

TREATMENT PLANT
14275 S. Clackamas River Dr.
Oregon City, OR 97045
Tel. (503) 723-3505
Fax (503) 723-3508

Budget Committee and Regular Board Meeting (with Workshop) North Clackamas County Water Commission Board of Directors

Thursday, March 24, 2022

Virtual Meeting Online

https://us02web.zoom.us/j/89392551448

Call-In: 1-888-788-0099 Meeting ID: 893 9255 1448

5:30 PM Budget Committee for FY2022-23 Budget

Flag Salute Welcome Visitors – Public

1. Budget Committee Meeting

- 1.1 Convene Budget Committee Meeting
- 1.2 Nominate (Elect) Citizen Representatives (Board Action Only)
- 1.3 Elect Budget Committee Chair
- 1.4 Presentation on Proposed FY2022-23 Budget (Budget Officer)
- 1.5 Committee Discussion with Public Input/Comment
- 1.6 Consider Motion to Approve FY2022-23 Budget (as presented or amended)
- 1.7 Close Budget Committee Meeting

Est. 6:00 PM Regular Meeting of the Board of Directors

- 1. Convene Regular Meeting
- 2. Approve Agenda
- 3. Public Comment
 - 3.1 Public Comment
- 4. Approval of Minutes
 - 4.1 Approval of Minutes of the January 27, 2022 Regular Meeting
- 5. Adoption of Consent Calendar
 - 5.1 Authorization of Checks for January and February 2022
- 6. Board Discussion
 - 6.1 Draft CRW Supply Agreement

- 7. Monthly Items
 7.1 Financial Reports
 7.2 Operations Report
 7.3 Manager's Report
 7.4 Business from the Board

8. Adjourn Regular Meeting

Agenda Item 4.1

Minutes of January 27, 2022 Board of Commissioners Meeting

BOARD MEMBERS PRESENT:

Paul Gornick Oak Lodge Water Services
Kevin Williams Oak Lodge Water Services

Matt Tracy City of Gladstone

Chris Hawes Sunrise Water Authority
Kevin Bailey Sunrise Water Authority

STAFF PRESENT:

Wade Hathhorn

Gail Stevens

Laural Casey

Sunrise Water Authority
Oak Lodge Water Services
Oak Lodge Water Services

ATTENDEES:

Aleah Binkowski-Burk
Todd Heidgerken
Clackamas River Water
Rusty Garrison
Clackamas River Water

1. Convene Regular Meeting

Chair Hawes called the Board of Commissioners meeting to order at 5:31 p.m.

2. Welcome Visitors & Public

Chair Hawes welcomed members of the public.

3. Public Comment

Chair Hawes asked Recorder Casey if any members of the public signed up for public comment. There were none.

4. Approval of Minutes

4.1 Approval of Minutes of the September 23, 2021 Budget Hearing & Regular Meeting

Chair Hawes called for a motion. Commissioner Gornick moved to approve the September 23, 2021 minutes. Commissioner Tracy seconded. Chair Hawes asked Recorder Casey to conduct a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

5. Adoption of Consent Calendar

5.1 Authorization of Checks for September, October, November, and December 2021

Finance Director Stevens confirmed that checks for the months of September, October, November, and December 2021 were included in the meeting packet.

Chair Hawes called for a motion. Commissioner Tracy moved to approve the consent calendar as presented. Commissioner Gornick seconded. Chair Hawes asked Recorder Casey to conduct a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

6. Board Discussion

6.1 Appoint Budget Officer (FY 2022-23)

General Manager Hathhorn recommended Finance Director Stevens as the Commission's Budget Officer for fiscal year 2022-23.

Chair Hawes called for a motion. Commissioner Gornick moved to appoint Gail Stevens as the Budget Officer for the NCCWC's fiscal year 2022-23 Budget process. Chair Hawes seconded. Recorder Casey conducted a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

6.2 Adopt Budget Calendar (FY 2022-23)

Finance Director Stevens presented the Budget Calendar.

Chair Hawes called for a motion. Commissioner Tracy moved to adopt the fiscal year 2022-23 Budget Calendar as presented. Commissioner Gornick seconded. Recorder Casey conducted a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

6.3 Receive FY 2020-21 Audit

Finance Director Stevens presented the fiscal year 2020-21 Financial Audit and overviewed the auditor's findings. She reviewed the Letter to Those Charged with Governance and auditor findings.

Chair Hawes called for a motion. Commissioner Gornick moved to acknowledge receipt of the fiscal year 2020-21 audit and Letter to Those Charged with Governance.

Commissioner Tracy seconded. Recorder Casey conducted a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

6.4 Approve True-Up from FY 2020-21

General Manager Hathhorn explained the annual true-up process and options for the Board to consider. Finance Director Stevens described the way the funds would be allocated if retained by the Commission.

The Board asked clarifying questions related to inflationary increases in materials and services, the membrane and sand replacement process, and partner reimbursement.

There was Board discussion regarding the true-up rationale.

Chair Hawes called for a motion. Commissioner Gornick moved to adopt Resolution 2022-1 waiving the true-up for fiscal year 2020-21, as presented. Commissioner Tracy seconded. Recorder Casey conducted a roll call vote. Voting Aye: Commissioners Hawes, Gornick, and Tracy.

MOTION CARRIED

7. Monthly Items

7.1 Financial Reports

Finance Director Stevens overviewed the Financial Report.

Chair Hawes acknowledged receipt of the financial reports for the periods of September, October, November, and December 2021.

7.2 Operations Report

General Manager Hathhorn overviewed the Operations Report highlighting the lower demand on the Plant during the fall months.

7.3 Manager's Report

General Manager Hathhorn overviewed the Manager's Report highlighting median precipitation and snowpack, negotiations regarding a supply agreement with Clackamas River Water, the missing pipeline, and staffing needs.

The Board asked clarifying questions regarding the Commission's apprentices and Plant Operators. There was discussion about the recruitment of an experienced Plant Operator.

General Manager Hathhorn implored the Board to recruit citizen Budget Committee members for the upcoming Budget process.

7.4 Business from the Board

There was none.

8. Adjourn Regular Meeting

Chair Hawes adjourned the regular meeting at 6:29 p.m.

March 24, 2022

Agenda Item 5.1

Subject: Authorization of Checks for January and February 2022

Presenter(s): Gail Stevens, Finance Director

Board Action: The Board is requested to formally authorize the check run.

Attachments: Bank Reconciliation Checks by Date Report

Background: The Board is responsible for reviewing and approving monthly check

runs.

