



RESOLUTION 2019-01

A RESOLUTION RATIFYING PAST ACTIONS OF THE RIVERGROVE WATER DISTRICT BOARD OF COMMISSIONERS

WHEREAS, the Board of Commissioners for the Rivergrove Water District meets on a monthly basis to conduct the business of the District; and

WHEREAS, a quorum is necessary for an official meeting to take place; and

WHEREAS, at an official meeting, decisions of the Board must be made by majority vote of the Commissioners present at the meeting; and

WHEREAS, the Board discovered in January, 2019 that Commissioner Shon DeVries had ceased to be an elector within the jurisdictional boundary of the District as of March 2018; and

WHEREAS, after consulting with legal counsel, it has been determined that when Commissioner DeVries became disqualified due to him not being an elector of the District, Commissioner

DeVries also became disqualified to continue serving as a District Commissioner; and

WHEREAS, Commissioner DeVries continued to act in his official capacity as Board Chair after becoming disqualified, including signing certain contracts and resolutions, and casting several

votes where his participation was necessary to achieve either a quorum or majority vote; and

WHEREAS, the District wishes to ratify all such actions that may be called into question by these circumstances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVERGROVE WATER DISTRICT AS FOLLOWS:

- 1) All official actions of the District Board taken since March 1, 2018 are hereby ratified. Those actions in which Commissioner DeVries' participation was necessary to achieve either a quorum or majority vote are as follows:
 - a) July 23rd, 2018 Board meeting: Commissioners Present—DeVries, Patterson, and Roth
 - i) vote to authorize RH2 to move forward on design of Reservoir #3 project.
 - ii) vote to approve July Financials
 - iii) vote to pay the bills
 - b) August 27th, 2018 Board meeting: Commissioners Present—DeVries, Patterson, Roth, McDowell, and Johnson.
 - i) Vote to approve minutes. DeVries, Patterson, Roth in favor. McDowell and Johnson abstained.

- c) October 22nd, 2018 Board meeting: Commissioners Present—De Vries and Patterson (in person); Commissioner Roth (by phone).
 - i) Vote to approve Amendment #2 to RH2 Project No. RGWD 818.026 Task Order #1 adding the amount of \$344,253.00 to the Reservoir #3 project.
 - ii) Vote to approve RH2 Project No. RGWD 818.026, Task Authorization #2, to prepare the WMCP update.
 - iii) Vote to approve the October financials
 - iv) Vote to pay the bills

- 2) The new Board Chair is authorized to sign any documentation including a ratification addendum to the following contracts that were executed by Commissioner DeVries after March 1, 2018:
 - a) RH2 Project #RGWD 818.026.01 Task Order #1 Amendment #1 dated 3-6-2018
 - b) RH2 Project #818-026 Task Order 1, Amendment #2-dated November 19, 2018
 - c) RH2 Project #RGWD 818-026 Task Authorization #2 dated November 19, 2018-WCMP Update

- 3) The following resolutions signed by Commissioner DeVries are hereby ratified:
 - a) Resolution 2018-02 District Appropriations Resolution for fiscal year 2018-2019, signed June 25, 2018
 - b) Resolution 2018-03 District Job Descriptions Updated, signed June 18, 2018
 - c) Resolution 2018-04 Notice of Public Meetings, signed June 25th, 2018.

This Resolution moved by Commissioner Johnson . Seconded by Commissioner McDowell.

Ayes: Commissioners Roth, McDowell, Patterson, Johnson and Magura. Nays: None

BY Christine Roth

Chair Roth

Attest

BY Janet McDowell
Secretary/Treasurer McDowell