

**Willamette Water Supply System Commission
Board Meeting Minutes
Thursday, September 2, 2021**

Commissioners present: ROLL CALL TABLE

City of Beaverton:	Marc San Soucie (<i>alternate</i>)
City of Hillsboro:	David Judah
Tualatin Valley Water District (TVWD):	Jim Duggan

Committee Members present:

City of Beaverton:	Chad Lynn David Winship
City of Hillsboro:	Niki Iverson Lee Lindsey Eric Hielema
TVWD:	Tom Hickmann

Managing Agency Staff present:

WWSS Commission General Manager / Willamette Water Supply Program (WWSP) Director	Dave Kraska
TVWD General Counsel	Clark Balfour
WWSP Assistant Director	Joelle Bennett
WWSP Program Manager	Bill Van Derveer
WWSP Engineering and Construction Manager	Mike Britch
WWSP Permitting and Outreach Manager	Christina Walter
WWSS Commission Recorder / WWSP Administrative Assistant	Annette Rehms

Other Attendees present:

TVWD Water Resources Division Manager	Joel Cary
City of Hillsboro-JWC Water Treatment Manager	Chris Wilson
City of Hillsboro-Water Resources Manager	Jessica Dorsey
TVWD Controller	David Shick

REGULAR SESSION – 12:00 PM

CALL TO ORDER

Chairman Judah called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 12:01 p.m.

ROLL CALL

Ms. Rehms administered the roll call and noted attendance.

1. GENERAL MANAGER'S REPORT

Mr. Kraska presented a safety minute on Back-to-School safety (*presentation on file*)

The General Manager's report included an overview of etiquette for remote meetings; requests for Commissioner input on continuing remote meetings and the signature collection process; the Approvals and Procurement Forecast covering August through October 2021; updates on projects planning, permitting and communications; status updates on the design and construction of projects; a steel market exposure update; and notice that today's Board meeting minutes will be posted on September 13.

Commissioners present today agreed to continue meeting remotely, using Microsoft Teams, and revisit this matter in February 2022 in preparation for the March 2022 Board meeting. They also agreed with supporting timelier signature collection by using a digital signature collection process, through "Adobe Sign" or "DocuSign." This will allow signatures to be collected shortly after meetings and avoid travel and in-person meetings. Staff confirmed with legal counsel that digital signatures are appropriate for standard items such as meeting minutes, resolutions, and agreements. Special items may require wet signatures and the WWSS Executive Assistant would coordinate this process on a case-by-case basis. Commissioners asked for the WWSP staff to follow-up with Commissioner Beaty to confirm her acceptance on these two decisions.

In response to questions, staff explained that the construction work beginning on Western Avenue is the MPE_1.1 project. This project runs from Western Ave/Allen Blvd to Beaverton Hillsdale Hwy. This a partner project with City of Beaverton that includes roadway improvements and the installation of TVWD and City of Beaverton pipelines. Current construction activities consist of clearing, grubbing, relocating utilities, and getting prepared to bore under the railroad. The project is on schedule.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

- A. Approve the August 5, 2021, meeting minutes.

Motion was made by Duggan, seconded by San Soucie to approve the Consent Agenda as presented. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

4. BUSINESS AGENDA

- A. Adopt PLM_1.3 Resolution of Need (second supplemental approval) – *Joelle Bennett*

Ms. Bennett described the project location and reported that the project has progressed to the point where property requirements are known for construction as well as the long-term operation and maintenance of the pipeline. She explained the proposed resolution enables the WWSS Commission's agents, including the WWSP team, to begin negotiation with respective property interest holders, and authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail. Today's proposed resolution defines the real property needs for the project to include additional permanent and temporary easement areas. Estimated costs are included in the baseline budget. (*presentation on file*)

Motion was made by San Soucie, seconded by Duggan to adopt Resolution No. WWSS-19-21 declaring public necessity to acquire property interests over, upon, under, and through real property for pipeline section PLM_1.3 for the Willamette Water Supply System. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

B. Adopt PLW_1.3 Resolution of Need – *Joelle Bennett*

Ms. Bennett described the project location and reported that the project has progressed to the point where property requirements are known for construction as well as the long-term operation and maintenance of the pipeline. She explained the proposed resolution enables the WWSS Commission's agents, including the WWSP team, to begin negotiation with respective property interest holders, and authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail. The proposed resolution updates the real property needs to allow WWSS to construct gravel access roads to waterline features on already secured permanent easements. Estimated costs are included in the baseline budget. (*presentation on file*)

In response to questions, staff said approximately a year ago we secured easements for PLW_1.3 to include temporary and permanent easements, which assumed WWSS would return the ground surface to its original condition after construction. As the design finalized, operations and maintenance staff determined that the ground conditions require installing a gravel road across several properties to allow for year-round access. Securing the access road easements will allow WWSS to compensate property owners for the additional use.