Analysis: In the two-month period January – February 2022, there were 18

electronic withdrawals totaling \$59,060.55 and 61 valid checks issued numbered 30369 through 30429 totaling \$299,341.12 – total period payments of \$358,401.67. There were no voided checks during current

period.

Options: None

Staff Approve check run as presented for January and February 2022.

Recommendation:

Draft Motion: Move to approve all checks and electronic withdrawals for the period

January and February 2022 totaling \$358,401.67, noting there were no

voided checks from previous periods.

Bank Reconciliation Checks by Date User: Gail

User: Gail
Printed: 03/15/2022 - 12:01PM
Cleared and Not Cleared Checks

Print Void Checks

	sement Activity	•				
Number	Issue Date	Vendor	Comment		oid Clear Date	Amount
0	1/9/2022	Wells Fargo Remittance Ctr MC		AP	1/31/2022	2,839.97
0	1/11/2022	Wells Fargo Banks		AP	1/31/2022	69.36
0	1/14/2022	Internal Revenue Service-ACH		AP	1/31/2022	2,806.87
0	1/14/2022	OR Department of Revenue		AP	1/31/2022	854.07
0	1/14/2022	Payroll Direct Deposit		PR	1/31/2022	7,350.84
0	1/27/2022	Oregon PERS		AP	1/31/2022	3,527.47
0	1/28/2022	Internal Revenue Service-ACH		AP	1/31/2022	2,850.06
0	1/28/2022	OR Department of Revenue		AP		864.72
0	1/28/2022	Payroll Direct Deposit		PR	1/31/2022	7,421.82
0	2/9/2022	Wells Fargo Remittance Ctr MC		AP		5,794.34
0	2/11/2022	Internal Revenue Service-ACH		AP		2,690.02
0	2/11/2022	OR Department of Revenue		AP		819.78
0	2/11/2022	Oregon PERS		AP		1,697.02
0	2/11/2022	Wells Fargo Banks		AP		93.40
0	2/11/2022	Payroll Direct Deposit		PR		7,118.62
0	2/25/2022	Internal Revenue Service-ACH		AP		3,689.54
0	2/25/2022	OR Department of Revenue		AP		965.25
0	2/25/2022	Payroll Direct Deposit		PR		7,607.40
ACH Disburse	ement Activity S	Subtotal		18	_	59,060.55
	,	ent Activity Subtotal				59,060.55

lumber	Issue Date	Vendor	Comment	Module Void		Amount
30369	1/4/2022	Atlas Copco Compressors Inc		AP	1/31/2022	1,150.00
30370	1/4/2022	Portland General Electric		AP	1/31/2022	31,706.63
30371	1/4/2022	Water District Jobs		AP	1/31/2022	145.0
30372	1/11/2022	Clackamas River Water Provider		AP	1/31/2022	35,611.0
30373	1/11/2022	Field Instruments & Controls, Inc.		AP	1/31/2022	510.7
30374	1/11/2022	Goble Sampson Associates Inc.		AP	1/31/2022	9,164.5
30375	1/11/2022	NW Natural		AP	1/31/2022	328.3
30376	1/11/2022	Oak Lodge Water Services District		AP	1/31/2022	4,030.0
30377	1/11/2022	RH2 Engineering, Inc		AP	1/31/2022	3,540.8
30378	1/11/2022	Stein Oil Co.		AP	1/31/2022	178.9
30379	1/11/2022	Univar USA Inc		AP	1/31/2022	1,423.0
30380	1/14/2022	Hach Company		AP	1/31/2022	1,583.5
30381	1/14/2022	Oregon City Garbage Co.		AP	1/31/2022	51.5
30382	1/14/2022	Platt Electric		AP	1/31/2022	43.5
30383	1/14/2022	Portland Engineering Inc.		AP	1/31/2022	50.0
30384	1/14/2022	Trotter & Morton - Portland		AP		780.0
30385	1/21/2022	Cintas Corporation - 463		AP	1/31/2022	81.1
30386	1/21/2022	Cintas Fas Lockbox 636525		AP	1/31/2022	99.0
30387	1/21/2022	Forklift Services of Oregon		AP	1/31/2022	3,028.1
30388	1/21/2022	Hasa, Inc		AP	1/31/2022	3,751.80
30389	1/21/2022	Portland Engineering Inc.		AP	.,,	210.0
30390	1/21/2022	Special Districts Insurance Sv		AP		83,610.6
30391	1/21/2022	Univar USA Inc		AP	1/31/2022	2,583.0
30392	1/21/2022	Verizon Wireless		AP	1/31/2022	204.0
30393	1/28/2022	Bezates Construction Inc		AP		322.5
30394	1/28/2022	Cascade Columbia Distribution		AP	1/31/2022	510.0
30395	1/28/2022	Cintas Corporation - 463		AP	., 0 ., 2022	175.0
30396	1/28/2022	Ferguson Enterprises, Inc.		AP		240.0
30397	1/28/2022	Pamplin Media Group		AP		62.2
30398	1/28/2022	Platt Electric		AP		239.8
30399	1/28/2022	Stein Oil Co.		AP		221.3
30400	1/28/2022	Taurus Power & Controls, Inc.		AP		17,497.5
30401	1/28/2022	Top Industrial Supply		AP		38.4
30402	1/28/2022	Trotter & Morton - Portland		AP		3,815.5
30403	1/28/2022	MOSS ADAMS LLP		AP		9,975.0
30404	1/28/2022	Portland General Electric		AP		298.6
30405	2/4/2022	Cable Huston LLP		AP		228.5
30406	2/4/2022	Industrial Software Solutions		AP		5,700.0
30407	2/4/2022	Portland General Electric		AP		33,092.1
30407	2/4/2022	RH2 Engineering, Inc		AP		6,777.7
30408 30409	2/11/2022	Cintas Corporation - 463		AP		91.6
30409 30410	2/11/2022	Merina & Company, LLP		AP		4,143.7

