

COOS BAY-NORTH BEND WATER BOARD  
P O BOX 539 – 2305 Ocean Boulevard  
Coos Bay, Oregon 97420

Minutes  
Regular Board Meeting

September 20, 2023  
7:00 a.m.

Coos Bay-North Bend Water Board met in open session in the Board Room at the above address, date, and time with Chair Greg Solarz presiding. Other Board members present: Carmen Matthews, Rob Kilmer and Bill Richardson. Board Members absent: None. Water Board staff present: Ivan D. Thomas, General Manager; Matt Whitty, Engineering Manager; Jeff Page, Operations Manager; Jeff Miller, Water Treatment Supervisor; Rick Abbott, Distribution Supervisor; Jeff Miller, Water Treatment Supervisor; Jeff Howes, Finance Director; Micah Demanett, Meter Services Supervisor; Aimee Hollis, Customer Relations Manager; Vince Stonesifer, Field Services Technician; and Karen Parker, Administrative Assistant. Board Legal Counsel Melissa Cribbins was present. Media present: None.

Chair Solarz opened the meeting at 7:00 a.m. and asked Mr. Matthews to lead the Board and assembly in the Pledge of Allegiance.

Chair Solarz asked if there were any corrections or additions to the August 17, 2023, Regular Board meeting minutes. Mr. Solarz moved the minutes be approved as written. The motion was seconded by Mr. Matthews and passed unanimously.

Chair Solarz asked if all Board members had reviewed the September 7<sup>th</sup> Discussion comments and all members confirmed they had. Mr. Solarz moved to approve the September 7, 2023 Discussion comments. The motion was seconded by Mr. Kilmer and passed unanimously. Mr. Solarz asked if there was any further discussion on this topic. Mr. Richardson commented he would like to be updated as he was absent when Travel Southern Oregon Coast gave their presentation.

Mr. Thomas stated Travel Southern Oregon Coast gave their presentation about biking trails with the hopes the Water Board would consider moving forward with the opportunity to build trails on the watershed. The presentation was very thorough and included how the process went from start to finish with the Whiskey Run biking trails. Eddie Kessler, the trail builder of Whiskey Run, also gave information on the project. Board members thanked the Travel Southern Oregon Coast group and Mr. Kessler for their presentation and stated this would be brought back to the Board for consideration at a later date. If the Board agrees to move forward with this project, an agreement would be drawn up with the group who would help build and maintain the biking trails based on where the biking trails would be and any other information the Board wanted to include in the agreement.

Mr. Richardson inquired if Travel Southern Oregon Coast had a specific area in mind to build the biking trails. Mr. Thomas stated it would not be advisable to build trails in the main part of the watershed due to the restraints with ODF&W and forestry buffers. Water Board staff discussed the possibility of using property at Joe Ney as there are not as many buffers and environmental restrictions.

Mr. Matthews agreed Joe Ney would be a good area especially since it is close to the BACAPA field complex and a possibility for a symbiotic relationship with BACAPA that may potentially work with parking and/or facilities, and benefit both parties.

Chair Solarz asked if there were any public comments and there were none.

Regarding proposed Resolution No. 402 Declaring an Emergency and Exempting Emergency Repairs on Newmark Avenue, Engineering Manager Matt Whitty stated on July 26, 2023 the Water Board experienced a catastrophic main failure on the 12-inch cast iron main in Newmark Avenue at upper Edgewood. The resulting release of water uplifted the pavement damaging over 500 lineal feet of 13 foot-wide travel lane. The City of North Bend emergency services and public works department responded immediately and assisted with traffic control during the repair of the main and removal and replacement of the damaged travel lanes. North Bend also took advantage of the opportunity and replaced additional pavement that was not affected by the main break.

Newmark Avenue is a major street and the damage to the pavement required closure of both Eastbound lanes and the intersection of Newmark Avenue and Edgewood. The General Manager declared an emergency so that traffic and safe travel could be resumed on Newmark Avenue. Under the Board's rules for emergencies Division Heads can authorize expenditure of up to \$100,000 with final approval by the General Manager or LCRB.

The paving crew from Knife River Materials was immediately available. The Water Board has a favorable history with Knife River Materials with respect to paving costs so staff hired them to remove and replace the damaged pavement. The work was completed within 48 hours of the main break.

The limits of damage were determined by Water Board staff and North Bend Public Works. Staff roughly estimated the cost of repair at \$50,000. The final cost for Knife River's work was \$35,668. Staff were pleased with the total cost.

