

## MINUTES OF THE REGULAR MEETING OF THE MEDFORD WATER COMMISSION

November 17, 2010

The regular meeting of the Medford Water Commission was called to order at 12:25 p.m. on the above date at Medford City Hall Lausmann Annex, Room 151/157.

The following commissioners and staff were present:

Chair Leigh Johnson; Commissioners Jason Anderson, Cathie Davis, Tom Hall  
Commissioner Don Skundrick was absent.

Manager Larry Rains; Administrative Coordinator and Acting City Recorder Betsy Martin; Principal Engineer Eric Johnson; Finance Administrator Tessa DeLine; Water Quality Superintendent Bob Noelle; Operations Superintendent Ken Johnson; TS Coordinator Kris Stitt; Finance Assistant JC Rowley

Guests: Medford Councilmembers Bob Strosser and Jim Kuntz; City of Medford and Medford Water Commission (City/Commission) Attorney John Huttli; Medford Deputy Fire Chief Kurt Bennett; Eagle Point Mayor Leon Sherman; Central Point Council Liaison Kay Harrison; Central Point City Administrator Phil Messina; Central Point Assistant City Administrator Chris Clayton; Steve Nixon

### 2. Approval or Correction of the Minutes of the Regular Meeting of November 3, 2010

The minutes were approved as presented.

### 3. Comments from Audience

3.1 Medford Council Liaison Bob Strosser updated the board on city activity related to the letter from the board regarding its recommendations for the Water Conservation Committee; city staff is reviewing the committee's purpose statement; possible revisions may be forthcoming, which would be presented to City Council for approval.

3.2 Guest Steve Nixon recently moved to the area from Utah and was attending the meeting per his interest in politics and community involvement.

### 4. Resolutions

4.1 No. 1424, A RESOLUTION Amending Resolution No. 1423 and Authorizing the Manager of the Medford Water Commission (Commission) to Execute an Agreement on Behalf of the Board of Water Commissioners with Elavon to Provide Credit/Debit Card Services to All Commission Customers for All Payments to the Commission

After the last meeting, staff discovered that Resolution No. 1423 would need to be amended to correct some of the language. Credit cards will be accepted by all customers for all types of payments rather than just for the Inside Customer group as indicated in that resolution. The fees for the Inside Customer group will be shared with the city; the Commission will be responsible for the remaining fees. Resolution No. 1424 corrects that language with all other terms and conditions remaining unchanged. Staff recommended approval.

Motion: Approve Resolution No. 1424.

Moved by: Ms. Davis

Seconded by: Mr. Anderson

Roll Call: Commissioners Anderson, Davis, Hall, and Johnson voting yes.

Motion carried and so ordered. Resolution No. 1424 was approved.

### 5. Authorization of Vouchers

Motion: Authorize the Manager and the Recorder to issue check-warrants in payment of invoices for a total amount of \$1,859,697.96.

Moved by: Mr. Hall

Seconded by: Ms. Davis

Anderson recused himself from the Knife River voucher.

Roll Call: Commissioners Anderson, Davis, Hall, Johnson voting yes. Motion carried and so ordered.

6. Engineer's Report

- 6.1 Duff Water Treatment Plant Seismic Upgrade and Remodel – Contractor is moving on site; weekly meetings and demolition work will start next week.
- 6.2 Duff Water Treatment Plant Reservoir Seismic Upgrade – Staff received proposals from five consultants. A list of those proposers and their cost proposals was included in the board's folders. Although an engineer's estimate was not included the Duff Water Treatment Plant (Duff WTP) Master Plan, it did include the construction cost estimate at \$500,000.00. Typically, the engineering services cost from 10 - 15 percent of the total project, thus putting design at \$50,000.00 - \$75,000.00. The Capital Budget lists \$50,000.00 for design services for this project. Staff reviewed all of the proposals and ranked them per the criteria in the RFP. Staff performed a rigorous second review of the Marquess & Associates (Marquess) proposal as well as an interview. Based on these evaluations staff will issue a Notice of Intent to Award to Marquess if the board has no objections. Reasons for cost differences included: the size of the company, rates, travel expenses, and the fact that Marquess had already provided a model of the facility during the design phase of a related project, the Duff WTP remodel. There was general consensus among board members to move forward with the Notice of Intent to Award; staff pointed out that the project will be considered for award by the board in December; the board noted the wide range of cost estimates; staff pointed out the cost advantages for a locally-based firm.
- 6.3 Control Stations Upgrade – The pre-bid meeting was held yesterday; three general contractors attended the meeting. The project is currently being advertised for bid; bid opening is scheduled for December 21, 2010.
- 6.4 Ave G - 48" Transmission Main – Staff has received the 50 percent design plans from Thornton Engineering and is currently reviewing them.
- 6.5 11th Street 36" Water Transmission Main – A pre-construction meeting for this project has been rescheduled for November 19, 2010.
- 6.6 Martin Control Station – Staff is still awaiting a response from ODOT concerning the formal proposal for the future Martin Control Station property.

