

**CANBY UTILITY**  
**REGULAR BOARD MEETING**  
**NOVEMBER 10, 2020**  
**7:00 P.M.**

**AGENDA**

*Due to COVID-19 Pandemic, the Board of Directors and staff will be attending the meeting virtually. The public is invited to attend the meeting virtually or in person at Canby Utility's office, with measures in place to comply with the Governor's Executive Order regarding social distancing.*

- I. CALL TO ORDER
- II. AGENDA
  - Additions, Deletions or Corrections to the Meeting Agenda
- III. CONSENT AGENDA
  - Approval of Agenda
  - Approval of Regular Board Meeting Minutes of October 13, 2020 (pp. 1-5)
  - Approval of Write-Offs
  - Approval of Payment of Water and Electric Bills
- IV. CITIZEN INPUT ON NON-AGENDA ITEMS
- V. BOARD REPORT
  - Chairman Comments
  - Board Member Comments
- VI. STAFF REPORTS

Customer Service Supervisor:

  - Annual Red Flag Rules Update (pp. 6-14)
  - COVID-19 Utility Billing Comparison (pp. 15-16)

General Manager Updates
- VII. EXECUTIVE SESSION The Canby Utility Board will adjourn its regular meeting to go into executive session pursuant to ORS 192.660(2)(d) to discuss labor negotiations. Upon completion of the executive session the Board will return to its regular meeting.
- VIII. RECOMMENDATION Approve Collective Bargaining Agreements with the International Brotherhood of Electrical Workers for the Electrical, and Office and Water Workers – Steven Schuback, Labor Attorney at Peck, Rubanoff and Hatfield; and Barbara Benson, Human Resources/Administration Manager (pg. 17)
- IX. ADJOURN

# **CANBY UTILITY REGULAR BOARD MEETING MINUTES OCTOBER 13, 2020**

*Due to COVID-19 Pandemic, the Board of Directors and staff attended the meeting virtually. The public was invited to attend the meeting in person at Canby Utility's office, with measures in place to comply with the Governor's Executive Order regarding social distancing.*

**Board Present:** Chairman Hill; Members Brito, Wagner, Horrax, and Thompson

**Staff Present:** Daniel P. Murphy, General Manager; Barbara Benson, Board Secretary; Carol Sullivan, Finance Manager; Sue Arthur, Purchasing Agent; Dee Anne Wunder, Customer Service Supervisor; and Doug Erkson, Operations Manager

**Others Present:** Tim Dale, City Council Liaison; Yolanda DiPeri and Mike Ott, citizens

Chairman Hill called the Regular Board Meeting to order at 7:00 p.m.

Chairman Hill presented the meeting agenda for consideration. He asked for any additions, deletions, or corrections to the meeting agenda, and there were none.

Chairman Hill presented the consent agenda for approval. Member Brito made the \*MOTION to approve the consent agenda, consisting of the meeting agenda, regular meeting minutes of September 8, 2020, write-offs in the amount of \$7,995.54, and payment of the electric and water department bills in the amount of \$1,540,584.33. Member Wagner seconded, and the motion passed unanimously.

Chairman Hill asked for citizen input on non-agenda items, and there was none.

Chairman Hill began the public hearing proceedings for adjusting water rates at 7:03 p.m. and gave an overview of the proceedings. Finance Manager Carol Sullivan reviewed the proposed rate adjustment. She stated that the Canby Utility Board proposes to increase overall water revenues by 9.53% effective November 1, 2020. The additional revenues will provide the necessary funding to cover increased general operating expenses, including labor costs and materials used in water line repairs. The additional revenue generated will also provide funding for future water master plan projects identified and scheduled to be constructed when expected growth dictates. These future master plan projects include replacing old water mains and building a new water treatment plant that will produce drinking water from the Willamette River.

Member Thompson asked about the last time the Board adjusted water rates. Sullivan stated that the most recent water rate adjustment was four years ago. Chairman Hill added that the Board normally considers water rates adjustments every two years; however, in 2018 it was decided that no rate adjustment was necessary.

Chairman Hill then invited the public to provide testimony on the rate proposal.

