

AGENDA

2015 June 11

Regular Meeting: 6 pm

Lincoln City, Council Chambers

801 SW Hwy 101, 3rd Floor



Devils Lake Water Improvement District

Post Office Box 974, Lincoln City, Oregon 97367

Phone: (541) 994-5330 Fax: (541) 994-6040

www.DLWID.org

Quick Look:

- **Budget Hearing**
- **Mobile-Friendly Website**
- **Contracts**

I. Roll Call

II. Consent Agenda

- a. Minutes of the Previous Meetings
- b. Financial Report

III. Budget Hearing FY 2015-2016

- a. Budget Committee Recommendation
- b. Board of Directors Questions & Comments
- c. Public Comment Period: *(Please limit comments to time limit as outlined by Chair)*
- d. Board Discussion
- e. Budget Adoption & Resolutions

IV. Comments from Citizens Present on Agenda/Non-Agenda Items: *This is an opportunity for members of the audience to bring to the District's attention any item not listed on the agenda for public hearing. Comments are limited to five (5) minutes per citizen and the Board of Directors may use the light system. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. At the conclusion of this agenda item, a board member may discuss or raise questions regarding an item presented by a citizen. The Chair has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.*

V. Unfinished Business

(Agenda Support Item A)

- a. The Devils Lake Plan
 - i. Septic / Sewer
 - ii. Save our Shoreline
 - iii. Vegetation Management
- b. Communications Report
- c. Safety Report
- d. MidCoast TMDL
- e. East Devils Lake Road
- f. Harmful Algal Blooms
- g. Replacement of the Water Impoundment Device (The dam)

VI. New Business

(Agenda Support Item B)

- a. Water Quality
- b. Contracts

VII. Non-agenda Item

VIII. Additional Comments from Citizens Present on Non-Agenda Items: *This is an opportunity for members of the audience to bring to the District's attention any item not listed on the agenda for board discussion. Comments are limited to five (5) minutes per citizen, and the Board of Directors may use the light system. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. At the conclusion of this agenda item, a board member may discuss or raise questions regarding an item presented by a citizen. The Chair has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.*

IX. Board Comments & Announcement

X. Adjournment

Meetings of DLWID are handicapped accessible under the ADA.

If special accommodations are needed, please contact the District Office at (541) 994-5330 48 hours prior to the meeting.

**Staff Reports 2015-06-11
Robertson**

Consent Agenda:

- Minutes of the Previous Meeting
- Financial Report

Budget Hearing:

- [Notice of Public Hearing](#)
- Link to [Budget Recommendation](#), no substantive changes from Budget Officer Version.
- Proposed Resolutions

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Resolution 2015-03
Adopting the Budget

Be it resolved that the Board of Directors of the Devils Lake Water Improvement District hereby adopts the budget for the fiscal year 2015-2016 in the sum of \$1,239,029 now on file at the District's offices located at Oregon Coast Community College, 3788 SE High School Drive, Lincoln City, Oregon.

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Resolution 2015-04
Resolution Making Appropriations

Be it resolved that the Board of Directors of the Devils Lake Water Improvement District hereby appropriates the following monies for the fiscal year 2015-2016 for the amounts and purposes shown below:

General Fund

Personnel Services	85,621
Material & Services	138,739
Debt Service	15,000
Capital Outlay	750
Contingencies	200
Transfers	102,421
Appropriated Funds	<u>\$342,732</u>

Improvement Fund

Personnel Services	1
Material & Services	310,491
Debt Service	0
Capital Outlay	408,581
Transfers	0
Appropriated Funds	<u>\$719,073</u>

TOTAL Appropriated Funds **\$1,061,805**

Non -Appropriated Budget Requirements

General Fund (UEFB)	100,000
Improvement Fund	<u>77,224</u>

Total Non-Appropriated Funds **\$177,224**



Resolution 2015-05
Imposing the Tax and Categorizing the Levy

IMPOSITION of the TAX

Be it Resolved that the Board of Directors of the Devils Lake Water Improvement District hereby imposes the taxes provided by in the adopted budget at the rate of .2499 per thousand of assessed value for properties within the "Inside Boundary" and at a rate of .1280 per thousand of assessed value for properties in the "Outside Boundary"; and that these taxes are hereby imposed and categorized for the tax year 2015-2016 on all taxable properties within the district.

CATEGORIZATION of the TAX

General Government Limitation

General Fund "Inside Boundary" \$0.2499 per \$1,000
General Fund "Outside Boundary" \$0.1280 per \$1,000

Excluded from Limitation

Not Applicable



Unfinished Business

Agenda Support Item A

- a. **The Devils Lake Plan:** A watershed based plan adopted by the Board in 2011 that seeks to address the root causes of nuisance aquatic vegetation and/or Harmful Algal blooms which are excessive nutrients.

