

Tualatin Valley Water District



BOARD OF COMMISSIONERS
1850 SW 170th AVENUE
REGULAR MEETING MINUTES
MARCH 20, 2013

Present:

Commissioners: Dick Schmidt, Marilyn McWilliams, Jim Duggan (Commissioners Jim Doane and Richard Burke were absent)

Management

Staff: Mark Knudson, Patty Rupp, Todd Heidgerken, Dale Fishback, Brenda Lennox, and Paul Matthews

Staff: Bob Shields, Amy Heinlen

Legal Counsel: Clark Balfour

Public: None

Note: Unless otherwise indicated the term “Motion carried” means the action of the Board of Commissioners was unanimous.

President Schmidt called the Regular meeting of the Tualatin Valley Water District (TVWD) Board of Commissioners to order at 7:00 p.m.

REPORTS BY CHIEF EXECUTIVE OFFICER AND MANAGEMENT STAFF

Mark Knudson, Chief Engineer, and Acting in Capacity for Chief Executive Officer (CEO), Greg DiLoreto, covered the following for the Board:

Arranmore Update

- a) Based on the Board’s decision last month, staff has seen a small increase in backflow prevention compliance by homeowners in the Arranmore development. About 40 homes have now achieved full compliance and several homeowners have requested initial inspections.
- b) Staff has reviewed installation options and has found it is often possible to install the devices in garages, which will help minimize costs to homeowners.
- c) Reminder letters were sent last week to approximately 100 homeowners who are currently not in compliance and advised them of the new deadline of July 1, 2013.
- d) In response to board direction, staff is developing hardship criteria to provide homeowners additional time to comply, when appropriate. The Arranmore Home Owners Association is also willing to have someone from the Homeowners Association Board serve on a panel that will review and approve any hardship requests.

Long-Term Water Supply Outreach

Mr. Knudson reported that staff has several meetings scheduled as part of the ongoing outreach efforts related to long-term water supply planning:

- a) CPO3 in Garden Home on Thursday, March 21
- b) CPO4M in Metzger on Wednesday, March 27
- c) CPO6 in Aloha on Thursday, April 4

At the next Board Work Session on Tuesday, April 2, staff will present the final draft of the technical memoranda related to the update of the District's water supply strategy.

(Additional details on these meetings can be found on the District's website at tvwd.org.)

Kids' Calendar

Staff has emailed local schoolteachers and principals to solicit artwork for the next TVWD Kids' Calendar Contest - this year's theme is "Water Used in All Seasons." The deadline for entries is May 16. Frank Reed will be contacting the Commissioners in early May to coordinate a time for Board members to help select the winning entries.

Beaverton - South Cooper Mountain Planning

Mr. Knudson explained that on March 19, he and Senior Engineer, Stu Davis, attended a meeting with the City of Beaverton and other community organizations to begin the community planning process for the South Cooper Mountain annexation area (just north of Scholls Ferry Road & Roy Rodgers Road that was brought into the Urban Growth Boundary last year). TVWD will be participating in this community planning effort over the next 18 months since this could be an excellent opportunity to accommodate regional infrastructure, such as a water reservoir and transmission pipeline corridors, and incorporate those features into the community plan.

Department Report

Mr. Heidgerken, Manager of Community and Intergovernmental Relations (OCIR), provided the department report. His report focused on the processes of water related State and Federal legislation. Due to the time-certain agenda item at 7:10 p.m., Mr. Heidgerken finished his report after that item.

TIME CERTAIN (7:10 PM) AGENDA ITEM #6, ACCEPTANCE OF LETTER OF RETIREMENT FROM CHIEF EXECUTIVE OFFICER, GREG DILORETO

At 7:10 p.m., President Schmidt suspended the agenda and moved the meeting to Business Agenda Item #6, at which time CEO, Greg DiLoreto, joined the meeting from out of state via speakerphone.

Mr. Knudson explained that Mr. DiLoreto has had a recent change of plans regarding his retirement date, and wishes to retire earlier than anticipated.

Mr. DiLoreto indicated that on March 5, 2013 he had provided the Board members his letter of retirement to become effective October 31, 2013. He stated that at that meeting he had a verbal conversation with the Board regarding potential changes due to legislation to the Public Employees Retirement System (PERS), which could have an impact on his October 31 retirement date.

He said it has become evident that the proposed changes to PERS would have a significant impact, as thought. As a result, Mr. DiLoreto said he had prepared a second letter that was sent to the Board with revised changes to his retirement date. He indicated that his contract with the Board requires that he give a 90-day notice of separation.

Mr. DiLoreto requested that the Board waive the 90-day notice period, accept the March 20, 2013 retirement letter, and approve the proposed retirement date of March 28, 2013. He proposed to work hourly to fulfill his obligations through June 28, 2013. He mentioned that a Special meeting of the Board could be scheduled for March 26 to approve the changes, should this work for the Board.

Legal Counsel, Clark Balfour, suggested that the March 26 date to wrap up a “work-back agreement” as suggested by Mr. DiLoreto could be difficult to meet due to other obligations of staff. The agreement could be ready for the April 24 Board meeting with a retroactive date back to April 1. Mr. DiLoreto agreed that this could work if the Board agreed.

Mr. Balfour proposed language for a motion for the Board to move forward.

Mr. Knudson reported that Amy Heinlen, Director of Human Resources, had been in contact with the District’s labor attorney who offered advice. The retirement date would be March 28 and the “work-back agreement” would begin retroactive to April 1, 2013 and run through June 28, 2013. The proposed agreement would be considered by the Board at the April 24, 2013 meeting.

It was moved by Commissioner Duggan and seconded by Commissioner McWilliams to move forward as as described by Mr. Balfour to:

- a) Waive the 90-day notice period in Mr. DiLoreto’s existing employment agreement
- b) Accept Mr. DiLoreto’s retirement letter dated March 20, 2013
- c) Accept Mr. DiLoreto’s proposed retirement date of March 28, 2013

The motion carried.

President Schmidt explained that he would work with the Amy Heinlen to prepare a “work-back agreement” for Mr. DiLoreto. The proposed agreement would be considered by the Board at the April 24 Board meeting.

OCIR Department Report continued:

Mr. Heidgerken then finished his report. He indicated that should a Board member be interested in receiving a copy of the legislation proceedings tracked by Special Districts of Oregon, to contact him.

REPORTS OF MEETINGS ATTENDED AND COMMISSIONER TOPICS

A report was given by each Board member of meetings they attended for the month.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None

CONSENT AGENDA

President Schmidt noted that approval of the February 20, 2013 Regular Board minutes would take place at the April 24 Board meeting since Commissioner Duggan and Commissioner McWilliams did not attend that meeting.

It was moved by Commissioner McWilliams and seconded by Commissioner Duggan to approve consent agenda item 5.1, Work Session minutes of February 5, 2013. The motion carried.

ADJOURNMENT

There being no further business, and without objection, President Schmidt adjourned the meeting at 7:48 p.m.

BOARD OF COMMISSIONERS
TUALATIN VALLEY WATER DISTRICT

BY _____ BY _____
President, Dick Schmidt Secretary, James Doane

Date Approved: May 15, 2013