Bank Reconciliation Checks by Date User: Gail

Printed: 03/15/2022 - 12:01PM Cleared and Not Cleared Checks

Print Void Checks

30411	2/11/2022	Moen Machinery	AP	15,980.92
30412	2/11/2022	NW Natural	AP	266.75
30413	2/11/2022	Oak Lodge Water Services District	AP	4,030.00
30414	2/11/2022	Oregon City Garbage Co.	AP	51.55
30415	2/11/2022	Special Districts Insurance Sv	AP	5,101.40
30416	2/11/2022	Stein Oil Co.	AP	122.39
30417	2/14/2022	AFLAC	AP	307.40
30418	2/14/2022	RH2 Engineering, Inc	AP	1,454.73
30419	2/18/2022	Univar USA Inc	AP	1,160.00
30420	2/18/2022	Verizon Wireless	AP	203.82
30421	2/25/2022	Alexin Analytical Laboratories	AP	235.00
30422	2/25/2022	Cintas Corporation - 463	AP	101.66
30423	2/25/2022	Cintas Corporation No. 2	AP	99.00
30424	2/25/2022	Hach Company	AP	=
30425	2/25/2022	Platt Electric	AP	24.03
30426	2/25/2022	Portland Engineering Inc.	AP	120.00
30427	2/25/2022	Portland General Electric	AP	266.19
30428	2/25/2022	Stein Oil Co.	AP	276.90
30429	2/25/2022	Team Electric Company	AP	2,244.00
•		Activity Subtotal	61	299,341.12
	er Check Disbur	•		-
Adjusted Pa	per Check Dis	bursement Activity Subtotal		299,341.12
		Total Void Check Count:		-
		T-t-IV-id Ob I- At-		

March 24, 2022

Agenda Item 6.1

Subject: Draft (final) Water Supply Agreement with CRW

Presenter(s): Wade Hathhorn, General Manager

Board Action: Open discussion and authorization to finalize the draft water supply

agreement with CRW

Attachments: Draft (final) Water Supply Agreement with CRW

Background: The NCCWC relies on wholesale water purchases from Clackamas River

Water (CRW) in order to meet comprehensive annual demands. For the past 20 years, the parties had been operating under a supply agreement formed around a structured minimum purchase arrangement of 1.22 million units of water each year – this equates to 2.5 million gallons per day with a primary delivery point located off SE 152nd Avenue (near

Sunrise).

Because of the nature of these deliveries, Sunrise actually "assumed" responsibility for the contract in the 2nd Amended IGA for the NCCWC – the latter was nulled in the latest renewal of the NCCWC and the original supply contract remained between CRW and the NCCWC. That supply agreement formally expired at the end of 2021 and the parties have approved a month-to-month continuation through June 30, 2022 in

anticipation of adoption of a new agreement.

Analysis: Staff from CRW and the NCCWC have been working to revise the supply

agreement and after several drafts now have a final version for each respective Board to review. The new agreement broadens potential deliveries from CRW under a mutually approved supply and delivery plan that is to be periodically updated and amended as deemed necessary. The new agreement also contains potential capacity of up to 10 million gallons per day from CRW - the provisions of which are being transferred

under a plan to dissolve the Clackamas Regional Water Supply

Commission (CRWSC). Moreover, the new agreement allows for open cooperation during emergency or other periods of disruption to service or supply. A copy of the draft (final) version of the new agreement is

attached.

The CRW Board reviewed and tentatively approved the new agreement earlier this month and it is now being placed similarly before the NCCWC Board for their separate review and authorization. Staff is asking the

March 24, 2022

Board to review the final draft and authorize the General Manager to move this agreement to formal adoption by the parties subsequent to the dissolution of the Clackamas Regional Water Supply Commission

(CRWSC).

Options: Edit or amend the draft (final) version of the new water supply

agreement.

Staff Open discussion and authorization to move the water supply agreement

to adoption at the June meeting.

Draft Motion: None

WATER SUPPLY AGREEMENT

This agreement is entered into this _____ day of _____, 2022, between the Clackamas River Water District (hereinafter "CRW"), an ORS Chapter 264 Domestic Water Supply District, and the North Clackamas County Water Commission, (hereinafter "NCCWC"), a municipal organization formed under ORS 190 Intergovernmental Agreement, or collectively hereinafter referred to as the "Parties."

WHEREAS, the NCCWC currently purchases wholesale drinking water from CRW under an existing agreement dated March 8, 2001; and

WHEREAS, the existing water supply agreement is set to terminate June 30, 2022; and

WHEREAS, the NCCWC desires to renew a long-term supply agreement with CRW wherein allowing for greater flexibility and adaptability in meeting present and future demands, as well as emergency supply; and

WHEREAS, the NCCWC intends to expand its future purchases of wholesale water from CRW based on availability and the strategic interests of both Parties.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Contract Period

- A. This Agreement shall remain in effect until December 1, 2042, commencing with the execution of this Agreement, unless so approved otherwise by mutual written consent of the Parties.
- B. The NCCWC agrees to notify CRW in writing of its desire to extend the term of this Agreement, but not later than two (2) years prior to the termination of this Agreement.

2. Available Capacity

- A. CRW intends to provide up to 10 million gallons per day (mgd) of available treated water capacity to the NCCWC. In no event shall CRW be required to deliver water beyond that which is technically feasible through existing infrastructure, or which otherwise would create hardship to CRW.
- B. The Parties shall mutually determine desired points of delivery and related transmission (flow rate) capacities for both regular and emergency service. The Parties may amend these points of delivery and capacities through mutual agreement among the Parties' General Managers or through the approved Planning Document, set forth under Section 3.B below.
- C. In no event shall either Party be required to construct added pumping or transmission capacity to meet (or create) said desired points of delivery or flow rate capacities, unless so mutually approved in writing by both Parties. Any future construction of jointly owned assets shall be arranged under separate agreement among the Parties.

- 3. Use of Available Capacity
 - A. The NCCWC will purchase a minimum of 125 million cubic feet of water each year. The annual period for such purchase shall begin every year on July 1 and extend to the following date of June 30.
 - B. The Parties agree to make use of the available capacity defined under Section 2 above under a cooperative Planning Document. This Planning Document shall be based on a five (5) year forecast of demand and ten (10) year forecast of capital improvements. The Planning Document shall, among other items, identify:
 - i. Approved points of deliveries and peak flow capacities
 - ii. Peak and annual day demands and points of delivery
 - iii. Peak seasonal period (30 day) demand and points of delivery
 - iv. Updated schedule of mutually approved capital improvements

The demands created under this forecast, however, are not a strict obligation to purchase or deliver said amounts by either Party, other than the minimum amount stated in Section 3.A. The actual available capacity at any given time may be subject to existing limits on labor resources, infrastructure limits, or other factors outside the direct control of either Party.

Until the Parties mutually agree on a Planning Document as described in this Section 3.B, CRW will continue to supply water to NCCWC at existing points of delivery in amounts and at times, including peaking, consistently with the Parties' course of dealing in the twelve months preceding commencement of this Agreement.