Executive Summary excerpt:* “Devils Lake is a shallow, 680 acre coastal lake that has long suffered from the effects of inputs of excess nutrients. Most prominent of these effects was the domination of the lake by nuisance aquatic plants in the 1980’s. Aquatic weed infestations largely choked the lake covering over 60% of the surface. Recreation was greatly impacted, and property values were in decline. In 1984, a local government entity, Devils Lake Water Improvement District (DLWID), was formed with the purpose of improving water quality, improving the environment for fish and wildlife, and generally reestablishing beneficial uses, including safe navigation and public access.

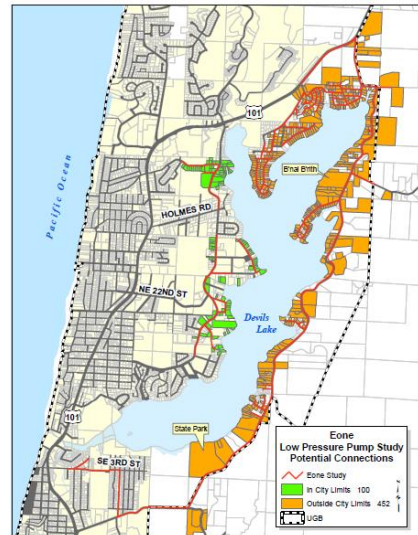
“Current concerns in the watershed are ongoing inputs of nitrogen and phosphorus, increasing sedimentation, erosion, stormwater, annual cyanobacteria blooms, and the threat of the return of nuisance aquatic plants to the lake.”

*View the full document online:

http://www.dlwid.org/Projects/Devils_Lake_Plan/Devils_Lake_Plan_v2.1.pdf

Projects within the scope of the plan are being worked on simultaneously and are listed on the Agenda and in this staff report as subheadings. Updates to the work on the projects are presented month to month as change happens and are left on the agenda until the project is complete. For a full background and all updates, please refer to previous staff reports and the Projects Page of the District’s Website under these headings:

<http://www.dlwid.org/Projects.html>



i. Septic / Sewer

- <http://www.dlwid.org/Projects.html#Septics>
- <http://www.dlwid.org/Projects.html#Sewer>

Updates from Commission Bill Hall:

- 1) The county will deliver a buildable lands inventory to DLWID by July 1.
- 2) County Counsel Wayne Belmont reports he and the Lincoln City attorney have previously exchanged drafts of a UGMA, and he's definitely willing to continue/restart that conversation.

From City Budget:

Sewering the Lake

Need a partnership with the County
Could be a large LID/Reimbursement District

To Do and Pending Items:

- Mandatory Septic System Inspection Ordinance: Lincoln City

- Full buildable lands inventory: Lincoln County - By July 1
- Urban Growth Management Agreement: Lincoln City and Lincoln County, with FY 2014-2015, DLWID to provide comments to City.
- Sewer Master Plan Update: Lincoln City – under city review.
- Environmental Review of low pressure sewer backbone: City & DLWID – Under City review

Voyage LID: (Chair Green): Local Improvement District given the go forth from City Council along with reimbursement district. City budget states the following:

LID's –

Leverage the Unbonded Assessment as possible
 Borrow construction funds to build the project
 Sell Assessment Bonds (Bancroft Bonds)
 Repay the construction loans with the proceeds of the assessment bonds
 Begin the construction process for next LID
 Repay the Assessment bonds with assessment receipts from the property owners

City Budget Link:

http://www.lincolncity.org/vertical/sites/%7BDDC39B4D-9F7A-4251-AEA0-F594E7F89DDB%7D/uploads/City_Proposed_Budget.pdf