Knife River's invoice was lump sum without a quantity breakdown. Staff requested additional information from Knife River regarding the cost. Knife River provided average costs for mobilization, equipment and materials for recent paving bids. Those average costs applied to the quantities utilized for the emergency repair result in an amount of \$46,570.

After a brief discussion, Mr. Matthews moved to approve Resolution No. 402 and authorize payment of \$35,668 to Knife River Materials for the repair of damage to Newmark Avenue resulting from the July 26, 2023 main break. The motion was seconded by Mr. Richardson and passed unanimously.

#### **RESOLUTION NO. 402**

#### **RESOLUTION OF THE BOARD OF DIRECTORS OF COOS BAY-NORTH BEND WATER BOARD, ACTING IN ITS CAPACITY AS ITS OWN LOCAL CONTRACT REVIEW BOARD, DECLARING AN EMERGENCY AND EXEMPTING EMERGENCY REPAIRS ON NEWMARK AVENUE**

WHEREAS, the Board of Directors of the Coos Bay-North Bend Water Board (hereinafter Water Board), pursuant to ORS 279A.060 is the local contract review board (hereinafter LCRB) for the Coos Bay - North Bend Water Board; and

WHEREAS, the LCRB has adopted Permanent Public Contracting Rules and Rules of Procedure for Public Contracting for the Coos Bay – North Bend Water Board pursuant to Resolution 287, adopted April 7, 2005; and

WHEREAS, the LCRB has authority under ORS 279B.080 and ORS 279C.320 and Section 4.6 of its local public contracting rules to declare the existence of an emergency and authorize entry into an emergency procurement; and

WHEREAS LCRB Rule 4.6.3 (A) states the General Manager or his/her designee may declare the existence of an emergency and authorize Water Board to enter into an emergency procurement where the estimated contract price is less than \$100,000; and

WHEREAS, LCRB Rule 4.6.3 (C) provides that following the declaration of emergency, the General Manager, or his/her designee, shall immediately prepare a Resolution for approval of the emergency procurement contract by the Board of Directors for the Water Board at its next regularly scheduled session, or as soon as practical; and

WHEREAS, In making the findings required by ORS 279.015 (b) the LCRB may consider the type, cost, amount of the contract, number of entities available to bid and such other factors as may be deemed appropriate; and

WHEREAS, the Board of Directors of the Coos Bay – North Bend Water Board, acting in its capacity as the Water Board LCRB has determined that emergency circumstances exist which require the Water Board to procure the needed repairs on Newmark Avenue at upper Edgewood Drive.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The recitals above are true and accurate and are incorporated herein by this reference.
2. The findings supporting the declaration of an emergency for the repair to Newmark Avenue are as follows:
  - a. Knife River Materials has previously been hired by the Water Board to make repairs to asphalt concrete streets damaged due to water main breaks.
  - b. Knife River Materials is currently under contract with the Water Board to make repairs to streets on a non-emergency basis.
  - c. The replacement of pavement on Newmark Avenue was immediately necessary due to the extensive damage to this main arterial street in North Bend, Oregon.
  - d. Knife River Materials was immediately available to effect the necessary repairs.
3. Exhibit A, attached hereto and incorporated herein by this reference, documents the nature of the repairs required on Newmark Avenue and the cost for those repairs.
4. Based on the above findings and the content of Exhibit “A” the LCRB hereby declares an emergency and exempts the repair of Newmark Avenue from the competitive bidding requirements of ORS Chapters 279B and 279C. Further, the LCRB authorizes the General Manager to pay the cost of the repair as identified in Exhibit A.
5. The LCRB finds that the requirements of ORS 279C.305, ORS 279C.310 and ORS 279C.320, as well as the requirements of LCRB Rule 4.6 have been satisfied.

Adopted this \_\_\_\_ day of September, 2023.

COOS BAY-NORTH BEND WATER BOARD

By: \_\_\_\_\_  
J. Gregory Solarz, Chair

Operations Manager Jeff Page presented recent revisions to the Lead and Copper Rules set forth by the U. S. Environmental Protection Agency (EPA). The Lead and Copper Rule, in existence for nearly 30 years, has been updated to address current challenges and enhance protections against lead exposure, particularly for vulnerable populations such as children. The revised rule introduces proactive actions to reduce lead contamination, and the empowerment of communities through increased transparency and information sharing.