The Planning Document and any amendments thereto must be approved in writing by the Parties' respective general managers; provided, however, that in the event the approval of any part of the Planning Document by a Party's governing body is required by law or by a Party's governance documents, a resolution of the Party's governing body will be required to provide that Party's approval.

- C. All use of available capacity shall be properly metered at each approved point of delivery through equipment supplied by the NCCWC, including (but not limited to): meter, valve(s), required backflow assembly and any other equipment so mutually approved by the Parties. The NCCWC shall, in turn, have each meter periodically tested and calibrated by a qualified, independent party for flow accuracy. The NCCWC shall also have each backflow assembly tested annually by an approved tester. The NCCWC shall provide copies of those test results to CRW upon completion.
- D. CRW shall in turn maintain all pipes, pumps, valves and other devices to allow for deliveries from its plant and reservoirs to meet the agreed flow capacities at each of the approved points of delivery.

4. Rates and Charges

- A. The methodology used to establish the Wholesale Water Rate under this agreement shall generally follow and be consistent with the standards of practice prescribed under the M1 Manual of the American Water Works Association (AWWA), except as otherwise mutually agreed by the Parties.
- B. Rates shall include, but not be limited to, payments for reasonable operation and maintenance expense, depreciation, administrative and general expenses, in-lieu taxes and other costs associated with CRW's financing and operation of its system. However, a rate of return on investment shall be prohibited. The Parties agree that, at a minimum, the rates paid by the NCCWC and all other consideration paid by the NCCWC pursuant to other agreements related to this Agreement will fully cover CRW's cost of providing water to the NCCWC.
- C. Rates may be adjusted each year on July 1 based on the change in the All Urban Consumers Consumer Price Index (CPI-U) for the U.S. City Average West Region or based on an update of the cost of service model prescribed in 4.A above, except as otherwise mutually agreed by the Parties.

5. Billing and Payment

- A. Meters shall be read periodically by representatives of NCCWC at times fixed by mutual agreement of the Parties. CRW may elect to confirm such readings at any time.
- B. CRW shall compute and render bills and statements to the NCCWC by the 5th day of each month. CRW shall invoice the NCCWC each month for water usage in the preceding month. NCCWC will in turn make payment on or before the 25th day of the month. A late fee of 1.5 percent per month may be assessed for any unpaid balance.
- C. If the meters at any time fail to accurately measure the water passage through said meters and it is impracticable to determine actual average daily consumption with reasonable certainty, the charge for water used during the time said meters are out of order shall be based upon the average daily consumption as shown by said meters when in proper operating condition during a comparable period of service.

6. Water Exchange

- A. CRW may on occasion request water be delivered by the NCCWC to various locations to meet operational or emergency supply needs. Such deliveries may be deducted, by equivalent volume, from the metered deliveries to the NCCWC. Such "water exchange," however, shall not affect the amount of water credited towards the annual minimum purchase required by the NCCWC.
- B. However, no party shall be required to exchange water if it would not be technically feasible, require additional infrastructure not approved by separate agreement, or create hardship to the party being requested to do so.

7. [INTENTIONALLY LEFT BLANK]

8. Emergency Operations and Curtailment

- A. In the event of an emergency (e.g. power outage, loss of infrastructure, etc.), the Parties agree to work in cooperation to best meet the demands of each Party and may temporarily suspend the terms of this Agreement to meet the operational needs of each Party and those of any third-party requesting assistance, provided the combined needs of each Party is not compromised through such third-party assistance. The Parties further agree that during the emergency each Party shall attempt to record any exchange of water or related service and work to resolve mutual consideration or compensation as prescribed in 6 above, absent the actual exchange of money, unless so agreed by the Parties.
- B. In the event of a curtailment or other shortage of water supply, CRW and NCCWC shall share the shortage proportionately so long as NCCWC concurrently adopts and enforces the same customer water use restrictions adopted by CRW in response to the shortage.

9. Notices

All notices related to this Agreement shall be sent to the respective General Manager of each agency and shall be delivered in the form of e-mail or pre-paid mail sent to the appropriate address(es) below:

Clackamas River Water North Clackamas County Water Commission

Attn: General Manager
PO Box 2439
Attn: General Manager
14496 SE River Road

Clackamas, OR 97015-2439 Milwaukie, OR 97267

10. Severability

In the event any provisions of this Agreement shall be held to be impossible, invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties hereto. One or more waivers by either party of any provision, term, condition or covenant, shall not be construed by the other party as a waiver of subsequent breach of the same by the other party. Both parties have fully participated in negotiating and writing this Agreement; therefore, it shall not be construed against the party preparing it, but shall be construed as if both parties have prepared it.

11. Acts of God, Emergencies, etc.

Performance or delay in performance of the obligations stated in this Agreement shall be reasonably excused when performance or timely performance is impossible or impracticable because of the occurrence of unforeseeable events such as emergency, catastrophe, disaster, labor disputes, or acts of God.

12. Disputes and Attorney's Fees

A. If a dispute arises between the parties regarding breach of this Agreement or interpretation of any term of this Agreement, the parties shall first attempt to resolve the dispute by negotiation, followed by mediation (if negotiation fails to resolve the dispute), and pursuant to the following steps:

- (i) Step One: The general manager or other person designated by the governing bodies will negotiate on behalf of the entities they represent. The nature of the dispute shall be reduced to writing and shall be presented to each manager who shall then meet and attempt to resolve the issue. If the dispute is resolved at this step, there shall be a written determination of such resolution, signed by each party's manager and ratified by each governing body, which shall be binding upon the parties.
- (ii) Step Two: If the dispute cannot be resolved within ten days under Step One, the parties shall submit the matter to non-binding mediation. The parties shall attempt to agree on a mediator. If they cannot agree, the parties shall request the presiding judge of Clackamas County Circuit Court to appoint a mediator. The dispute shall then be heard by the mediator. The mediator's fees shall be shared equally by the parties. If the issue is resolved at this step, there shall be a written determination of such resolution, signed by each party's manager and ratified by each governing body, which shall be binding upon the parties.
- (iii) <u>Step Three:</u> Disputes that are not resolved after exhausting Steps One and Two or within ninety (90) days, whichever comes earlier, shall be submitted to mutually agreeable arbitration or be resolved by proceedings in Clackamas County Circuit Court. If arbitration, suit or action is commenced, each party shall pay its own legal fees.