Mike Ott, Canby resident, asked about the duration of the proposed rate increase. Sullivan replied that staff reviews the water rates annually and considers rate adjustments every two years. Sullivan noted that the new water rates, if approved, would continue on until the next rate adjustment.

Yolanda DiPeri, a Canby resident, asked if the percentage of the proposed rate adjustment is standard. Sullivan replied that the rate adjustment in 2016 was also 9.53%, and lower in previous years. DiPeri asked if there was any way for Canby customers to reduce their increased costs. Sullivan said that customers could conserve water as a way to reduce their bill impact. DiPeri explained that she lives in a mobile home park and is billed for water usage by the park's landlord. A discussion ensued regarding Canby Utility's customer relationship for water service when the bill payer is a landlord and bills tenants for utilities.

Board Secretary Barbara Benson read a comment submitted by Hanna Myers, a Canby resident. Myers' letter stated that the rate hearing information she received did not mention the water taste and odor issues. She commented that the Board could address the problem with the revenues generated by the rate increase. Chairman Hill said that resolving the water taste and odor issues would require a new treatment plant. The main driver for constructing the new plant is related to treatment capacity, which is not currently an issue. The new treatment plant construction is expected to cost several million dollars.

DiPeri requested to add another comment. She stated that she does not use the water for cooking due to concerns about its quality. She has heard that the DEQ has allowed the City of Molalla to discharge its wastewater effluent without following all the required procedures of their permit. Member Thompson asked staff for a brief report on this issue for the benefit of the public. General Manager Daniel Murphy spoke about the known taste and odor concerns in our drinking water caused by the organic compounds, Geosmin and Methylisoborneol (MIB). These compounds are residuals from the harmless green algae that typically bloom during the summertime months. Murphy said, to make matters worse for Canby, there are also entities upriver from our intakes that are permitted by the DEQ to discharge their retention ponds into the river. Murphy noted that Canby Utility's water treatment plant could remove all known harmful contaminants from the source water. A rigorous testing program confirms the treatment plant's ability to remove harmful contaminants. Murphy added that Canby Utility's water quality meets or exceeds all testing requirements mandated under state and federal regulations. The yearly water testing results are compiled into an annual water quality report and mailed to our customers in June. Murphy stressed that the two compounds are harmless, and the water is safe for consumption. These compounds are considered an aesthetic property of the water and not regulated. The proposed new treatment plant, when built, will be designed to remove those harmless compounds. Murphy also talked about how the rate increase will help in planning for that future project.

Member Thompson asked Murphy to talk about Canby Utility's water filter rebate program. Murphy stated that the Board implemented a rebate program in 2016-2017 for businesses and residential customers who purchase a water filter system. Residential customers are eligible for a one-time \$25 rebate for a consumer type of filter system, such as a Brita. Commercial customers are eligible for a one-time \$200 rebate for a commercial filtration system.

Mr. Ott asked if Canby Utility is proposing to offer a senior citizen rate discount. Murphy replied that Mr. Ott would need to explore this option with his landlord since Canby Utility has no authority over the rates he pays as a tenant in that park. The landlord pays for the water consumption at a meter, and then they determine how to collect from their tenants. Murphy said that there are no discounted rates in the rate proposal. Chairman Hill asked Sullivan what the average bill increase for our residential customers will be as a reference point. Sullivan said the residential bill impact is \$2.74 per month based on average consumption.

Chairman Hill closed the public testimony at 7:27 p.m. after the Board heard all public testimony. Hill invited Board members to ask for additional clarification if needed, but there was none. Member Brito then made the \*MOTION to close the public rate hearing and continue consideration of the water rate adjustment. Member Horrax seconded, and the motion passed unanimously. The public hearing was closed.

Member Brito made the \*MOTION to Adopt Resolution No. 305, adjusting Canby Utility's water rates through the base and consumption charges, option C, for an overall rate increase of 9.53% to be effective November 1, 2020. Member Thompson seconded the motion, and the roll call ballot was as follows: Member Brito, aye; Member Wagner, aye; Member Horrax, aye; Member Thompson, aye; and Chairman Hill, aye. The motion passed 5 to 0.