ii. Save our Shoreline (SOS): No Update

- <http://www.dlwid.org/Projects.html#SOS>

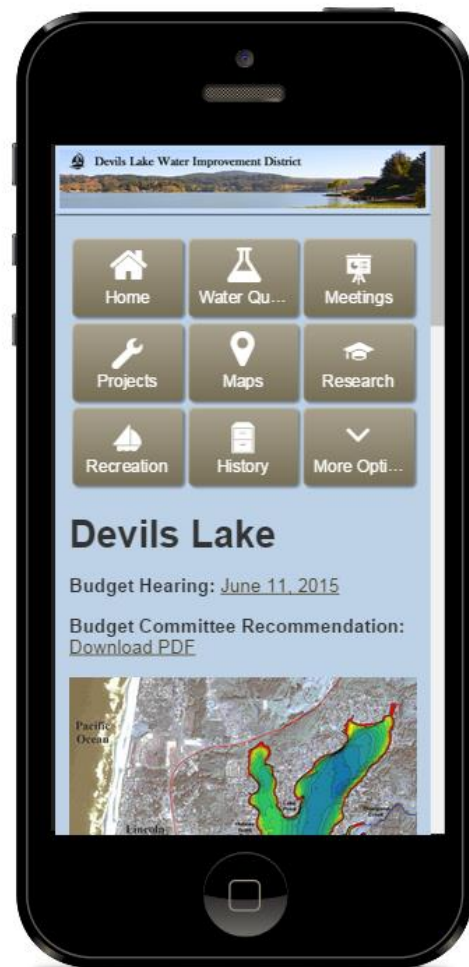
iii. Vegetation Management: No Update

- <http://www.dlwid.org/Projects.html#Vegetation>

b. Communications Report

- Internet Streaming: Meetings the DLWID are now available for live streaming and/or recorded streaming on the internet. The internet feed can be accessed via the City's website: <http://www.lincolncity.org/> by clicking on Agenda, Packets & Video or from the following link: <http://lincolncityor.iqm2.com/citizens/default.aspx>
- Government Access Channel 4: The District's monthly meetings continue to be broadcast live and throughout the month repeatedly airs. This channel is available for Charter subscribers.
- Social Media: The District uses these social media components to reach the general public periodically.
 - YouTube: <http://www.youtube.com/user/DLWID>
 - Facebook: <https://www.facebook.com/DevilsLake.Oregon>
 - Twitter: https://twitter.com/Devils_Lake

- KBCH am 1400: The District has had a standing interview spot on the THIRD Tuesday of the Month from 7:30 – 8:00 am.
- 100 History of Devils Lake:
http://www.dlwid.org/Communications/Know_Your_Lake/100_Year_History.pdf
- Know Your Lake: The District, led by Chair Brian Green, has been publishing informational articles in the News Guard. The articles are meant to inform the public on the activities of the District. You can download copies of the articles from our website's Project Page:
<http://www.dlwid.org/Projects.html>
- Devils Lake Radio 1610 am: Short recorded messages broadcasted on 10 KW AM frequency from Regatta Grounds.
- Clearwater E-Newsletter: Spring issue released in conjunction with equinox.
<http://myemail.constantcontact.com/Clearwater-e-Newsletter--Spring-2015-edition.html?soid=1102761961457&aid=at52BELKxWA>
- Devils Lake Revival: Saturday, July 18th secured for the event at Regatta Grounds. Based on last month's decision to go with a professional planner, additional vendors were solicited in accordance with ORS 279 B. Through the selection process Belinda Goody of Fest-Eval is now under contract to organize the event. Contract is for \$6,000. We have an additional budget of \$3,000 for prizes, permits, rentals, special events, music, advertising, t-shirts, etc.
 - Note: Unable to get pontoon boats this year due to changes in vendor's insurance who rented them to us. Working collectively to develop alternate attractions.
- Website: In response to the growing number of people utilizing smaller devices to access the web, a mobile friendly website was developed by staff and is now operational. This website version automatically populates when our existing website is visited on a mobile device such as an iPhone, Blackberry, Android or Windows phone. Changes to the regular website are automatically updated to the mobile version



and are customizable as well. All pages are visible, but may have a different, mobile-friendly layout. An option to view the classic version is offered at bottom of individual pages. Cost to the District was a one-time, lifetime membership, \$159 fee though dudamobile.

- **Office Hours:** In an attempt to provide some drop in times when staff can be predictably reached at the office, we are offering some standardized office hours. There invariably may be some times when conflicts arise or staff is out during a week, but the following are being provided.
 - Tuesday / Thursday: 2pm-5pm
 - Monday / Wednesday / Friday: by appointment

This information has been posted to our website and is posted at the office door (OCCC, Room 132).

c. **Safety Report** (Robertson) No incidents or updates. Safety is no accident!

d. **MidCoast TMDL** (Robertson)

- <http://www.dlwid.org/Projects.html#TMDL>

Department of Environmental Quality (DEQ) has begun the planning process for developing an Implementation Ready - Total Maximum Daily Load (IR-TMDL) for 303(d) listed waterbodies in the Oregon Mid-Coast Basin. The initiation of this TMDL process has been a long-time in the works and the process itself will be lengthy stretching over the next 18 - 20 months. Devils Lake is listed for Weeds/Algae, Chlorophyll a and pH and Thompson Creek is listed for fecal coliforms, and thus as a local government we have been invited to participate. Notably, temperature listings are also proposed by EPA for the lake and one of its tributaries. Representatives from local, state and federal government, special districts, Tribal Nations, private industry, forestry, agriculture, conservation, NGOs, watershed councils, landowners, and others were also identified.

