



TUALATIN VALLEY
WATER DISTRICT

TVWD BOARD OF COMMISSIONERS

President Todd Sanders, PhD | Vice President Carl Fisher

Secretary Jim Doane, PE | Treasurer Elliot Lisac | Commissioner Jim Duggan, PE

Board Work Session Agenda

April 2, 2024

WORK SESSION – 6:00 PM – TVWD HEADQUARTERS

CALL TO ORDER

ANNOUNCEMENTS

DISCUSSION ITEMS

- A. Willamette Water Supply System Commission Update. *Staff Report – Dave Kraska, PE; Willamette Water Supply Program Director*
- B. Customer Assistance Program Resolution Overview. *Staff Report – Andrew Carlstrom, Customer Service Director*
- C. Overview of the 2018 TVWD/Beaverton Service Area Intergovernmental Agreement. *Staff Report – Paul Matthews, Chief Executive Officer*

ADJOURNMENT

If you wish to attend this meeting remotely or in person, please email sam.kaufmann@tvwd.org or call 503-848-3094 by 4:30 p.m. on April 2, 2024.

The meeting is accessible to persons with disabilities and those who need qualified bilingual interpreters. A request for an interpreter for the hearing impaired, a bilingual interpreter or for other accommodations should be made at least 72 hours before the meeting to the contact listed above.

For online meeting information, Commissioner bios and more, visit tvwd.org.



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TUALATIN VALLEY

WATER DISTRICT

Date: April 2, 2024
To: Board of Commissioners
From: David Kraska, P.E., Willamette Water Supply Program Director
Subject: Willamette Water Supply System Commission Update

Key Concepts:

The purpose of this regular presentation is to update the TVWD Board on the current activities of the Willamette Water Supply System (WWSS) Commission. Since the TVWD Board has one representative on the WWSS Commission Board, these reports provide a means of keeping the other TVWD Board members current on relevant information. The topics of this month's update are:

- A. Review the April 2024 WWSS Commission Board Meeting agenda
- B. Review the Approvals and Procurements Forecast
- C. Update on Willamette Water Supply Program (WWSP) activities

Background:

The April WWSS Commission Board meeting will be held on April 4, 2024, and there are three Business Agenda items:

- A. Adopt Fiscal Year 2024-25 Annual Work Plan and Budget and Approving Capital Improvement Plan (Baseline 9.1)
- B. Approve Permitting Services Contract 2016-320 Amendment #43
- C. Adopt WWSP Cost Shares Methodology

There are three informational items on the April agenda: 1) an update on the Water Treatment Plant project schedule recovery effort, 2) a summary of the planned June Business Agenda items, and 2) a notice regarding the next regular Board meeting scheduled for June 6, 2024.

The Approvals and Procurements Forecast (Forecast) is a WWSP tool that summarizes recent decisions made, and previews decisions and approvals that are coming up in the next three months. The Forecast is divided along the various types of approvals and procurements that occur on the WWSP and the different approval levels: Program Director, WWSS Committees, and WWSS Board. At the April TVWD Board work session, we will present a review of the current Forecast that covers the months of February through June 2024.

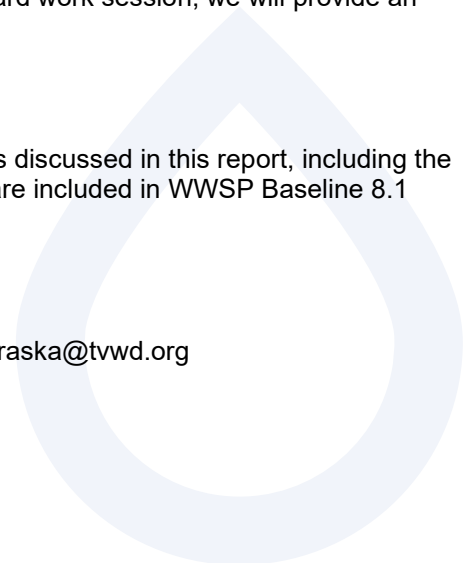
There remain thirteen projects in construction, and we are continuing to also make progress on other priorities including preparing for commissioning and startup of the new system. At the April TVWD Board work session, we will provide an update on our project delivery progress and on our active construction projects.

