

SOUTH FORK WATER BOARD
MINUTES OF BOARD MEETING
March 28, 2018

Board Members Present: Russ Axelrod, West Linn Mayor, Chair
Dan Holladay, Oregon City Mayor, Vice Chair
Richard Sakelik, West Linn Councilor
Brian Shaw, Oregon City Commissioner
Frank O'Donnell, Oregon City Commissioner

Board Members Excused: Bob Martin, West Linn Councilor

Staff Present: John Collins, SFWB General Manager
Kim Brown, SFWB

Others Present: Alice Richmond, West Linn Resident

General Board Meeting

- (1) **Call to Order**
Chair Axelrod called the meeting of the South Fork Water Board to order at 6:10 pm.
- (2) **Roll Call**
- (3) **Public Comments** There were none.
- (4) **Consent Agenda**
 - a. Approval of the Minutes of the January 24, 2018 Board Meeting.
Vice Chair Holladay moved to approve the Consent Agenda. Board Member Shaw seconded the motion, which passed unanimously.
- (5) **Shake Alert Agreement**
John Collins, General Manager, described the Shake Alert Early Warning Project and how it would increase emergency response times and resiliency at the South Fork facility. Costs associated with facilitating the application to participate in the project, a survey of South Fork's system, and integrating the device into the facility would not exceed \$18,000. He had tried to negotiate for costs not to exceed \$12,000, but was told equipment was still being developed and the higher expense limit offered flexibility. He recommended that the Board approve allowing the General Manager to enter into the agreement pending legal review and approval from SFWB Counsel.

Board Members confirmed they believed implementing this early warning system had merit.

Mr. Collins described the scope of work stated in the agreement and explained how participation in the project would change the dynamic of South Fork's maintenance, operations, and resiliency planning.

Chair Axelrod added this would allow South Fork's facilities to tie into the USGS's network. The agreement simply got the hardware in to South Fork's facilities, SFWB would still have to do some capital planning moving forward.

Mr. Collins explained that the USGS gave utilities the option to decide how to use the resource, so SFWB would discuss which capital expenditures would be appropriate. The data sent by the USGS would indicate how long an earthquake was expected to last and the magnitude of the pending earthquake, as well as notifications of drills that South Fork staff could participate in. He was impressed by this warning system after seeing a live video clip of an earthquake in Mexico, where building standards were quite low.

Chair Axelrod was concerned about the proprietary elements of the license agreement and was glad that a legal review would be conducted. He also believed the consult fee of 15 percent was too high. Fees were usually 5 to 10 percent and the percentage impacted subcontractors. The agreement stated some of the work would be done by subcontractors, but that work was not reflected in the costs. He recommended Mr. Collins ask for 5 percent, but settle on no more than 10 percent, if necessary. Board Member Sakelik agreed Mr. Collins should renegotiate the consult fee.

The Board discussed the schedule, which would be set by USGS with approval by SFWB. The USGS had a general description of the schedule, but it was unclear whether it was dependent on the date the application was approved.

Mr. Collins said he would confirm USGS's understanding of how the project timeline would be determined. He noted the contract was a boilerplate contract and it was his understanding that none of the work would be done by subcontractors. He offered to negotiate that SFWB staff would choose any necessary subcontractors.

The Board agreed and Mr. Collins confirmed that he had been given clear direction about how to renegotiate the contract.

Mr. Collins also confirmed the agreement did not include an annual fee, but South Fork would be responsible for the maintenance of the equipment. The contractor's participation in subsequent years would be limited to the agreement's scope of work. SFWB would decide how to implement and use the system on a case-by-case basis. It was likely the system would be upgraded in the future as technology advances, but that would be considered separately from this agreement.

Vice Chair Holladay moved to authorize the General Manager to enter into a contract with RH2 Engineering at a price not to exceed \$18,000 to facilitate participation in the Shake Alert Early Warning Project subject to legal review. Board Member Sakelik seconded the motion, which passed unanimously.