Operations Manager Doug Erkson presented the quarterly reliability report. Canby Utility's numbers, compared to the industry's typical values, are well below industry averages. The outages experienced this quarter were related to squirrels and tree limbs. Those outages were handled quickly, and the outages were short in duration.

Finance Manager Carol Sullivan presented the fourth quarter, year-end financials through June 30, 2020. She noted that the financial report did not include the adjustment for the Governmental Accounting Standards Board (GASB) Statement 68 and 75. This GASB reporting is related to financial reporting for pensions and post-employment benefits other than pension. Sullivan stated that including the GASB will change expenses, and the comparison to the budget will be distorted because the adjustments would add approximately \$315,000 to the expenses. She noted that the auditors would include the GASB statements in their upcoming audit presentation.

Sullivan reviewed the profits resulting from operations and capital contributions. The electric's operating profit was \$848,787, plus capital contributions of \$1,167,759, resulted in a net income of \$2,016,546. The water's operating profit was \$161,737, plus capital contributions of \$1,829,324, resulted in a net income of \$1,991,061.

The profits resulting from operations with capital contributions compared to budget for the year-end showed that the electric department year-to-date net income was \$923,666 over budget. Sullivan stated the reasons for the variance, including higher small-commercial sales, increased capitalized labor, a vacant position, and more hook-up fees than budgeted for. The water department's year-to-date net income was \$16,465 under budget. Sullivan reviewed the reasons for the variance, including higher commercial sales, increased capitalized labor, and contributions by others/developers' subdivisions received.

Sullivan then reviewed the cash reserves for the year-end. The electric reserves are under the target by \$54,229 but over the \$4 million minimum threshold by \$6,292,270. Sullivan noted that those reserves would go towards paying for the construction of Phase 2 of the combined service center. The water cash reserves are over the target by \$629,727 and over the \$2 million minimum threshold by \$3,425,643. Sullivan stated there was a large expenditure expected at the beginning of the year that did not occur. The existing reserve funds would go towards purchasing the future water treatment plant land from the electric department. A brief discussion ensued regarding the GASB 68 and 75 adjustments.

Customer Service Supervisor Dee Anne Wunder presented the updated COVID-19 utility billing comparison showing payment activity for July through September for 2019 to 2020. Wunder said that there was not much change from the previous report and that staff continues to reach out to customers daily. Wunder noted that the large increase of funds collected were related to system development charge payments.

Board Secretary Barbara Benson reported that Canby Utility's annual employee recognition event was scheduled for December 5. Due to COVID-19, she had to place the event on hold. According to the venue, Clackamas County's Phase 1 of reopening limits dinner parties to no more than 25 people. Should the county move to Phase 2 before the planned event, the limit would increase to 50 people. Benson said she wanted to get the Board's thoughts on postponing the event until the spring to see if the restrictions have loosened by then. Otherwise, she will need to cancel the event for the current fiscal year. The Board agreed that postponing the event until spring was a good option.

General Manager Dan Murphy gave an update on the summer water demand. The average daily use for August was 2.89 million gallons per day (mgd). Murphy shared comparison data for water usage for September 2020 compared to September 2019. Water demand had only exceeded 4 mgd twice during the month. The water treatment plant can treat up to 8 mgd. Murphy said that the existing water demands have continued to leave plenty of excess capacity to meet the needs of the community. Murphy added that the recent wildfires had raised some concern for water quality caused by ash flowing into the river basin when the rains returned. Veolia Water was prepared to issue water quality advisory notices and any other necessary measures had there been a problem. Fortunately, there were no water supply or treatment issues impacting Canby's source water. Murphy said that September is typically the month when there is a drop in water demand, which was true for this year. Murphy explained the reasons for his continued water demand reporting and that he will not be reporting on water consumption until next summer.

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Murphy anticipates a new treatment plant will need to be built in approximately 10 to 15 years from now.

Murphy reported that the Operations Field Supervisor position has been filled. Jason Berning has been hired for this important management position. Berning has worked for PGE for the past 25 years in a very similar role. Murphy shared the positions Berning held while working for PGE. Berning's first day will be November 2.

Murphy reported he will be on vacation starting Thursday, October 15.