Budget Impact:

Informational item only. There are no budget impacts from this staff report. All items discussed in this report, including the labor expenses related to preparing this staff report and the associated materials, are included in WWSP Baseline 8.1 budget.

Staff Contact Information:

David Kraska, P.E.; WWSS Commission General Manager; 503-941-4561; david.kraska@tvwd.org



Attachments:

WWSS Commission April 2024 Board Meeting Agenda
WWSP Approvals and Procurements Forecast

Leadership Team Initials:

Chief Executive Officer	<i>PO</i>	Customer Service Director	<i>AC</i>
Chief Operating Officer	<i>PDB</i>	IT Services Director	N/A
Chief Financial Officer	<i>FC</i>	Human Resources Director	<i>AB</i>
General Counsel	<i>CS</i>	Water Supply Program Director	<i>PS</i>
Communications Director	N/A		



Approvals and Procurement Forecast: February 2024 through June 2024

This report provides a five-month projection of (1) forthcoming actions under the WWSS Management Authority Matrix and (2) ongoing and forthcoming procurements.

a = Actual date
e = Email approval
FC = Finance Committee
LCRB = Local Contract Review Board
MC = Management Committee
N/A = Not applicable
OC = Operations Committee

Rec. = Recommendation
t = Tentative date
TBD = To be determined; sufficient information not available to project a date
Note: Dates in red text indicate meetings needed outside the normal meeting schedule

Type	Description	Projected Action	Body/Position (projected action date)		
			Program Director	WWSS Committees	WWSS Board
Program Baseline or Related Plans (above Program Director's Authority)	1. WWSP 2024 Rebaseline Schedule and Budget and WWSS Fiscal Year 2024-2025 Work Plan and Budget	Approve	N/A	3/21/2024 t	4/4/2024 t
		Execute	N/A	N/A	N/A
Real Estate	2. None	Approve	N/A	N/A	N/A
IGA's, MOU's, Permit Commitments, & Similar Agreements	3. None	Approve	N/A	N/A	N/A
		Execute	N/A	N/A	N/A
Contracts (above Program Director's Authority)	4. None	Approve	N/A	N/A	N/A
		Execute	N/A	N/A	N/A
Contract Amendments and Change Orders (above Program Director's Authority)	5. Permitting Services Contract Amendment for Next One-year Period <ul style="list-style-type: none"> Goal: Extend contract through March 2025 Value: \$818,510.50 Consultant: David Evans Associates (DEA) 	Approve	N/A	3/21/2024 t	4/4/2024 t
		Execute	4/5/2024 t	N/A	N/A
	6. WTP_1.0 GMP3 Construction <ul style="list-style-type: none"> Goal: Construct WTP_1.0 which covers finished water system commissioning Value: TBD Contractor: Sundt Construction 	Approve	N/A	5/23/2024 t	6/6/2024 t
		Execute	6/7/2024 t	N/A	N/A
	7. WWSP Program and Construction Management Services FY 2025 Annual Work Plan <ul style="list-style-type: none"> Goal: Approve scope, staffing, and fee for program and construction management services for FY 2025 Value: TBD Consultant: Stantec Consulting Services Inc. 	Approve	N/A	5/23/2024 t	6/6/2024 t
		Execute	6/7/2024 t	N/A	N/A
	8. Public Outreach Service Contract <ul style="list-style-type: none"> Goal: Provide additional public outreach during the term April 2024 through April 2025 Value: TBD Consultant: Consor North America Inc. 	Approve	N/A	5/23/2024 t	6/6/2024 t
		Execute	6/7/2024 t	N/A	N/A
	9. WTP_1.0 Design Services Contract <ul style="list-style-type: none"> Goal: Amend contract for design services related to additional engineering services Value: TBD Consultant: CDM Smith 	Approve	N/A	5/23/2024 t	6/6/2024 t
		Execute	6/7/2024 t	N/A	N/A
Local Contract Review Board (LCRB) Actions	10. None	Approve	N/A	N/A	N/A
		Execute	N/A	N/A	N/A
Other	11. WWSP Cost Shares Methodology	Approve	N/A	3/21/2024 t	4/4/2024 t
		Execute	N/A	N/A	N/A
	12. Congressional Directed Spending Grant Technical Correction	Approve	N/A	3/21/2024 t	4/4/2024 t
		Execute	N/A	N/A	N/A