13. Full Agreement

This document is the entire, final and complete agreement of the parties pertaining to CRW's provision of surplus water to the NCCWC and supersedes and replaces all prior or existing written and oral agreements between the Parties or their representatives.

By signing this Agreement, the Parties agree to be bound by its terms and conditions for the entire period of its stated term.

CLACKAMAS RIVER WATER:	NORTH CLACKAMAS COUNTY WATER COMMISSION:
By: Sherry French, President	By: Chris Hawes, Chairman

March 24, 2022

Agenda Item 7.1

Subject: Year to Date Production and Financial Statements

Presenter(s): Gail Stevens, Finance Director

Board Action: None Required

Attachments: .1 Monthly Water Production and Cost Summary December 2021

.2 Monthly Water Production and Cost Summary January 2022
.3 Water Production and Cost Summary FY 2021-22 YTD Jan 2022
.4 Water Sales FYTD 2021-22 and Comparison to FY 2020-21

.5 Budget to Actuals Report FY 2021-22 YTD Period 07 January 2022

Background: A summary of financial reports is presented for review. Reports are

through the end of January (Period 07) for FY 2021-22; for comparison

basis by calendar 58.3% through FY 2021-22.

Analysis: Through January 2022, Water Sales are 72.8% of budget and 110.8% of

the same period prior year. Expenditures are 43.4% of budget.

Personnel Services 40.0% Materials & Services 51.0% Capital Outlay 23.5%

Options: None

Staff Review financial statements as presented.

Recommendation:

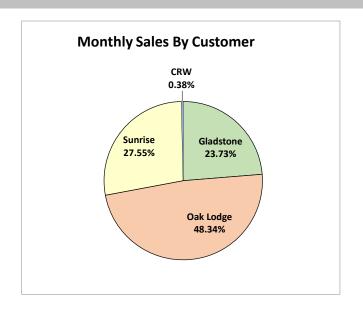
Draft Motion: None required. Chair should acknowledge receipt of the production and

financial reports for the periods of December 2021 and January 2022 as

presented.

NCCWC Monthly Water Production and Cost Summary - December 2021

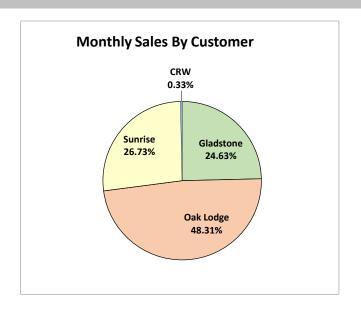
		Combined		_		oduction /Membrane		Production SFWB		Production CRW
Average Daily Production (MG)		4.74				4.73		(0.01)		0.02
					_					
		TOTAL		_		oduction /Membrane		Production SFWB	ļ	Production CRW
Water Production/Purchases (MG)		146.96				146.71		(0.30)		0.55
Water Production/Purchases (ccf) (divide MG by 0.000748)		196,471				196,136		(400)		735
NCCWC Expenditures (\$):					995	/Membrane		SFWB		CRW
Operations:					331	/weiliblane		SEWB		CRVV
Personnel Services	\$	33,621			\$	33,621	\$	-	\$	-
Electricity	\$	31,707			\$	31,707		-	\$	-
Water Treatment	\$	8,504			\$	8,504	\$	-	\$	-
Other - Material & Services	\$	63,889			\$	63,889	\$	-	\$	-
Capital Outlay Transfer	\$ \$	40,867			\$ \$	40,867		-	\$ \$	-
Administration:	Þ	50,000			φ \$	50,000	Φ	-	Φ	-
Contracted Services	\$	13,485			\$	13,485	\$	_	\$	_
Professional Services	\$	439			\$	439	\$	-	\$	-
Wholesale Purchases	\$	-			\$	-	\$	-	\$	-
Total Requirements w/out Debt	\$	242,511		•	\$	242,511	\$	-	\$	-
Cost w/out Debt: \$/(ccf):	\$	1.23		-	\$	1.24	\$	-	\$	-
VOLUME PURCHASED:			Gladstone	Oak Lodge		Sunrise		CRW		
Water Sales (MG)		144.17	34.21	69.69		39.72		0.55		
Water Sales (ccf)		192,743	45,735	93,165		53,108		735		
% Water Sales per Entity (ccf)		100%	23.73%	48.34%		27.55%		0.38%		
, viator dalos por Emity (dol)		10070	20.7070	10.0170		27.0070		0.0070		
GLAD Rate	\$	0.76670	\$35,065							
OLWD Rate	\$	0.76670		\$71,430						
SWA Rate	\$	0.76670				\$40,718				
CRW Water Rate(\$0.73621*1.4) /ccf	\$	1.03069						\$758		
Monthly Weighted Avg Cost	\$	0.76771								
	\$	(0.46663)								
Monthly Gain/(Loss) w/out Debt	<u>*</u>	(0.46663)								



NCCWC Monthly Water Production and Cost Summary -

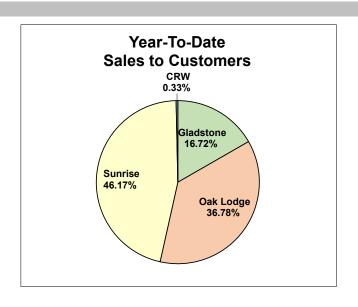
January 2022

		Combined		_		oduction Membrane		Production SFWB		Production CRW
Average Daily Production (MG)		5.01				4.99		(0.00)		0.02
					ъ.	- do-ett		Dan de etter		Donald and an
		TOTAL				oduction Membrane		Production SFWB		Production CRW
Water Production/Purchases (MG)		155.19		·		154.68		(0.00)		0.51
Water Production/Purchases (ccf)										
(divide MG by 0.000748)		207,470				206,791		(3)		682
NCCWC Expenditures (\$):					SSF/	Membrane		SFWB		CRW
Operations:				-				<u> </u>		
Personnel Services	\$	31,654			\$	31,654		-	\$	-
Electricity	\$	33,391			\$	33,391	\$	-	\$	-
Water Treatment	\$	8,934			\$	8,934		-	\$	-
Other - Material & Services	\$ \$	15,532			\$	15,532		-	\$	-
Capital Outlay Transfer	\$ \$	1,455 50,000			\$ \$	1,455 50,000	\$ \$	-	\$ \$	-
Administration:	Ψ	30,000			\$	-	Ψ	_	Ψ	-
Contracted Services	\$	12,953			\$	12,953	\$	-	\$	-
Professional Services	\$	45,586			\$	45,586	\$	-	\$	-
Wholesale Purchases	\$	-			\$	-	\$	-	\$	-
Total Requirements w/out Debt	\$	199,505		- -	\$	199,505	\$	-	\$	-
Cost w/out Debt: \$/(ccf):	\$	0.96			\$	0.96	\$	-	\$	-
VOLUME PURCHASED:			Gladstone	Oak Lodge		Sunrise		CRW		
Water Sales (MG)		153.29	37.76	74.05		40.97		0.51		
Water Sales (ccf)		204,931	50,481	98,994		54,774		682		
% Water Sales per Entity (ccf)		100%	24.63%	48.31%		26.73%		0.33%		
GLAD Rate	\$	0.76670	\$38,704							
OLWD Rate	\$	0.76670		\$75,899						
SWA Rate	\$	0.76670				\$41,995				
CRW Water Rate(\$0.73621*1.4) /ccf	\$	1.03069						\$703		
Monthly Weighted Avg Cost	\$	0.76758								
Monthly Gain/(Loss) w/out Debt	\$	(0.19403)								