Member Brito made the \*MOTION to adjourn the meeting. Member Wagner seconded, and the motion passed unanimously.

There being no further business, the meeting was adjourned at 7:46 p.m.

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Robert Hill, Chairman

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David Horrax, Member

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Jack Brito, Member

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Melody Thompson, Member

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Todd Wagner, Member

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Barbara Benson, Board Secretary



**MEMORANDUM**

November 2, 2020

TO: Chairperson Hill, Member Brito, Member Wagner, Member Horrax  
and Member Thompson

FROM: Dee Anne Wunder, Customer Service Supervisor

SUBJECT: Annual Red Flag Rules Update

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Overview: The Federal Trade Commission requires every creditor to establish an “Identity Theft Prevention Program” that is defined by the Red Flag Rules. Canby Utility established this program in November 2008.

Staff follows the current policy which is in compliance with the Federal rules. We are pleased to report that there have not been any incidents over the past year. The annual Red Flag Rules training was completed by our customer service staff on October 28, 2020.

A copy of the Identity Theft Prevention Program is attached for your review.

I will be available to answer any questions the Board may have.

**RESOLUTION NO. 226**

**A RESOLUTION OF THE CANBY UTILITY BOARD ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM.**

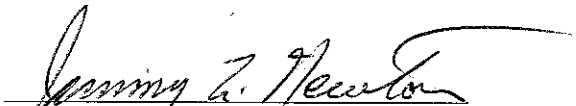
WHEREAS, the Board of Directors of the Canby Utility Board seeks to protect the personal information of its customers; and

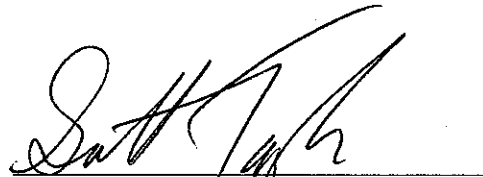
WHEREAS, the Federal Trade Commission established the Red Flags Rule that requires certain organizations to establish an Identity Theft Prevention Program to identify, detect and respond to identity theft, and the State of Oregon enacted similar identity theft requirements; and

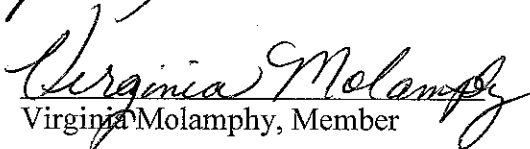
WHEREAS, The Board of Directors must adopt an Identity Theft Program by November 1, 2008; and

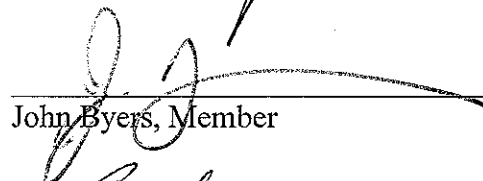
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Canby Utility Board, that Canby Utility adopts the Identity Theft Program, attached hereto as Exhibit A.

THIS RESOLUTION ADOPTED BY THE CANBY UTILITY BOARD this 28<sup>th</sup> day of October, 2008.

  
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Jim Newton, Chairman

  
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Scott Taylor, Member

  
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Virginia Molamphy, Member

  
\_\_\_\_\_  
John Byers, Member

  
\_\_\_\_\_  
Jerry Smith, Member

  
\_\_\_\_\_  
Barbara Benson, Board Secretary



Exhibit A

# Canby Utility Board

## Identity Theft Prevention Program

Effective November 1, 2008

### I. PROGRAM ADOPTION

The Canby Utility Board (Utility) developed this Identity Theft Prevention Program (Program) pursuant to the Federal Trade Commission's Red Flags Rule (Red Flag Rule or Rule), 16 C. F. R. § 681.2 and Appendix A to Part 681 that implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act), Pub. L. 108-159 amending parts of the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681 *et seq.* This Program also responds to ORS 646A.622, the Oregon Consumer Identity Theft Protection Act.

After consideration of the size and complexity of the Utility's operations and account systems, and the nature and scope of the Utility's activities, the Utility management team, including the Finance Director (Program Administrator), developed this Program. The Canby Utility Board reviewed this Program and adopted it by Resolution No. 226 on October 28, 2008.