**Willamette Water Supply System Commission
Board Meeting Agenda
Thursday, April 4, 2024 | 12:00 - 1:30 PM
Microsoft Teams Meeting**

This meeting will not be held at a physical location. If you wish to attend and need dial-in information, please contact annette.rehms@tvwd.org or call 971-222-5957 by 10:00 a.m. on April 4, 2024. If you wish to address the WWSS Board, please request the Public Comment Form and return it by email 48 hours prior to the day of the meeting. The meeting is accessible to persons with disabilities and those who need qualified bilingual interpreters. A request for an interpreter for the hearing impaired, a bilingual interpreter or for other accommodations should be made at least 72 hours before the meeting to the contact listed above.

EXECUTIVE SESSION – 11:30 am

An executive session of the Board is called under, ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection and ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

REGULAR SESSION – 12:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

This time is set aside for persons wishing to address the Board on items on the agenda, as well as matters not on the agenda. Each person is limited to three minutes.

4. GENERAL MANAGER'S REPORT – David Kraska

Brief presentation on current activities relative to the WWSS Commission

5. CONSENT AGENDA

These items are routine and may be approved in one motion without separate discussion. Any Board member may request that an item be removed by motion for discussion and separate action. Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Board has approved those items which do not require discussion.

- A. Approve the February 1, 2024 meeting minutes
- B. Adopt Resolution WWSS-01-24 Approving a Technical Correction to the Congressionally Directed Spending Grant

6. BUSINESS AGENDA

- A. Adopt Resolution WWSS-02-24 Adopting Fiscal Year 2024-25 Annual Work Plan and Budget and Approving Capital Improvement Plan (Baseline 9.1) – *Justin Carlton*
- B. Approve Permitting Services Contract 2016-320 Amendment #43 – *Christina Walter*
- C. Adopt Resolution WWSS-03-24 adopting WWSP Cost Shares Methodology – *Justin Carlton*

7. INFORMATION ITEMS

- A. Water Treatment Plant Schedule Recovery Progress Update – *David Kraska*
- B. Planned June Business Agenda items – *Joelle Bennett*

C. The next Board Meeting is scheduled on June 6, 2024, at Tualatin Valley Water District - Board Room.

8. COMMUNICATIONS AND NON-AGENDA ITEMS

A. None scheduled

9. ADJOURNMENT



TUALATIN VALLEY
WATER DISTRICT

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TUALATIN VALLEY

WATER DISTRICT

Date: April 2, 2024
To: Board of Commissioners
From: Andrew Carlstrom, Customer Service Director
Subject: Customer Assistance Program Resolution Overview

Key Concepts:

- In 2023 the Board-appointed Rate Advisory Committee (RAC) presented its recommendations regarding a new Customer Assistance Program (CAP).
- The Adopted 2023 – 2025 Biennial Budget includes resources for the new Customer Assistance Program.
- Board authorization of a new CAP is necessary for implementation of the new assistance program.
- This presentation will provide an overview of the draft resolution authorizing and directing the Chief Executive Officer to implement and administer the new CAP.

Background:

Anticipating growing concerns about future affordability of water to low-income customers, the District included a project to conduct an affordability analysis and a RAC process in the Adopted 2021-2023 Biennial Budget. In keeping with the Board's guidance, a key objective of the RAC process was developing affordability recommendations. At the May 17, 2023, regular meeting, the RAC presented its recommendations to the Board, including suggested parameters for a new CAP. In addition, the Adopted 2023 – 2025 Biennial Budget included resources for the new CAP.

As part of the District's development of the new CAP, the Chief Executive Officer requests Board authorization and direction to implement the program. This informational presentation will provide the Board with an overview of a draft resolution that, if passed by the Board, would authorize and direct the Chief Executive Officer to implement and administer the new program. Staff will also review with the Board key tasks to be completed to implement the new CAP, an initiative that the Chief Executive Officer has previously communicated to be a priority effort for the District.