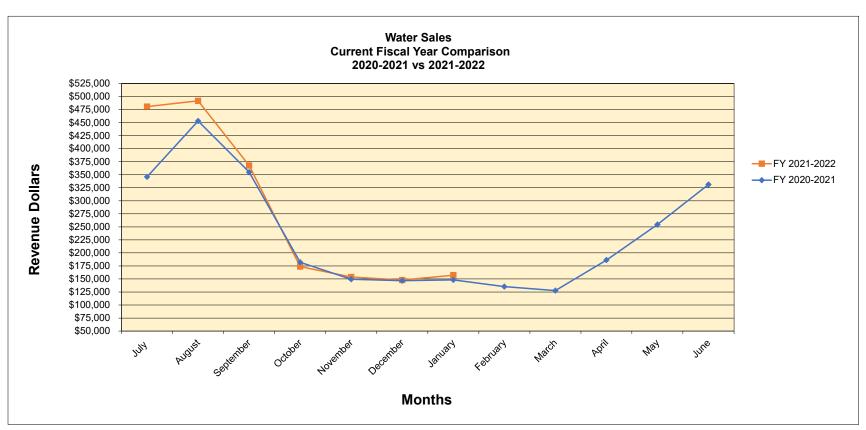
NCCWC Water Production and Cost Summary - Year to Date 07/01/21 - 01/31/22

		Combined					s	Production SF/Membrane	F	roduction SFWB	Р	Production CRW
Average Daily Production (MG)		9.01						8.99	(0.00)			0.20
												roduction
		TOTAL						NCCWC Plant		SFWB	-	CRW
Water Production/Purchases (MG)		1,938.11				•		1,932.08		(0.30)		6.33
Water Production/Purchases (ccf) (divide MG by 0.000748)		2,591,056						2,582,994		(405)		8,467
, ,												
NCCWC Expenditures (\$):							ı	NCCWC Plant		SFWB		CRW
Operations Personnel Services	\$	227,535					\$	227,535	\$	_	\$	_
Electricity	\$	328,291					\$	328,291	\$	_	\$	_
Water Treatment	\$	62,957					\$	62,957	\$	-	\$	-
Other -Material & Services	\$	128,160					\$	128,160	\$	-	\$	-
Capital Outlay	\$	106,804					\$	106,804	\$	-	\$	-
Transfer	\$	430,000					\$	430,000	\$	-	\$	-
Administration												
Contracted Services	\$	79,672					\$	79,672	\$	-	\$	-
Professional Services	\$	140,639					\$	140,639	\$	_	\$	-
Wholesale Purchases	\$, -					\$	-	\$	-	\$	-
Total Requirements w/out Debt	\$	1,504,057				;	\$	1,504,057	\$	-	\$	-
Cost: w/o Debt \$/(ccf):	\$	0.58					\$	0.58	\$		\$	_
000ti We 200t \$/(001)!	<u> </u>						<u> </u>	0.00	Ψ		Ψ	
VOLUME PURCHASED:			G	ladstone	Oak	Lodge		Sunrise		CRW		
Water Sales (MG)		1,922.84		321.44		707.22		887.86	_	6.33		
Total Water Sales (ccf)		2,570,652		429,726		945,485		1,186,974		8,467		
% Water Sales per Entity (ccf)		100%		16.72%		36.78%		46.17%		0.33%		
Gladstone Rate	\$	0.76670	\$	329,471								
OLWD Rate			Ψ	J23,47 I	\$	724 002						
OFAAD KAIG	\$	0.76670			Ф	724,903	Φ.	040.050				
OMA D-4-	\$	0.76670					\$	910,053	_			
SWA Rate		4 00000							\$	8,727		
SWA Rate CRW Water Rate(\$0.73621*1.4) /ccf	\$	1.03069										
	\$ \$	0.76757										



Water Sales Fiscal Year Comparison 2020-2021 vs 2021-2022

	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>Total</u>
<u>GRAPH:</u> FY 2020-2021 FY 2021-2022	\$ 346,054 \$ 480,881	\$ 453,047 \$ 491,729	\$ 355,034 \$ 367,753	\$ 181,896 \$ 173,635	\$ 149,595 \$ 153,885			\$ 135,464	\$ 127,756	\$ 186,207	\$ 254,394	\$ 331,290	\$ 2,815,733 \$ 1,973,154
FY % Comparison	38.96%	8.54%	3.58%	-4.54%	2.87%	0.81%	6.13%	TBD	TBD	TBD	TBD	TBD	-29.92%



General Ledger Budget to Actual Report

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Period 07 - 07 Fiscal Year 2022