7. Water Quality Report

- 7.1 High Service Pump #3 - installation is expected to be completed this week; testing will be postponed until the reservoir/clearwell inspection is performed.
- 7.2 Water Quality at Willow Lake and Willow Creek - Staff continues to research the water quality issues. The fall bloom of *Microcystis aeruginosa* has been persistent and a public health advisory remains in effect. In late October, staff confirmed that the algae toxin microcystin was present in the lake and also present in the water released into Willow Creek. Observations and testing that were performed earlier this week indicated that the algae have significantly declined and that toxins are no longer present. The water quality in the lake and creek remains a concern and staff will be proposing a long-term monitoring plan to be included in next year's budget. Historical water quality data is very limited.
- 7.3 Residential Backflow Assembly Testing and Maintenance Services - staff received four proposals and plans to bring a recommendation for award to the December 1, 2010 meeting.



counsel regarding this matter prior to sending the letter to the city attorney for Central Point.  
Moved by: Ms. Davis Seconded by: Mr. Anderson

Roll Call: Commissioners Anderson, Davis, Hall, Johnson voting yes. Motion carried and so ordered.

Huttl pointed out that the draft letters were attorney-client privileged communications between Huttl, staff and the board.

- 10.3 Consider Approval of Proceeding with the Next Step in Implementation of the Water Rights Master Plan - the Commission held a meeting with the cities on October 14, 2010, to discuss the strategic plan and implementation schedule for certification of water rights permits as detailed in the Commission's Water Rights Master Plan. All cities were represented at the meeting. The cities were asked to respond with their input by November 15, 2010; the cities of Central Point, Talent and Phoenix indicated approval of the plan; didn't hear in specific terms from Jacksonville but staff felt that they were in general agreement; did not hear from Eagle Point; however, Eagle Point is on a more urgent schedule for their application so would assume that they would also agree with the recommended schedule. Water rights consultant GSI is prepared to move forward on the Commission's behalf upon direction from the board. Eagle Point Mayor Leon Sherman indicated that City Administrator Dave Hussell would be requested to contact staff. The board discussed the Water Rights Master Plan and plan implementation contracts, and the certification schedule; a chart showing the timeline was presented to board members; staff requested direction from the board and recommended moving forward.

Motion: Authorize the Manager to move forward with the next step in proving up the Commission's water rights regardless of City of Eagle Point's stance.  
Moved by: Mr. Hall Seconded by: Ms. Davis

Roll Call: Commissioners Anderson, Davis, Hall, Johnson voting yes. Motion carried and so ordered.

- 10.4 Rains pointed out that an executive session would be held at today's meeting.

Commissioner Hall questioned the Cost of Service Study and requested an explanation from staff at the next meeting regarding extra capacity costs as related to water costs.

11. Propositions and Remarks from the Commissioners  
None noted.

12. Executive Session In Accordance with ORS 192.660(2)(e) – Real Property Transactions

The Commission meeting adjourned to executive session at 12:59 p.m.

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The Commission meeting reconvened at 1:26 p.m. with Chair Johnson; Commissioners Anderson, Davis, Hall and Johnson; staff members Rains, Martin and Jones; and City/Commission Attorney John Huttl present.

The board discussed the article in the November 16, 2010 edition of the *Upper Rogue Independent* regarding the Cities Water Coalition. Board members will consider making a public response statement; Huttl would prefer to coordinate with the Commission's water rights attorney prior to releasing a public statement. Board noted the availability of copies of the original service agreements with the other cities. Discussion regarding water rights and ownership of facilities. Council Liaison Strosser requested a copy of the Commission's response letter to the Cities Water Coalition; the board pointed out that he will be copied on the letter; Strosser thanked the Commission for holding the City Council/Water Commission joint executive session last week.

13. Adjourn

There being no further business, this Commission meeting adjourned at 1:32 p.m. The proceedings of the Water Commission meeting were recorded digitally and filed in the Water Commission's Office. The complete agenda of this meeting is filed in the Water Commission's Office.

Betsy Martin  
Medford Water Commission  
Administrative Coordinator and Acting City Recorder  
Clerk of the Commission