Budget Impact:

This informational item, as well as the forthcoming resolution, do not increase the resources included in the Adopted 2023 – 2025 Biennial Budget for development of a new assistance program.

Staff Contact Information:

Andrew Carlstrom, Customer Service Director; 503-848-3024; andrew.carlstrom@tvwd.org

Attachments:

None



Leadership Team Initials:

Chief Executive Officer	<i>PO</i>	Customer Service Director	<i>AC</i>
Chief Operating Officer	<i>PDB</i>	IT Services Director	<i>TP</i>
Chief Financial Officer	<i>FC</i>	Human Resources Director	<i>AB</i>
General Counsel	<i>CB</i>	Water Supply Program Director	<i>AD</i>
Communications Director	<i>SD</i>		





TUALATIN VALLEY
WATER DISTRICT

RESOLUTION NO. XX-24

A RESOLUTION CREATING A NEW CUSTOMER ASSISTANCE PROGRAM FOR THE TUALATIN VALLEY WATER DISTRICT.

WHEREAS, in 2016, TVWD Board of Commissioners created its first Rate Advisory Committee (“First RAC”) and appointed members, with the scope of duties to advise the Board on affordability considerations; and

WHEREAS, in 2017, the First RAC made affordability recommendations to the Board, including that TVWD should provide customers monthly billing, levelized billing, temporary/emergency assistance, and penalty forgiveness. The First RAC also provided general direction that the District should offer some form of a low-income rate; and

WHEREAS, in 2017 staff advised the Board that many affordability improvements relied on a new utility billing system, also known as a Customer Information System (CIS), information infrastructure that TVWD needed for both current and anticipated future business needs; and

WHEREAS, TVWD and Clean Water Services (the “Partners”) began a project in 2018 to define new system requirements, select a system vendor, and implement the core system. The new CIS went live for customers and utility staff in July 2022; and

WHEREAS, in 2022, amidst increasing TVWD water rates necessary to fund the Willamette Water Supply Program (WWSP), the Board appointed a second RAC (“Second RAC”), with members representing diverse backgrounds and expertise, multiple customer classifications, and District-wide geographic coverage; and

WHEREAS, the Second RAC had two primary assignments, to make recommendations to the Board on: (1) affordability for financially vulnerable TVWD customers; and (2) rate structure adjustments to reduce revenue volatility for both fixed and volume water charges; and

WHEREAS, regarding affordability for financially vulnerable TVWD customers, the Second RAC recommended continuation of the District’s Customer Emergency Assistance Program, as well as a recommendation that TVWD create a new Customer Assistance Program (CAP) with the parameters described in Exhibit A; and

WHEREAS, on May 16, 2023, the Board accepted, by motion, the (Second) RAC’s recommendations, including creation of the new CAP with the parameters described in Exhibit A. Through this action, the Board adopted a new CAP; and

WHEREAS, The Adopted 2023-2025 Biennial Budget included funding levels and expenditures for the new CAP ; and

WHEREAS, although appropriated in the Adopted 2023 – 2025 biennial budget, the new customer assistance program with a specific bill discount rate is not described in Board-adopted fees and charges; and

WHEREAS, the Board finds it necessary to create the new CAP with a specific bill discount rate and other specific program parameters as recommended by the Second RAC and provide clear authorization to the Chief Executive Officer to implement and administer the CAP; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TUALATIN VALLEY WATER DISTRICT THAT:

Section 1: The Board hereby creates a new Customer Assistance Program with the features described in Exhibit A and objectives described in Exhibit B, attached hereto and incorporated by reference.

Section 2: The Board hereby directs and authorizes the bill discount rates, as described in Exhibit A, to be added to the existing Board authorized rates and charges.

Section 3: The Chief Executive Officer is authorized and directed to take all actions necessary to implement and administer the Customer Assistance Program.

Approved and adopted at a regular meeting held on the 17th day of April 2024.

