Helton upgrade our Capital Improvement plans for projects to that standard. His defense was we are using current code.

DJ stated that this is why we are doing a preliminary engineering design on it because when he did the last capital improvement plan updates he figured costs on the code requirements at the time and now they have changed and became more stringent.

Commissioner Patterson stated that when she asked Jim if he had updated the projects to the RP code he replied it is not law. There is a difference in keeping up with the science and keeping up with the minimum law.

Chair DeVries stated we need to move on-DJ will clarify the information about the current code and also on how the Geotech will be hired and what insurance amount of risk they will be contracted to.

Chair DeVries noted a flow chart to go by to move forward on the task order: If current seismic code equals the big event (9.5 with 5 minute duration) then we should move forward, or if seismic code allows us the flexibility to give us options for higher standards for the \$35,000 then that would be okay. And under the Geotech if it is already under the \$35,000 budget and included in the scope we will take that. If it is a separate contract that we have to contract ourselves then we need to stop and discuss that. Under those proposed restrictions can we have a motion to move forward to accept that task order?

***Commissioner Roth moved that we move forward on the task order following the restrictions noted by Chair DeVries. Commissioner McDowell seconded. Motion passed. Commissioners Roth, Johnson, DeVries, and McDowell voted aye. Commissioner Patterson no.***

#### **TAB 4: RFP Discussion-Engineering**

Chair DeVries noted that DJ has supplied an RFP she put together from samples she has collected. She sent over to Shon and our Attorney to review the RFP and those comments are also included on this RFP example. She noted that our Attorney said since this is a qualification based RFP we cannot ask them to provide their fee schedule. Shelby has included other comments as well. She noted what other comments we could or should not say.

Discussion continued on how to approach not asking for fee amounts, adding a hypothetical project to see methods they would use to design for it, manage, and project a cost. The key would be having something written up that is standard for all of them so that we can compare their methods. Also the schedule for the RFP was discussed. Chair DeVries noted that what he sees in a schedule is that the RFP goes out for around 45 days, halfway through that any questions always in writing will be addressed and an addendum sent out to all prospective responders. And if there is other information we need to get out we can send additional addendums out but a deadline date for questions should be in.

Chair DeVries stated that he likes to see setting a single date that the District will respond to all questions submitted in writing. And that the District will not verbally respond to proposers' questions. Chair DeVries asked about our current contracting rules? DJ found the resolution and made copies for everyone.

Tentative schedule will be September 27<sup>th</sup> Board meeting RFP is approved and ready to distribute. Proposals are done and due by November 9<sup>th</sup>. Evaluate as a Board and then we issue a decision. Question is do we want to evaluate with all the Board or have DJ make the decision, or have a select committee, check references, question the candidates, watch their presentations, and then make a recommendation to the Board. After discussion DJ will continue with Commissioner DeVries and Commissioner Patterson in reviewing the RFP prior to the September meeting. For bid opening and evaluating the RFP proposals two Board members Chair DeVries and Commissioner Patterson will help DJ in this task. Then the entire Board will be involved during interviews, presentations, making the critique, and selection of the front running applicant. When we do the interviews we would like to have a predetermined question list that each applicant is being asked. Date set for the proposals in would be November 9<sup>th</sup>.

**TAB 2: Adoption/discussion of Finance Specialist Job Description, Announcement, Job Application, and Employee Handbook Changes**

DJ explained the processes in which she updated the Finance Specialist Job Description, announcement, job application and also had our Attorney update the sections of the employee handbook that the Board had taken action on such as vacation accrual and how to deal with the credit card point's issue. Prior to Dan announcing that he was quitting, she had sent all the job descriptions over to HR Resources, the company that SDAO had contracted with to help special districts with human resource issues. She had the marked up copies of the job descriptions but hadn't worked on them until Dan told her. So she updated the Finance Specialist position with their recommendations, along with the job announcement, and the District's job application. She had Dan review with the changes and asked him to prioritize his essential duties by how much time he spends on them. The resulting job description, job announcement, job application is what she has presented to the Board for approval. She would also like the updates to the employee's handbook adopted as presented by the District's Attorney.

She sent over the information to employment agencies and they sent over candidates for her to interview. Dan helped in the interview process and they both discussed their thoughts and chose Eelia Bean for the temporary Finance Specialist. DJ explained that we have 90 days terms of agreement and we can make a decision before if she works out but we should also put out the job announcement out at the three months' time period to go through the motion. DJ explained that Eelia is starting at \$20 per hour. DJ also presented the Board with a comparable financial job description wage scale from Boring Water District for the position. Board consensus was that putting in a wage scale limited our options so that maybe we don't want to attach it to the job description and in the future discuss this with the rest of the job descriptions. DJ's concern is that we need to note on the job notice or somewhere how much they will make. More discussion was done about wage steps and how to work step increases.

Commissioner Johnson asked DJ if this description meets her need in a Finance Specialist. DJ stated yes she made sure some things she wanted were included and others she didn't were deleted. DJ did note that the amount of years' experience that SDAO and HR Resources felt it should be 2 to 3 not 8 to 10 years. She made the change on the one that she wants adopted but failed to give them the final copy so they should make that change on their copy. On the job description the wage scale should state \$18-\$21 per hour + DOE. On the application-no proposed changes. Employee handbook-changes travel awards, vacation accrual, and grievance procedure as presented no changes.

Commissioner Patterson commented on employee use of vehicles, lodging at conferences employee option to upgrade for sprinkling systems, etc. Commissioners tabled this discussion to future meetings and asked Commissioner Patterson for a written proposal for her recommendations.