Account Number	Description	Budget	Period Amt	End Bal	% ExpendCollect
10	General Fund				
	Beginning Fund Balance				
10-3000-00	Fund Balance	676,662.00	0.00	1,080,780.50	159.72
	Beginning Fund Balance	676,662.00	0.00	1,080,780.50	159.72
	Revenue				
10-4010-00	Interest Income	13,000.00	1,048.38	2,161.96	16.63
10-4020-01	Water Sales-OLWSD	1,127,000.00	75,898.70	724,903.35	64.32
10-4020-02	Water Sales-City of Gladstone	498,000.00	38,703.78	329,470.92	66.16
10-4020-03	Water Sales-SWA	1,073,000.00	41,995.23	910,052.97	84.81
10-4020-09	Water Sales-Clackamas	12,000.00	0.00	8,123.57	67.70
	RiverWtr				
10-4060-00	Miscellaneous Income	0.00	15,215.94	22,332.73	0.00
	Revenue	2,723,000.00	172,862.03	1,997,045.50	73.34
	Personnel Services				
10-5000-00	Plant Operators	240,000.00	45,491.55	119,841.93	49.93
10-5005-00	OvertimeOn-Call	50,000.00	3,334.87	28,193.86	56.39
10-5030-00	Part-Time Operator	0.00	-28,372.00	0.00	0.00
10-5040-00	Apprenticeship	42,000.00	3,182.40	11,102.40	26.43
10-5050-00	MedicalDentalVision Ins.	120,000.00	3,218.03	23,427.87	19.52
10-5060-00	Retirement	70,000.00	2,824.51	23,861.76	34.09
10-5070-00	Payroll Taxes	40,000.00	1,974.82	13,217.22	33.04
10-5080-00	Workers Compensation	7,000.00	0.00	7,889.63	112.71
	Personnel Services	569,000.00	31,654.18	227,534.67	39.99
	Materials & Services				
10-5204-00	Water Purchases	10,000.00	0.00	0.00	0.00
10-5206-10	Contracted	40,000.00	3,042.00	20,263.20	50.66
	Services-Management				
10-5206-11	Contracted Svcs-Operations Mgt	93,000.00	0.00	0.00	0.00
10-5206-12	Contracted Svcs-Plant Engineer	25,000.00	2,095.60	15,818.89	63.28
10-5206-13	Contracted Services-Financial	48,000.00	4,000.00	32,143.75	66.97
10-5206-16	HVAC	15,000.00	3,815.50	11,446.50	76.31
10-5208-00	General Office Expenses	8,500.00	93.40	3,665.01	43.12
10-5210-00	PermitsLicensing Fees	17,000.00	0.00	4,732.00	27.84
10-5212-00	General Insurance	80,000.00	6,625.25	42,388.75	52.99

Account Number	Description	Budget	Period Amt	End Bal	% ExpendCollect
10-5215-00	ComputersTechnology	10,000.00	0.00	2,632.66	26.33
10-5230-04	Audit Services	25,000.00	9,975.00	32,005.00	128.02
10-5230-06	Legal Services	50,000.00	0.00	238.78	0.48
10-5230-08	Engineering - General	10,000.00	0.00	1,540.00	15.40
10-5230-08	Watershed Services	143,000.00	35,611.00	106,855.00	74.72
10-5236-10	Water Analysis and Testing	15,000.00	-339.20	1,909.92	12.73
10-5236-11	Chemicals	100,000.00	8,762.80	47,919.46	47.92
10-5236-12	Instrumentation & Lab Supplies	10,000.00	510.74	13,127.34	131.27
10-5238-00	Telemetry (SCADA)	10,000.00	150.00	6,703.00	67.03
10-5240-00	Electricity	550,000.00	33,390.77	328,290.82	59.69
10-5244-00	EducationTraining and Dues		1,621.82	9,892.16	57.35
10-5245-00		17,250.00	1,021.82 575.97	9,892.16 4,684.94	55.12
	Telephone	8,500.00			
10-5246-00	Travel Expenses	500.00	0.00	0.00	0.00
10-5247-00	Books & Publications	1,000.00	0.00	0.00	0.00
10-5248-00	Public Notices	1,000.00	62.21	104.35	10.44
10-5250-10	Natural Gas	2,000.00	266.75	1,028.76	51.44
10-5250-20	Garbage	1,000.00	51.55	402.85	40.29
10-5252-00	Miscellaneous Expense	1,000.00	216.50	1,882.09	188.21
10-5256-00	Commissioner FeesExpenses	1,200.00	0.00	0.00	0.00
10-5300-10	Vehicle Maintenance	5,000.00	51.58	2,199.86	44.00
10-5300-20	FuelsOils	5,000.00	343.70	3,701.88	74.04
10-5300-30	Equipment Rental	5,000.00	0.00	0.00	0.00
10-5300-40	Equipment Maintenance	15,000.00	3,066.65	3,840.94	25.61
10-5305-10	Building Maintenance	15,000.00	199.98	7,065.75	47.11
10-5305-11	Grounds Maintenance	20,000.00	0.00	4,307.87	21.54
10-5305-13	Janitorial Supplies	2,000.00	0.00	294.02	14.70
10-5305-14	Security MonitoringMaint	5,000.00	0.00	1,184.23	23.68
10-5305-15	Plant Maintenance	40,000.00	562.30	12,458.05	31.15
10-5305-16	Intake Structure Maintenance	10,000.00	9,164.54	9,164.54	91.65
10-5305-17	Membrane Maintenance	15,000.00	-8,140.85	1,234.03	8.23
10-5305-20	Safety Supplies	10,000.00	451.81	3,940.77	39.41
10-5310-00	Small Tools & Equipment	10,000.00	168.73	651.07	6.51
	Materials & Services	1,449,950.00	116,396.10	739,718.24	51.02
	Transfers & Contingencies				
10-7300-13	Transfer to Plant Reserve	600,000.00	50,000.00	350,000.00	58.33
10-7300-19	Transfer Rev Bond Redemption	80,000.00	0.00	80,000.00	100.00
10-9000-00	Operating Contingency	350,000.00	0.00	0.00	0.00
	Transfers & Contingencies	1,030,000.00	50,000.00	430,000.00	41.75
10	General Fund	350,712.00	-25,188.25	1,680,573.09	479.19
13	Plant Reserve				
	Beginning Fund Balance				
13-3000-00	Fund Balance	4,680,270.00	0.00	4,781,560.03	102.16
	Beginning Fund Balance	4,680,270.00	0.00	4,781,560.03	102.16
	Revenue				
13-4010-00	Interest Income	50,000.00	1,191.28	13,920.27	27.84