Todd Sanders, President

Jim Doane, PE, Secretary

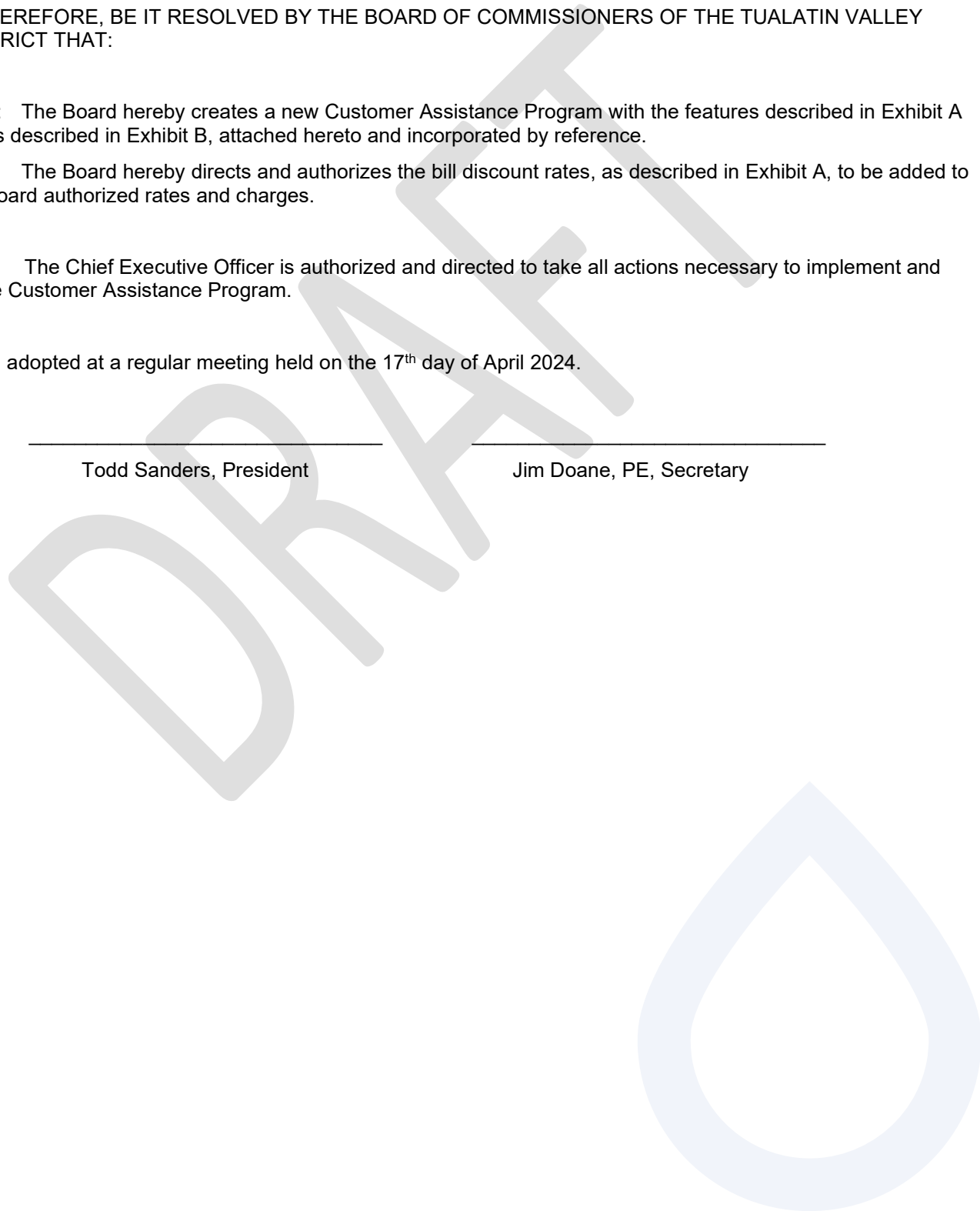


Exhibit A: Customer Assistance Program Parameters

1. Qualification
 - a. Qualified customers shall be single-family residential customers of the District who qualify for the federal Low Income Home Energy Assistance Program (LIHEAP) or other similar programs as deemed appropriate by the Chief Executive Officer.
 - b. TVWD may contract with third-party entities to establish customer eligibility for the program.
2. Bill Discount
 - a. The assistance for qualified customers is a 20% discount to the customer's water bill (both fixed and volume charges).
3. Funding
 - a. Funding for the program shall be limited to those funds appropriated in the District's adopted biennial budget.
 - b. The discount under the program lapses when appropriated funds are fully expended.
 - c. Management will monitor the unspent appropriated funds and report those to the Board as deemed necessary.