- Links to the DEQ's website are posted below.
<http://www.deq.state.or.us/WQ/TMDLs/midcoast.htm>
<http://www.deq.state.or.us/WQ/TMDLs/midcoastLSAC.htm>

Stakeholder Meeting: No meetings since our last DLWID meeting. View the website for more information.

Bacteria Technical Working Group: No meeting since our last meeting.

e. **East Devils Lake Road:** participated in Stakeholder group, May 21 9 am-12 which was organized by Oregon Solutions as part of Governor Brown's Regional Solutions Team. Consensus is that Oregon Solutions would be a good means to further address the issues surrounding the flooding, but comes with a facilitation cost – 50% match, which might be estimated to be \$15,000. This would have to be shouldered by the group. Given DLWID's interest we may want to consider assisting in such (e.g. \$5,000) which then other local partners could be solicited for additional match (e.g. City & County). All of this is all preliminary at this point, but Oregon Solutions is developing a formal cost and scope. Obviously with the cash match, more than just Oregon Solutions is afforded as it provides a formal mechanism to have the participation of DSL, ODFW, and others. Meetings would

likely be held at Oregon Coast Community College which as we are tenants I volunteered as an option for additional cost savings to the process. Once Oregon Solutions has a proposal, this can be circulated to local partners to formally seek support.

f. Harmful Algal Blooms: <http://www.dlwid.org/Projects.html#Aeration>

Aeration/Oxidation Project: The District is developing a contract with Dr. Alex Horne as discussed last month. Updates to be shared as available. Dr. Horne has solicited the support of Dr. O'Hara from Wales and Mike Henry and another engineer at HBH Consulting out of Portland. When we receive their specific proposal I will forward it to the Board. As a matter of full disclosure Dr. O'Hara is a patent holder of a particular air flow regulator Dr. Horne will be specifying as part of the design as it his (Dr. Horne's) professional opinion that this flow regulation is critical in the even distribution of air in these systems. Other systems rely on complicated manifolds for distribution which are reportedly difficult to maintain consistent pressure on larger systems as would be needed in Devils Lake. The flow regulators as I understand are inline towards the terminus of the lines, prior to the diffusers. All of this would of course be illustrated in the bid documents which will be developed. Having a properly designed system will be critical in not only having the system work, but in seeking funding. Notably having Dr. Horne as the lead will in my estimation sit favorably within the eyes of any funding entity investigating our ultimate proposal as his name recognition is among the highest in the world of limnology.

g. Replacement of the Water Impoundment Device (The dam)

At its last meeting the District decided to solicit a formal letter from Professor Prichet (sp?) at Oregon State University through Director Norris and then to ask the hydrologists, Ellingson and Eilers to review his and ask him to review their assertions. This would be done to see if a better understanding can be determined about the capacity for dam replacement to facilitate sediment transport and other hydrological functions. Subsequent to determining such, further actions may be called for including direction to seek a permit and specifics of the design as discussed in last month's staff report.

New Business:

A. **Water Quality:** DLWID has begun its summertime recreational water quality monitoring program. This is done weekly. Updates available online, in the field and in your inbox through our listserv, and now in your smartphone.

B. **Contacts:** The Board has been provided copies of proposed contracts it currently holds for renewal. A summary of changes are provided here.

Lake Manager: Maintains \$66,000 salary and benefits in FY 2015-2016. Cost of Living Adjustments equal to federal index provided annually up to a maximum of 3%. Annual contract reviews are to be made in time for budget process. Contract term and conditions changed to be reflective of other similar positions (e.g City Manager) which is Lake Manager works at the pleasure of board. Severance equal to 90 days salary and benefits provided for discharge without cause. Any for cause discharge would be without severance.

Lake Contractor: Contractor requesting to continue and maintain 424.69/month flat rate for year-long contract with no changes.

Note: Bill Sexton of B.X. Sexton Construction has been elected to the DLWID board. While it is not prohibited to award a contract to a seated or soon to be seated member of the board additional scrutiny may be in the best of interest of the District and the Contractor. The District may choose to solicit additional bids before awarding a contract. Ethic concerns arise when there is a “close connection”. Further potential and actual conflicts which will limit or preclude Director-elect Sexton from some proceedings would include any discussion or actions which would lead to more or less work for the contractor, including budget issues, as well as obviously any additional renewals of such a contract during his term of service.

Legal Services: Increase in legal fees from 160/hr to 170/hr. No other changes.

Payroll Specialist: Maintains \$35/hour rate with no changes to scope.

Recorder: Maintains \$30/hour rate with no changes to scope.