### II. REQUIREMENTS AND DEFINITIONS

#### A. Requirements

Under the Red Flag Rule, every creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. According to 16 C.F.R. § 681.2(d)(2), each program must contain reasonable policies and procedures to:

- Identify relevant Red Flags for the Utility's new and existing covered accounts and incorporate those Red Flags into the Program;
- Detect Red Flags that have been incorporated into the Program;
- Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft; and
- Ensure the Program is updated periodically, to reflect changes in risks both to customers and to the safety and soundness of the Utility from identity theft.

#### B. Definitions

"Covered account" means an account the Utility offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions such as a utility account; and any other account the Utility offers or maintains for which there is a

reasonably foreseeable risk to customers or to the safety and soundness of the Utility from identity theft, including financial, operational, compliance, reputation, or litigation risks.

“Creditor,” as identified in the Rule and defined in the FCRA at 15 U.S.C. § 1681a(r)(5), means utility companies such as the Utility that are under the jurisdiction of the Federal Trade Commission (FTC) because, as interpreted in a June 2008 FTC Business Alert, “government entities [that] defer payment for goods or services...are to be considered creditors.”

“Identifying information” means information retained by the Utility including any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including any—name, social security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, IP address, or routing code.

“Identity theft” means fraud committed or attempted using the identifying information of another person without authority.

“Red Flag” means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

### III. IDENTIFYING RED FLAGS

In order to identify relevant Red Flags, the Utility considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides for access to its accounts, and its previous experiences with Identity Theft.

The Utility identifies the following Red Flags in each of the listed categories. The categories are not intended to be all-inclusive, and other suspicious activity may be investigated as necessary.

#### **A. Notifications and Warnings From Credit Reporting Agencies**

##### Red Flags

- Report of fraud accompanying a credit report;
- Notice or report from a credit agency of a credit freeze on a customer or account applicant;
- Notice or report from a credit agency of an active duty alert for an account applicant; or
- Indication from a credit report of activity that is inconsistent with a customer’s usual pattern or activity.

#### **B. Suspicious Documents**

##### Red Flags

- Identification document or card that appears to be forged, altered or inauthentic;

- Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); or
- Application for service that appears to have been altered or forged.

### **C. Suspicious Personal Identifying Information**

#### Red Flags

- Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
- Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on a credit report);
- Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
- Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
- Social security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); or
- A person's identifying information is not consistent with the information that is on file for the customer.

### **D. Suspicious Account Activity or Unusual Use of Account**

#### Red Flags

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the Utility that a customer is not receiving mail sent by the Utility;
- Notice to the Utility that an account has unauthorized activity;
- Breach in the Utility's computer system security; or
- Unauthorized access to or use of customer account information.

## **E. Alerts from Others**

### Red Flag

- Notice to the Utility from a customer, identity theft victim, law enforcement or other person, that it has opened or is maintaining a fraudulent account for a person engaged in identity theft.

## **IV. DETECTING RED FLAGS**

### **A. New Accounts**

In order to detect any of the Red Flags identified above associated with the opening of a new account, Utility personnel will take the following steps to obtain and verify the identity of the person opening the account:

#### Detection

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Review documentation showing the existence of a business entity; and/or
- Independently contact the customer.

### **B. Existing Accounts**

In order to detect any of the Red Flags identified above for an existing account, Utility personnel will take the following steps to the extent possible to monitor transactions with an account:

#### Detection

- Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
- Verify the validity of requests to change billing addresses; and/or
- Verify changes in banking information given for payment purposes.

## **V. RESPONSE AND PROTECTION**

### **A. Response**

1. In the event Utility personnel detect identity theft, such personnel shall notify the customer consistent with this Section. The disclosure notification shall be made in the most expeditious time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement as provided in subsection (2) of this section, and consistent with any measures necessary to determine sufficient contact information for the customers, determine the scope of the breach and restore the reasonable integrity, security and confidentiality of the data.

2. The notification to the customer required by this Section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation and that the Utility has made a written request that the notification be delayed. The notification required by this section shall be made after that law enforcement agency determines that its disclosure will not compromise the investigation and notifies the person in writing.