Exhibit B: Customer Assistance Program Objectives

1. Improve the affordability of water needs for low-income customers.
2. Reduce the number and risk of water shutoffs for low-income customers.
3. Provide a simple structure for the program.
4. Reduce burden on low-income customers and District staff by using third-party entities to qualify customer eligibility.

DRAFT



TUALATIN VALLEY

WATER DISTRICT

Date: April 2, 2024
To: Board of Commissioners
From: Paul Matthews, Chief Executive Officer
Subject: Overview of the 2018 TVWD/Beaverton Service Area Intergovernmental Agreement

Key Concepts:

- TVWD and the City of Beaverton (City) entered into an agreement in 2018 to provide a process for managing the withdrawal of certain portions of TVWD's service area by the City.
- The Agreement established requirements that the City must follow to withdraw service area from the District on subsequent annexations.
- The Agreement term extends to 2058.

Background:

Staff originally planned to provide a briefing to the Board at the February 6, 2024, Work Session on the 2018 TVWD/Beaverton Service Area Intergovernmental Agreement. Because of the constraints of time during the Work Session, staff was directed to reschedule this agenda item for a subsequent date. This agenda item is the rescheduled information item on the TVWD/Beaverton IGA.

TVWD provides service to customers within its boundaries. In some areas, TVWD's service area includes areas within the incorporated limits of Beaverton, Hillsboro, and Tigard. Oregon Revised Statutes (ORS) Chapter 222 grants cities a choice of powers to be exercised.

First, it enables cities to annex into the territory of a special district and elect to withdraw the annexed area, identified "local" facilities, and customers. In that case, the boundaries of the city expand and the district's shrink. The process for determination of assets to be transferred, if any, is not clearly stated. Disputes over assets are resolved in a summary fashion by the Board of County Commissioners.

Second, a city may also annex and leave district service in place. In that case, the city would annex and become the governing jurisdiction for other city services but not withdraw the water service assets and customers. This would create overlapping boundaries. However, the city could later take separate action to withdraw the area, local facilities, and customers.

To provide certainty in service delivery and better planning coordination, the legislature provided for Urban Service Agreements (USAs) between cities and special districts under ORS Chapter 195. These agreements provide a framework for city annexation but allocate service territory for districts regardless of city boundary change. TVWD has USAs with both Hillsboro and Tigard. Those USAs were executed in 2003.

In 2003, the County coordinated a process under Chapter 195 for comprehensive urban service agreements between the cities and all district service providers, including the County Commissioner governed county service districts. This included TVWD, Clean Water Services, Tualatin Hills Park & Recreation District, Enhanced Sheriff Patrol District, TriMet, and Tualatin Valley Fire & Rescue, along with each city. At the time of signing, Beaverton chose not to sign and agreed to a 5-year contract. That contract continued until Beaverton gave notice in 2017 that it would not renew the agreement in 2018.

Beaverton indicated that it wished to withdraw 10 areas already within the City's boundaries and TVWD boundaries. Because of limited infrastructure, Beaverton could not provide direct service to those customers without access to TVWD facilities. That limitation generated the negotiation of the 2018 agreement to provide a defined process to handle annexation, withdrawal, and water service delivery.

This presentation will review the agreement and agreed processes. A slide show will be provided at the work session.

Budget Impact:

None. The cost of preparing the presentation is within the District's Adopted 2023-25 Biennial Budget.

Staff Contact Information:

Paul L. Matthews; Chief Executive Officer; (503) 848-3017; paul.matthews@tvwd.org

Attachments:

None

Leadership Team Initials:

Chief Executive Officer	<i>PM</i>	Customer Service Director	<i>AC</i>
Chief Operating Officer	<i>PDB</i>	IT Services Director	<i>TB</i>
Chief Financial Officer	<i>FC</i>	Human Resources Director	<i>AB</i>
General Counsel	<i>CB</i>	Water Supply Program Director	<i>JD</i>
Communications Director	<i>SD</i>		

