

Willamette Water Supply System Commission
Board Meeting Minutes
Thursday, April 7, 2022

Attendance:

Commissioners present:

City of Beaverton	Marc San Soucie
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, Eric Hielema, Lee Lindsey
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	Jeremy Taylor
WWSP Engineering and Construction Manager	Mike Britch
WWSP Permitting and Outreach Manager	Christina Walter
WWSP Finance Manager	Toby LaFrance
WWSS Commission Recorder / WWSP Executive Assistant	Annette Rehms

Other Attendees present:

City of Hillsboro JWC Water Treatment Manager	Chris Wilson
TVWD Asset Management Division Manager	Matt Oglesby
TVWD Water Resources Division Manager	Joel Cary

REGULAR SESSION – 12:00 PM

CALL TO ORDER

Chair 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.

EXECUTIVE SESSION ACTION

Commissioners noted they met in executive session to discuss progress on a current property acquisition for which the Commission has filed a condemnation complaint in Clackamas County Court.

Motion was made by San Soucie seconded by Duggan that the Commission proceed with the acquisition of the property interests located at tax lot 31W11C00603 in Wilsonville, Oregon, as set forth in the Commission Resolution Number WWSS-06-21, and that the Commission fully delegate to the General Manager the authority to acquire this property interest, including through reasonable settlement of the condemnation complaint. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

1. GENERAL MANAGER'S REPORT

Mr. Kraska presented a safety minute on spring cleaning (*presentation on file*).

The General Manager's report included Willamette Water Supply Program (WWSP) permitting and communications; design; construction; and steel market exposure updates.

In response to question staff said, the news report about WWSP efforts being affected by labor shortages is a misrepresentation. The program has experienced some difficulty hiring staff but has been able to solve and keep the program moving forward.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

- A. Approve the March 3, 2022, meeting minutes

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

4. BUSINESS AGENDA

- A. Approve Permitting Services Contract Amendment – *Christina Walter*

Ms. Walter gave an overview of the 34th contract amendment for permitting services with David Evans and Associates, Inc. (DEA). She reviewed the new activities anticipated for 2022, the original procurement process, and major components of the proposed contract. She reported that the proposed budget for April 2022 – April 2023 is \$1,742,503.78. This amount includes approximately \$1,000,000 in unspent budget and \$742,503.78 additional budget to be authorized by this amendment. The contract value was anticipated in Baseline 7.0 budget, and it is approximately twenty percent less than last year. The annual budget for permitting support services is on track to continue decreasing as design phase wraps up and services shift to permit compliance monitoring. (*presentation on file*)

In response to question, staff confirmed that the current contract value is on par with the anticipated costs when the contract was developed in 2015 as the WWSP mobilized.

Motion was made by Duggan, seconded by San Soucie, to approve Amendment 34 to Contract 2016-320, with David Evans and Associates, Inc., for \$742,503.78 to provide regulatory permitting services and related

consulting services for the Willamette Water Supply Program. The motion passed unanimously with San Soucie, Duggan, and Judah voting in favor.

B. Adopt by Motion a Tree Donation Acknowledgement Form – *Christina Walter*

Ms. Walter presented an overview of the proposed Tree Donation Acknowledgement Form. She said as part of the construction of the WWSS, trees from various locations along the pipeline alignment and at the facilities will be removed and require proper disposal. Some of these trees may be of value to other parties and, specifically, may be useful as large woody debris for environmental restoration projects. Legal counsel has prepared the Tree Donation Acknowledgement Form to establish the terms and conditions required of an outside party to enter into a donation arrangement. The terms are intended to reduce WWSS liability and protect the interests of the WWSS Commission when coordinating and executing these donations. Ms. Walter explained that Section 5.4.19 of the WWSS IGA establishes the WWSS Commission's authority to dispose of personal property, which includes trees. The Management Authority Matrix also requires WWSS Commission approval of any intergovernmental agreement. WWSS staff are requesting approval to dispose of the trees by donation, and to authorize the General Manager to enter into agreements for that purpose, including with other governmental entities. *(presentation on file)*

In response to question, staff explained that the donated trees do not generate the types of credits that WWSS needs to fulfil its thermal Trading Plan commitment. Those thermal credits are generated by planting living trees and other new vegetation that will grow and shade waterways to reduce thermal loading and lower water temperatures.

Motion was made by Duggan, seconded by San Soucie, to authorize the General Manager to donate to outside parties any trees that would otherwise be disposed of, and that the Commission authorizes the General Manager to enter into agreements for that purpose, including with other governmental entities, using the presented Tree Donation Acknowledgement Form, or any similar agreement approved by legal counsel for this purpose. The motion passed unanimously with San Soucie, Duggan, and Judah voting in favor.

5. INFORMATION ITEMS

A. Planned May Business Agenda Items – *Joelle Bennett*

Ms. Bennett presented information on business agenda items planned for the May 5, 2022, WWSS Commission Regular Board meeting.

Staff anticipates recommending approval of:

1. Sherwood Emergency Intertie Intergovernmental Agreement (IGA)
2. MPE_1.3 Contract for Construction

B. The next Board meeting is scheduled on May 5, 2022, via Microsoft Teams.

6. COMMUNICATIONS AND NON-AGENDA ITEMS

A. None scheduled.

ADJOURNMENT

There being no further business, Chair Judah adjourned the meeting at 12:41 PM

David Judah, Chair

James Duggan, Vice Chair