3. For purposes of this Section, notification to the customer may be provided by written notice or telephone notice, provided that contact is made directly with the affected customer.

4. Notice under this section shall include at a minimum:

- A description of the incident in general terms;
- The approximate date of the breach of security;
- The type of personal information obtained as a result of the breach of security;
- Contact information for the Utility;
- Contact information for national consumer reporting agencies; and
- Advice to the customer to report suspected identity theft to law enforcement, including the Federal Trade Commission.

5. If Utility personnel discover a breach of security affecting more than 1,000 customers that requires disclosure under this Section, such personnel shall notify, without unreasonable delay, all reporting agencies that compile and maintain reports on customers on a nationwide basis of the timing, distribution and content of the notification given by Utility personnel to the customers, including the police report number, if available.

6. Notwithstanding subsection (1) of this section, notification is not required if, after an appropriate investigation or after consultation with relevant federal, state or local agencies responsible for law enforcement, the Program Administrator or designee determines that no reasonable likelihood of harm to the customers whose personal information has been acquired has resulted or will result from the breach. Such a determination must be documented in writing and the documentation must be maintained for five years. The Program Administrator may act to mitigate future red flags in the following, non-exclusive manners:

- Continue to monitor an account for evidence of identity theft;
- Not open a new account;
- Close an existing account; and/or
- Reopen an account with a new number.

## **B. Protection**

1. In order to further prevent the likelihood of identity theft occurring with respect to Utility accounts, the Utility will take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Ensure complete and secure destruction of paper documents and computer files containing customer information;
- Ensure that office computers are password protected;
- Keep offices clear of papers containing customer information;
- Ensure computer virus protection is up to date; and
- Require and keep only the kinds of customer information that are necessary for utility purposes.

2. In the event a credit reporting agency sends notice to the Utility of a substantial difference between the address for the customer that the Utility provided to request the report and the address(es) in the reporting agency's file, Utility personnel will confirm the personal information received from the customer with the customer and compare that information with other internal records, third-party records, or other reasonable means.

If Utility personnel:

- form a reasonable belief that the customer-provided address is accurate,
- the Utility establishes a continuing relationship with the customer, and
- the Utility regularly and in the ordinary course of business furnishes information to the reporting agency that identified the address discrepancy,

then Utility personnel shall furnish the confirmed address to the reporting agency that identified the address discrepancy.

## VI. PROGRAM UPDATES

The Program Administrator will review and update this Program at least once a year to reflect changes in risks to customers and the soundness of the Utility from identity theft. In doing so, the Program Administrator will consider the effectiveness of the policies and procedures of the Utility in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts, service provider arrangements, significant incidents involving identity theft and management's response, Utility's experiences with identity theft situations, changes in identity theft methods, changes in identity theft detection and prevention methods, and changes in the Utility's business arrangements with other entities.

After considering these factors, the Program Administrator will determine whether such factors warrant changes to the Program, including the listing of Red Flags. If warranted, the Program Administrator will update the Program.

The Program Administrator will report annually to the Utility Board on compliance with the Red Flag Rule.

## VII. PROGRAM ADMINISTRATION

### **A. Oversight**

Responsibility for oversight, implementation and administration of this Program lies with the Program Administrator. The Program Administrator is responsible for the Program for ensuring appropriate training of Utility staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating identity theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

### **B. Staff Training and Reports**

Utility staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. Utility staff will provide reports to the Program Administrator on incidents of identity theft.

### **C. Service Provider Arrangements**

In the event the Utility engages a service provider to perform an activity in connection with one or more accounts, the Utility will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft.

- Require, by contract, that service provider(s) have such policies and procedures in place; and
- Require, by contract, that service provider(s) review the Utility's Program and report any Red Flags to the Program Administrator.

### **D. Non-disclosure of Specific Practices**

For the effectiveness of this Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices must be limited to the Program Administrator and to those employees with a need to know them. Any documents that may have been produced or are produced in order to develop or implement this program that list or describe such specific practices and the information those documents contain are considered "Security information" (as defined in the following paragraph) and are unavailable to the public because disclosure of them would be likely to substantially jeopardized the security of information against improper use, that use being to circumvent the Utility's identity theft prevention efforts in order to facilitate the commission of identity theft.