Motion was made by San Soucie, seconded by Duggan to adopt Resolution WWSS-20-21 declaring public necessity to acquire property interests over, upon, under, and through real property for pipeline section PLW_1.3 for the Willamette Water Supply System. The motion passed unanimously with San Soucie, Judah and Duggan voting in favor.

C. Adopt PLM_1.0 Wilsonville Ground Lease Amendment 1 – *Mike Britch*

Mr. Britch provided an overview of the project and background on the original Ground Lease agreement improvements. WWSS and Wilsonville staff have developed a plan to replace several of the original improvement projects with concrete paving panel replacements and 5,300 feet of 4" fiber optic conduit. He said this proposed resolution amends the 2016 Ground Lease Agreement to include improvements that are equitable in cost, mutually beneficial, and are more implementable. Estimated costs are included in the baseline budget. (*presentation on file*)

Motion was made by Duggan, seconded by San Soucie, to adopt Resolution WWSS-21-21 amending the Ground Lease for Raw Water Pipeline Agreement with the City of Wilsonville. The motion passed unanimously with San Soucie, Judah and Duggan voting in favor.

D. Adopt PLW_1.2 WCLUT Construction IGA – *Mike Britch*

Mr. Britch provided an overview of the construction agreement for the joint Washington County Land Use and Transportation and WWSS project located on Cornelius Pass Road from Tualatin Valley Highway to Frances Street. He described the estimated costs outlined in Exhibit 2 of the IGA which include Administration, Construction Engineering Services, Shared Costs, Mobilization, and Waterline Work. He also reviewed the cost comparison to the WWSS baseline budget, noting these estimated costs indicate a potential need to use Management Reserve funds. Exact costs are unknown until bids are received. Mr. Britch concluded by reiterating the benefits of partnering with Washington County on the project. (*presentation on file*)

Motion was made by Duggan seconded by San Soucie to adopt Resolution WWSS-22-21 approving the Intergovernmental Agreement between Washington County and the Willamette Water Supply Commission Joint Construction of Cornelius Pass Road (Frances Street to Tualatin Valley Highway) and PLW_1.2 South Hillsboro Pipeline Projects. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

- E. Approve RES_1.3/PLM_5.3 GMP for Pipe Material – *Mike Britch*

Mr. Britch provided an overview of the project background, the benefits for early procurement, a summary of bids received during the Guaranteed Maximum Price process, the bid evaluation completed by Hoffman Fowler, and the contract price. (*presentation on file*)

Motion was made by San Soucie, seconded by Duggan, to approving a change order in the amount of \$19,049,157 to Hoffman-Fowler LLC for procurement of steel pipe, butterfly valves, and vaults for the RES_1.0-PLM_5.3 Project. The motion passed unanimously with San Soucie, Judah and Duggan voting in favor.

5. INFORMATION ITEMS

- A. Planned October Business Agenda Items – *Joelle Bennett*

Ms. Bennett presented information on business agenda items planned for the October, WWSS Commission Board meeting.

Staff anticipates recommending approval of:

1. Adopt RES_1.0 WCLUT Grabhorn Road Realignment IGA
2. Adopt Master Coordination Agreement Amendment One with Washington Country
3. Adopt PLM_4.4 WCLUT Roy Rogers Road Construction IGA
4. Adopt MPE_1.3 Resolution of Need

- B. The next Board meeting is scheduled on October 7, 2021, 12:00 PM via Microsoft Teams.

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A. None scheduled.

ADJOURNMENT

There being no further business, Chairman Judah adjourned the meeting at 12:57 p.m.

David Judah, Chair

James Duggan, Vice Chair