***Commissioner Johnson moved to adopt the policies as indicated. Commissioner Roth seconded it. Motion passed. Commissioners Roth, Johnson, DeVries, Patterson and McDowell voted aye. Nays-none.***

### **TAB 3: 2017-04 Leak Adjustment Policy Resolution**

DJ stated that she and Jim talked and with all the work that came up the review to the Ordinance/variance will come after the first of the year, but DJ wanted to update the leak adjustment policy with a resolution so she put this together.

Changes prior to passage: Change footer on pages to reflect proper page numbers. Under section 14 delete e-h sentences-they repeat a-d. Replace the word users throughout with the word customers.

*Commissioner McDowell moved to adopt Resolution 2017-04 with proposed changes. Commissioner Johnson seconded. Commissioners Roth, Johnson, DeVries, Patterson and McDowell voted aye. Nays-none.*

## **FINANCIAL REPORT**

### **TAB 5: Fiscal year 2016-2017 Review**

DJ noted that when the Auditor came we had quite a shock. He said we had overspent our Capital Outlay by \$70,000. DJ questioned where he got the figures. He stated from your file that you gave us. What it boiled down to was when we made the changes to class items so that expenses would go into the correct funds when writing checks they would be classed. When writing the expenses Dan did not class two checks that should have come out of the Capital Improvement fund and not the general fund. She asked him to reclass items into the proper line items in the expenses in the General Fund. This wouldn't have changed amounts of expenses only put them in the proper categories so we could really see where line items were overspent and compare them in the budget. He refused to do it. She spent the time to complete the reclassing and then printed up this report which shows the Board where we overspent in the line items and then if any questions we can respond. She said the line items that Chair DeVries was concerned about now look better as to the percentages that were spent. With the exception of the two items that Dan didn't class into the Capital Improvement Fund the Auditor is not concerned with the other reclassing because we did not overspend what was passed as our legal expenditures such as the totals we budgeted in personal, materials services, and capital outlay.

### **TAB 6: Financial Report-Deposit Reconciliations and Board Report Checklist**

DJ stated that Dan completed this report to the date he left and it reconciles according to the totals. Dan did offer help if Eelia needs it.

### **TAB 7: July 2017 Bank Statements and Reconciliations**

Chair DeVries noted that this time the check folder usually has a first page and then also a second page listing all the checks and it isn't there. DJ stated it was in the notebooks but didn't get a copy there. We will make sure that happens. Commissioner McDowell noted that he is expecting at the next meeting to actually get the copy of the checks along with the reconciled bank statement and the other reports that Dan provided him with. Those are usually in his notebook. DJ said we will do our best to replicate the reports Dan provided.

DJ noted that Eelia's computer also was giving her problems. It froze up 5 times in one day. DJ was gone to OAWU and she contacted Eelia to give her DJ's password so that she could get on DJ's computer to work. We had already ordered a new one for the Accounting computer because Dan had issues before he left. We were just waiting for it to arrive.

Commissioner Johnson asked how old the computer was? DJ wasn't sure but it was new when MJ was here. Commissioner's consensus was that we need to set up a technology budget and schedule of replacement of the computers from 3 to 5 years. DJ will check into it and make sure we start a schedule of replacement of the computers in office and also at well sites.

*Commissioner McDowell moved that we accept the financial report. Commissioner Patterson seconded. Motion passed. Commissioners Patterson, Roth, Johnson, McDowell, and DeVries voted aye. Nays-None.*

**TAB 8 Financial Report-Fiscal year 2017-2018-Pay Bills**

DJ mentioned in hiring the temporary the expenses will come out of Contracted Administration rather than Personal expenses which will change the budget in those areas but we have time to move items if necessary between the subdivisions if we need to prior to yearend.

*Commissioner McDowell moved that we pay the bills. Commissioner Roth seconded. Motion passed. Commissioners Patterson, Roth, Johnson, McDowell, and DeVries voted aye. Nays-None.*

*All Board members present reviewed and signed the “Approval of Payment Form and Approval of reconciliations between CUSI and QuickBooks for Water Sales, Penalties and Water Deposits (including attached supporting documents)” And all Board members present reviewed and signed the form entitled Rivergrove Water District-Bank & LGIP Statements.” Commissioner McDowell completed the “Financial report check list” for this meeting.*

**NEW BUSINESS**

**TAB 9-District no report** other than the pumps are running a lot due to the hot weather. Also we need to do a new signature card for the LGIP because it needs to be updated.

And the Contractor is still not done with the punch list. Rick and she took the HAAS and the THMM’s samples but no information back yet. DJ showed the Board her Professional Operator pin and Certificate that was provided with her passing the test.

**Change of District Board meetings:** Discussion tabled until next meeting.

Commissioner Roth talked about a new AirBnB doing business in the District. Rosewood association will be investigating and talking to the County on this.

Commissioner Roth agreed to sign checks for the month.

**Agenda Consensus for September 27<sup>th</sup>, 2017 Meeting**

Engineering “RFP”

**Chair DeVries adjourned the meeting at 9:27 AM.**

Respectfully submitted,

DJ Ezell,  
Water District Manager  
Rivergrove Water District

These minutes are not verbatim and the meeting was tape recorded.  
**ORS 192.650 Recording or written minutes required; content; fees.** (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:  
(a) All members of the governing body present;  
(b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;  
(c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;  
(d) The substance of any discussion on any matter; and  
(e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.