One of the pivotal components of the revised LCR is the requirement for water systems to conduct a thorough service line inventory. This inventory is instrumental in identifying and ultimately removing lead service lines, thereby ensuring the safety of drinking water. A service line is defined as the pipe(s), fittings, and meter running between the corporation fitting attached to a water main and a building's inlet. Ownership of the service line can be vested in either the water system or the property owner. Key elements of the service line inventory requirements include:

1. **Scope of Inventory:** Public water systems must conduct an inventory of all service lines, encompassing both the water system side and the homeowner side of the meter. This comprehensive approach guarantees a thorough understanding of the distribution system.
2. **Submission Deadline:** The results of the service line inventory must be submitted to the Oregon Health Authority's Drinking Water Services (DWS) by October 16, 2024. This timeline ensures that prompt actions can be taken based on the findings.
3. **Material Classification:** Service line materials are classified into four categories:
  - **Lead Service Line:** Any service line containing a portion of lead pipe connecting the water main to a building's inlet.
  - **Non-lead Service Line:** A service line established through evidence-based record, method, or technique to be non-lead or not requiring replacement. Service lines installed in Oregon post-1985 are automatically considered non-lead; service lines 2-inches in diameter and larger are also in this category.
  - **Galvanized Requiring Replacement Service Line:** A galvanized service line that has been downstream of any lead service line or unknown material line.
  - **Lead status unknown:** Service lines lacking documentation for material classification.
4. **Methodologies for Categorization:** Various methodologies can be employed to categorize service line materials, including records, installation date, service line size, customer data, and statistical analysis.
5. **Additional Actions for Unknown Lines:** While the initial inventory can include unknown lines, a plan must be in place to eventually categorize these lines. Public notices must be sent for lead, galvanized requiring replacement, and unknown service lines, ensuring transparency.
6. **Development of Replacement Plans:** Upon identifying lead service lines, water systems are mandated to develop lead service line replacement plans. These plans outline strategies and timelines for replacing lead service lines, thereby reducing the risk of lead contamination in drinking water.

120Water is a firm that specializes in helping water utilities navigate the complexities of LCR compliance. Their comprehensive program offers a range of services tailored to our specific needs, including:

1. **Service Line Inventory:** 120Water's program features the utilization of the statistical method to identify lead service lines accurately. This data-driven approach optimizes resource allocation, minimizing the need for costly and disruptive excavations.
2. **Statistical Analysis:** 120Water employs advanced statistical techniques to ensure accurate material classification of service lines. This method provides reliable results that can be extrapolated to the entire inventory.
3. **Technology Integration:** The firm provides solutions for efficient data collection, management, and reporting. This streamlines the entire compliance process, ensuring real-time insights and transparency.

Several water purveyors in Oregon have partnered with 120Water such as the City of Lake Oswego, the City of Wilsonville, the City of Tualatin, and Oak Lodge Water Services. In addition to Oregon, 120Water is also viewed as one, if not the nationwide leader in service line inventory consultation partnering with utilities such as the City of Louisville, Kentucky; City of Newark, New Jersey; City of Asheville, North Carolina; and the American Water Works Association case study for Denver Water, Denver Colorado and more.

Partnering with 120Water allows the Water Board to more efficiently meet the updated LCR requirements while still maintaining the needed level of service provided by the Distribution Section through:

1. **Gaining Efficiency:** The use of the statistical method for service line identification minimizes the need for disruptive excavations, saving valuable time and resources.
2. **Increasing Accuracy:** 120Water's statistical analysis ensures highly accurate results, reducing the potential for errors associated with other methods.
3. **Realizing Cost Savings:** By avoiding unnecessary excavations, the Water Board can significantly reduce costs while achieving compliance.
4. **Achieving Timely Compliance:** 120Water's technology-driven approach enables the Water Board to meet Lead and Copper Rule revision deadlines without delays.
5. **Receiving Expert Support:** Partnering with 120Water grants access to a team of experts who understand the complexities of compliance, providing valuable guidance and support.

120Water is the only company with a cloud-based technology platform and complementary services to manage the full life cycle of meeting compliance with the Lead and Copper Rule revisions. Due to these unique qualities, the purchase of the services qualifies as a Sole Source Procurement under the Water Board's Permanent Public Contracting Rules section 4.7.2(B). There is currently \$215,000 in the approved budget related to technical projects & surveys to meet Water Board needs.

Mr. Solarz asked if staff would use their services for more than one year. Mr. Page stated when talking with 120Water they indicated everything could be completed within one year, however if the Water Board needs additional time to use their services we can do so. There will be some new regulations extending these which will come out later this year or early next year. More provisions will be set and most likely will be focused on if lead is found in

the system. Mr. Page stated he spoke with another water agency working with 120Water and they did not find any lead in their system. Mr. Matthews inquired if staff anticipate the probability of finding any lead. Mr. Page stated if any lead is detected he feels it will be low. Mr. Matthews asked if there are funds budgeted for this project. Mr. Thomas stated the current budget includes \$215,000 for technical project and surveys. Mr. Matthews moved to authorize the General Manager to purchase Lead and Copper Rule revision compliance services provided through 120Water in the amount of \$30,349. The motion was seconded by Mr. Kilmer and passed unanimously.