"Security information" is defined as government data the disclosure of which would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury.



**MEMORANDUM**

November 3, 2020

**TO:** Chairman Hill, Member Brito, Member Wagner, Member Horrax, and Member Thompson

**FROM:** Dee Anne Wunder, Customer Service Supervisor

**SUBJECT: COVID-19 Utility Billing Comparison**

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The attached report compares activity of payments and delinquencies for the months of August, September, and October 2019 to the same months in 2020. I will update the comparisons monthly to monitor impacts from the COVID-19 pandemic.

I will be available to answer questions during the Board Meeting.



**Canby Utility**  
**COVID Utility Billing Comparison 2019 & 2020**  
**November 3, 2020**

	August-2019	August-2020	Sept. 2019	Sept. 2020	Oct. 2019	Oct. 2020
<b>Statements Mailed</b>	7,997	8,170	7,998	8,162	8,024	8,188
<b>Delinquent Notices</b>	1,187	1,170	1,157	1,373	1,651	1,334
<b>Delinquent Accounts</b>	\$ 200,739	\$ 260,631	\$ 230,059	\$ 301,548	\$ 175,988	\$ 278,539
<b>Average Delinquent Amount</b>	\$ 169	\$ 223	\$ 199	\$ 220	\$ 107	\$ 209
<b>Percentage of Delinquencies From Prior Month Billing</b>	15%	15%	14%	17%	21%	16%
<b>Bank Deposits, SDC's, and Misc Payments</b>	\$ 1,482,377	\$ 1,613,751	\$ 1,482,377	\$ 1,994,567	\$ 1,569,907	\$ 1,528,592
<b>Number of Payments</b>	6,996	7,746	6,996	7,955	8,120	6,814



## MEMORANDUM

November 5, 2020

TO: Chairman Hill; Members Brito, Wagner, Horrax, and Thompson

FROM: Daniel Murphy, General Manager  
Barbara Benson, Human Resources Manager

SUBJECT: Recommendation to Approve Collective Bargaining Agreements

**Suggested Motion:** I move to authorize the General Manager to execute the collective bargaining agreements with the International Brotherhood of Electrical Workers, Local 125, for the Office and Water Workers and Electric Workers.

**Recommendation:** Staff recommends that the Board approve the proposed collective bargaining agreements as presented in discussion for the term of July 1, 2020, through June 30, 2023.

**Background:** The current labor agreements between Canby Utility and the International Brotherhood of Electrical Workers (IBEW) expired on June 30, 2020. Due to the COVID-19 pandemic, negotiating the successor agreements with the Union was delayed, and bargaining did not begin until July 15, 2020. The IBEW members have ratified the agreements, and they will need Board approval to become effective.

The substantive collective bargaining agreement modifications, if approved, are as follows:

- Three-year agreement
- Wage increases were bargained for all classifications for cost-of-living using the same CPI (Consumer Price Index) that is used to calculate management's wage adjustments. The current CPI for 2020 is 1.5%. In 2021 and 2022, the CPI index will again be used to calculate wage adjustments; however, there will be a guaranteed 2% to 4% wage increase. Due to market conditions in the industry, most positions will receive a spot increase in addition to the cost-of-living adjustment.
- Prescription drug benefits will have higher copays, beginning in January 2021, that have the potential for sizeable out-of-pocket cost increases for employees and their covered dependents. To help offset this impact, Canby Utility will provide employees with an additional \$25 monthly contribution to their HRA-VEBA account starting in January 2021 and January 2022.
- Vacation accruals and maximum carry-over hours were modified to eliminate a complex roll-over calculation and vacation borrowing process. Employees will have a maximum vacation bank accrual of 400 hours upon their anniversary date. Employees will still have the option to roll over a portion of their vacation into the Board provided deferred compensation plans. Newly hired employees will receive a lump sum of 40 hours in their vacation bank upon successfully completing probation. Employees with more than 19 years of employment will earn one additional week of vacation.

Dan, Steven Schuback, and I will be available to answer questions you may have.