Account Number	Description	Budget	Period Amt	End Bal	% ExpendCollect
13-4100-10	Transfer In - General Fund Revenue	600,000.00 650,000.00	50,000.00 51,191.28	350,000.00 363,920.27	58.33 55.99
	Capital Outlay				
13-7000-20	Equipment	317,000.00	0.00	86,477.84	27.28
13-7000-20	Equipment Buildings	63,000.00	0.00	0.00	0.00
13-7000-50	Other	75,000.00	1,454.73	20,326.20	27.10
13-7000-00	Capital Outlay	455,000.00	1,454.73	106,804.04	23.47
	Transfers & Contingencies				
13-9000-00	Operating Contingency	300,000.00	0.00	0.00	0.00
	Transfers & Contingencies	300,000.00	0.00	0.00	0.00
13	Plant Reserve	4,575,270.00	49,736.55	5,038,676.26	110.13
17	Bond Reserve				
	Beginning Fund Balance				
17-3000-00	Fund Balance	102,472.00	0.00	102,321.03	99.85
	Beginning Fund Balance	102,472.00	0.00	102,321.03	99.85
4= 4040.00	Revenue	4.000.00	2.20	201.12	20.44
17-4010-00	Interest Income	1,000.00	36.28	304.42	30.44
	Revenue	1,000.00	36.28	304.42	30.44
17	Bond Reserve	103,472.00	36.28	102,625.45	99.18
19	Bond Redemption				
	Beginning Fund Balance				
19-3000-00	Fund Balance	318.00	0.00	2,327.85	732.03
	Beginning Fund Balance	318.00	0.00	2,327.85	732.03
	Revenue				
19-4010-00	Interest Income	7.00	4.27	4.27	61.00
19-4100-10	Transfer In - General Fund	80,000.00	0.00	80,000.00	100.00
	Revenue	80,007.00	4.27	80,004.27	100.00
	Materials & Services				
19-5390-20	Principal	75,000.00	0.00	75,000.00	100.00
19-5390-25	Interest	2,025.00	0.00	2,025.00	100.00
19-5390-50	Fiscal Agent Fees	750.00	0.00	0.00	0.00
	Materials & Services	77,775.00	0.00	77,025.00	99.04
19	Bond Redemption	2,550.00	4.27	5,307.12	208.12
Revenue Total		3,454,007.00	224,093.86	2,441,274.46	0.7068
Expense Total		3,881,725.00	199,505.01	1,581,081.95	0.4073
Grand Total		5,032,004.00	24,588.85	6,827,181.92	1.3568

March 24, 2022

Agenda Item 7.2

Subject: Operations Report

Presenter(s): Joe Rogers, Plant Supervisor

Board Action: Open discussion

Attachments: None

Topics

Monthly Production

<u>January:</u> The plant produced a total of 151.1 million gallons at an average day rate of 4.87 MGD. Of the total water produced, the slow sand filter produced 104.10 million gallons and the membrane filters produced 48.83 million gallons. The highest production day for the month was 6.0 MGD. The Commission did not purchase or sell water to South Fork during this month.

<u>February:</u> The plant produced a total of 136.10 million gallons at an average day rate of 4.86 MGD. Of the total water produced, the slow sand filter produced 129.21 million gallons and the membrane filters produced 7.15 million gallons. The highest production day for the month was 8.2 MGD. The Commission did not purchase or sell water to South Fork during this month.

Staff Notes

NCCWC staff have finished one of the planned capital expenditures, coating the garage floors with an epoxy finish. Staff have also purchased a new fleet vehicle, a Toyota Tacoma, another planned capital expenditure. Staff cleaned the Flocculation basin and replaced the aging stir motors. Staff have been constantly maintaining and pinning the membrane filters as well as cleaning the slow sand filters, as needed.

March 24, 2022

Agenda Item 7.3

Subject: Manager's Report

Presenter(s): Wade Hathhorn, General Manager

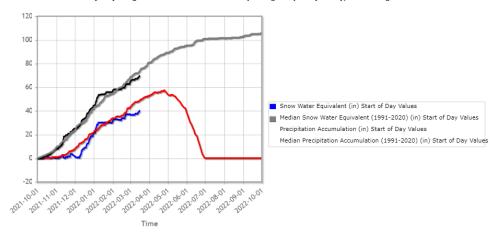
Board Action: Open discussion

Attachments: None

Update on Snowpack

The snowpack on Mt. Hood this (water) year started off essentially non-existent and then jumped to a "median" year, both in terms of snow water equivalent (SWE) and total precipitation (PREC). More recently, the numbers are tending below historic medians.

Mt Hood Test Site (651) Oregon SNOTEL Site - 5370 ftReporting Frequency: Daily; Date Range: 2021-10-01 to 2022-09-7



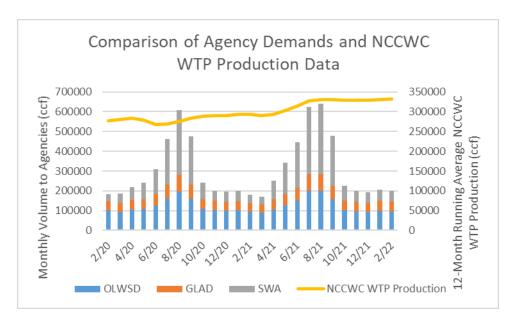
The lower pair of graphs show the snow water equivalent at Mt. Hood (the legend is in error) compared to historic data. The area beneath this "curve" represents the volume of water stored at elevation in the snowpack. This is an indirect measure of the "stored water" (aside from groundwater) available for potential runoff (i.e. river flow). The data suggest potentially lower volumes of anticipated runoff and possibly lower river flows in late summer and thereafter.

Staffing Update

Staff is pleased to announce the addition of a new plant operator, Patrick Barr. Patrick comes to the NCCWC after spending several years on the plant staff at So. Fork. With this addition, the plant manager is looking forward to the assistance of an additional experience member of the staff, along with much improved resiliency during regular and emergency operations.

Summary of Production and Deliveries

The graph below shows a 12-month rolling average of total production and monthly deliveries to member agencies:



The seasonal impacts on demand (deliveries) are evidenced in the drop observed across subsequent summer periods. There is also an upward trend forming in the 12-month rolling average for total production. This would be supported by the known growth occurring within the Sunrise Water Authority.

Search for a New Plant Manager at CRW

The long-time plant manager at CRW, Rob Cummings, has announced his retirement. Rob has been at the CRW plant for more than 40 years. A formal search for his replacement is currently underway.

New CEO at So. Fork

The long-time General Manager and CEO of So. Fork, John Collins, formally retired at the end of 2021. He has been replaced by Wyatt Parno. Wyatt's professional background includes serving as the former Finance Director for the City of Oregon City. Wyatt actually began the position (in transition) back in October, 2021.

Virtual Treatment Plant Tours

The NCCWC is a member of the Clackamas River Water Providers (CRWP). The CRWP has a number of useful links and paths to informational resources about our watershed and the partnerships among the various municipal users on the river. For those interested in a virtual tour of our plant or any of the other plants on the river, go to: https://www.clackamasproviders.org/treatment-plant-tours/