Regarding the proposed Extension of on-call Paving Services with Knife River, Operations Manager Jeff Page stated the Water Board has an ongoing requirement to outsource certain paving repairs resulting from various projects and maintenance tasks, including addressing water main failures. Currently, the Distribution Section faces constraints in meeting all of these needs due to a staffing shortage and a lack of training and equipment to make significant repairs. Upon the completion of a project, Water Board staff installs temporary paving in affected areas and is responsible for its upkeep until permanent paving can be implemented. Ensuring that permanent repairs are finished within 30 days of project completion is crucial not only for public safety, but also to minimize staff time spent on temporary pavement maintenance.

On September 8, 2022, the Board granted approval for the allocation of \$75,000 towards on-call paving services. The Water Board sought price quotes from three local contractors through a Request for Quotes. Among them, Knife River was selected as the contractor that offered the most favorable value proposition to the Water Board and consequently received the award.

Because of the numerous ongoing maintenance and repairs, the initial \$75,000 allocation has nearly been depleted. As a result, staff is pursuing an extension of the award with Knife River to maintain the essential continuity of on-call paving services. Knife River's timeliness, high-quality work, and reasonable pricing have consistently provided excellent value for the Water Board.

During last year's budget presentation, Engineering Manager Matt Whitty highlighted the concerning trend of a consistent rise in water infrastructure leaks over the years. This increase is manifesting as a growing number of major water main breaks that result in substantial damage to our roadways. This is in addition to other pavement repairs that are needed for general maintenance of the distribution system and for customer funded jobs. This last year, staff have identified 10 pavement repairs that have accounted for \$58,386 of pavement repairs completed by Knife River. As a result, staff recommend extending on-call paving services through Knife River to a total amount of \$150,000. Attorney Melissa Cribbins commented staff is basically amending the contract, extending an additional \$75,000 under the original Request for Quotes. This would allow the Board to contract another \$91,614 of pavement repair with Knife River before it would have to readvertise for paving services. This would be anticipated to be completed sometime next fiscal year.

After a brief discussion, Mr. Matthews moved to authorize the General Manager to extend on-call paving services through Knife River in an amount up to and not to exceed \$150,000. The motion was seconded by Mr. Kilmer and passed unanimously.

The Board's next regular meeting was set for Thursday, October 5, 2023, at 7:00 a.m.

Updates were given as follows:

a. Updates:

- Highland Avenue 2-inch PVC Replacement Project – The water main is in, pressure testing has been done and the second set of bacti samples have been taken. The tie-in is scheduled for tomorrow and then the crew will start switching over services.
- Springbrook Interactive Voice Response Outbound and update in Shut-off Notification Methods –Staff have been using the IVR system which consists of voice calls rather than shutoff notices/door hangers since July. This is an adjustment period with customers as they are either not answering their phone or not listening to the voicemail that IVR leaves. Customers were notified in multiple ways months in advance that the utility would discontinue the use of door hangers. This has caused staff to have a large increase in shut-offs.

The IVR system attempts to call the customer up to three times, then it will send an email if we have one on file. Statistics from June 1, 2023 to current - a total of 3,500 IVR notifications were processed. Of those, 22,457 were phone calls, 1,041 of those were successful, 0 rejected calls, 535 incomplete calls, and 181 invalid calls. When customers call the office, Customer Service Representatives are working on obtaining updated contact information. CSR's are trying to obtain cell phone number so when the utility starts to use text messaging the customers will be notified in this manner as well. Staff are working with Springbrook before the text messaging will be rolled out.

- RFQ-SCADA System Master Plan – Request for Quotes have been solicited with a closing date of October 5, 2023.

At 7:32 a.m. Chair Solarz directed they go into executive session for the purposes of discussing potential litigation pursuant to ORS 192.660(2)(h), and personnel issues pursuant to ORS 192.660(2)(a). The Board returned to open session at 8:54 a.m.

There being no other business to come before the Board, Chair Solarz adjourned the meeting at 8:54 a.m.

Approved: \_\_\_\_\_, 2023

By: \_\_\_\_\_  
J. Gregory Solarz, Chair

ATTEST: \_\_\_\_\_