(6) **General Manager's Discretionary Spending Limit**

John Collins, General Manager, explained there had been an issue with a sole source contract that resulted in an overage of \$5,000. He had memorialized this in the minutes

because his discretionary spending amount was so low. He had been directed to find out what limits his peers had, so he emailed a questionnaire to the managers of the North Clackamas County Water Commission, CRW, and Sunrise. He received responses from CRW and Sunrise, who gave their managers spending limits of \$50,000. He recommended SFWB increase the manager's spending limit to \$25,000, noting that he would still justify to the Board any expenditures within the limit that were questioned.

The Board discussed approving a spending limit of \$50,000 because that would put SFWB in line with other area water districts.

Mr. Collins noted he requested \$25,000 because he did not want his request to be too big of a jump, but he would be comfortable with \$50,000.

Vice Chair Holladay added that the spending limit could be reconsidered if a new manager were hired.

Board Member Shaw moved to approve increasing the spending limit of the General Manager to \$50,000. The motion was seconded by Board Member Sakelik and passed unanimously.

(7) **Business from the Manager**

1) Emergency Water Treatment Trailer

John Collins, General Manager, announced the trailer had been delivered. Vendor provided training was scheduled for Thursday, April 5th and demonstrations would be done in Oregon City and West Linn once SFWB took full possession of the trailer. Possibly by the end of April, the trailer would be wrapped with the Regional Water Providers Consortium's logo and both Cities' logos. Modifications would be made to the trailer and standard operating procedures would be written so that anyone with basic mechanical skills could operate the system. The only tricky part would be mixing solutions, but the standard operating procedures would include step-by-step instructions. He listed some of the locations from which the trailer could be filled with water. In November or December, he planned to submit a funds request to the Board for the purchase of a second trailer. He confirmed the trailer would be stored on site.

The Board and Staff briefly discussed other nearby areas that had water treatment trailers and possible storage sites for South Fork's trailer.

2) Summer South Fork Water Board meeting schedule

John Collins, General Manager, explained this was the off year of the bi-annual budget; therefore, there was no need for an April meeting. He requested the Board do the General Manager's evaluation in May because the ACE conference in June. He reminded that standard practice was to refrain from meetings in June, July, and August unless there were issues because those were Staff's busiest months.

The Board agreed the General Manager's evaluation would be done in May

Mr. Collins confirmed that the final ruling on water rights from the State Water Resources Department would be contested and reviewed by the Oregon Court of Appeals.

3) Parking area between old and new intake structures

John Collins, General Manager, distributed photographs to the Board showing a parking strip with two intakes. The property between the intakes is owned by South Fork. The area had become a dump site and people were parking overnight on the property. He recommended installing T-rails with cables and locks as long as that was not in violation of County Codes.

The Board discussed the pros and cons of installing T-rails. Barriers could incentivize camping and things could still be thrown over the barrier. A chain link fence with a gate and lock might be a better option. After some discussion about the neighborhood, Board members agreed the visual impact of the fence was not an issue in that area.

Mr. Collins stated he would get quotes for both T-rails and chain link fencing.

The Board and Staff discussed the exact location of the property, which was outside the city limits and directly upstream from the municipal water source. SFWB had a good reason to install a fence, but needed to coordinate with the County and possibly have the property line surveyed. They agreed that in the interim, signs should be posted on the property. The Board confirmed that Mr. Collins had approval to move forward with controlling the ground above South Fork's intake.

4) ACE 2018 in Las Vegas, Nevada (June 11th through 15th)

John Collins, General Manager, stated he would send an email indicating which Board members would be out of town for the conference in June.

Mr. Collins noted he would be taking a vacation day on Friday, March 30th, but he would be available via text and phone.

(8) **Business from the Board** There was none.

(9) **Executive Session –Adjourn regular meeting and convene Executive Session if needed.**

A. To consider information or records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f).

B. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660 (2)(h).

No Executive Session was held.

(10) **Reconvene Regular Meeting If Needed to Take Any Action Necessary as Determined in Executive Session.**

Chair Axelrod adjourned the regular meeting of the SFWB at 6:52 p.m.

Respectfully Submitted,

By Paula Pinyerd, ABC Transcription Services, Inc.
for John Collins, SFWB General Manager