



**BOARD OF COMMISSIONERS
1850 SW 170th AVENUE
BEAVERTON, OR 97006**

**DECEMBER 15, 2010
REGULAR MEETING
7:00 P.M.**

**Listening devices are available upon request
48 hours prior to the day of the meeting (503-642-1511)**

**Streaming live at www.tvwd.org
Broadcast by TVCTV (at a later date)**

ALL VERBAL TESTIMONY IS ELECTRONICALLY RECORDED

- 1. CALL TO ORDER – REGULAR MEETING
- 2. REPORTS BY THE CHIEF EXECUTIVE OFFICER AND MANAGEMENT STAFF
- 3. COMMISSIONER COMMUNICATION
 - 3.1 -Reports of Meetings Attended
 - 3.2 -Topics to be raised by the Commissioners

4. PUBLIC COMMENT:
This time is set aside for persons wishing to address the Board on items on the Consent Agenda, and matters not on the Agenda. Additional public comment will be invited on agenda items as they are presented. Each participant is limited to five minutes, unless an extension is granted by the Board.

CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Any Board member may request that an item be removed by motion for discussion and separate action.

ITEMS REMOVED FOR SEPARATE DISCUSSION: Any items requested to be removed from the consent agenda for separate discussion, will be considered immediately after the Board of Commissioners have approved those items which do not need discussion.

- 5. CONSENT AGENDA ITEMS
 - 5.1 - Regular Meeting Minutes of November 17, 2010.....
 - [5.2 – Resolution 09-10, Extraterritorial Water Line, 12440 NW Laidlaw Road.....](#)

BUSINESS AGENDA ITEMS:

Time will be set aside for public comment for each business item. Each participant is limited to five minutes unless the Board grants an extension, or the agenda item is noted for a specific amount of time for public comment.

6. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED JUNE 30, 2010 AND GFOA AWARD OF EXCELLENCE IN FINANCIAL REPORTING FOR THE PREVIOUS YEAR'S CAFR (MOTION)

7. ADJOURNMENT

**TUALATIN VALLEY WATER DISTRICT
REGULAR BOARD MEETING AGENDA ITEM**

MEETING DATE: DECEMBER 15, 2010

TITLE: RESOLUTION 09-10, PROPOSED EXTRATERRITORIAL WATER SERVICE

ITEM: The District has received a request for a new water service from the owner of 12440 NW Laidlaw Road because the private well on the property is no longer able to provide adequate water supply to the existing single family dwelling.

This property is in Multnomah County, immediately adjacent to but outside of the District's existing service area. The property is within the Urban Growth Boundary and is therefore included in the Bonny Slope West urban services planning effort. The property owner has obtained approval from Multnomah County for TVWD to provide the requested service based on public health considerations associated with her failing private well.

The District has an existing 6" water main in NW Laidlaw Road located on the northeast corner of Ms. Higgins' property. Ms. Higgins would be required to obtain a new water service consistent with the District's standard terms and conditions.

Since this request for service is for a property outside of the District's established service area, it must be approved by the District Board as an extraterritorial water service. Resolution 09-10 is attached for District Board consideration and approval of the proposed extraterritorial water service.

STAFF RECOMMENDATION: Staff recommends adoption of Resolution 09-10.

BUDGET IMPACT: None.

ADDITIONAL INFORMATION: Greg DiLoreto, 503-848-3032, greg@tvwd.org or Mark Knudson, 503-848-3027, markk@tvwd.org.

ATTACHMENTS: Proposed Resolution 09-10 including three exhibits (property description, vicinity map and letter from Multnomah County).

APPROVING MANAGERS INITIAL:

CHIEF EXECUTIVE OFFICER	_____	HUMAN RESOURCES	N/A
FIELD OPERATIONS	N/A	INTERGOV. RELATIONS	N/A
FINANCIAL SERVICES	N/A	CUSTOMER SERVICES	N/A
ENGINEERING SERV.	_____		

BOARD ACTION:

APPROVED _____
DENIED _____

**TUALATIN VALLEY WATER DISTRICT
RESOLUTION NO. 09-10**

**A RESOLUTION ENDORSING EXTRATERRITORIAL WATER LINE EXTENSION TO
THE TUALATIN VALLEY WATER DISTRICT
(Tax Lot 1N1W22C-01700 R118510, 12440 NW Laidlaw Rd, in Multnomah County)**

Whereas, this matter is before the Board of Commissioners of the Tualatin Valley Water District hereinafter referred to as the Board; and

Whereas, appearing that the District is required by statute and Metro Code 3.09.020(i) to obtain approval for extending a water line outside the District's Boundary; and

Whereas, the Board has received a request for such an extension to serve a property as set forth in Exhibit A and Exhibit B attached hereto and incorporated by reference; and

Whereas, the property has an existing single family residence with a failing domestic water supply well and at some point will be connected to public water as the property is within the Urban Growth Boundary and within Area 93; and

Whereas, Multnomah County has agreed to the proposed extension as set forth in Exhibit C attached hereto and incorporated by reference; and being fully advised,

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TUALATIN VALLEY WATER DISTRICT AS FOLLOWS:

- 1) That the Board by this resolution endorses the proposed extraterritorial water line extension to serve the property as described in Exhibit A and depicted in Exhibit B attached hereto according to the terms of the District Extraterritorial contract:
- 2) That the Board requests approval of this extension by the Board of the Washington County Commissioners;
- 3) That the Chief Executive Officer of the District is hereby directed to file this Resolution with the Washington County Board of Commissioners.

INTRODUCED AND ADOPTED THIS 15th DAY OF DECEMBER, 2010

TUALATIN VALLEY WATER DISTRICT

BY: _____
Dick Schmidt, President

BY: _____
James Duggan, Secretary

Exhibit A
Property Description
12440 NW Laidlaw Road

FORM No. 633 - WARRANTY DEED (Individual or Corporate)

COPYRIGHT 1993 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Bradford Marketing Services, a Nevada corporation, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Orangeview Property Management, Inc., a Nevada corporation, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Multnomah County, State of Oregon, described as follows, to-wit:

Part of Tract 19 and all of Tract 18, Bonny Slope, more particularly described as follows: Beginning at the Southwest corner of Tract 18, Bonny Slope; running thence North along the west line of said Tract 18 and a northerly extension thereof, to a point in the southerly line of County Road No. 1218 (Laidlaw Road); thence along the southerly line of said County Road 1218 to its intersection with the easterly line of said Tract 18; thence Southerly, along the easterly line of said Tract 18, to the Southeast corner of said tract; thence West, along the south line of said Tract 18, to the place of beginning, in the County of Multnomah and State of Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.
 And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 10.00

Ⓞ However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). Ⓞ (The sentence between the symbols Ⓞ, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 19th day of May, 2005, if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

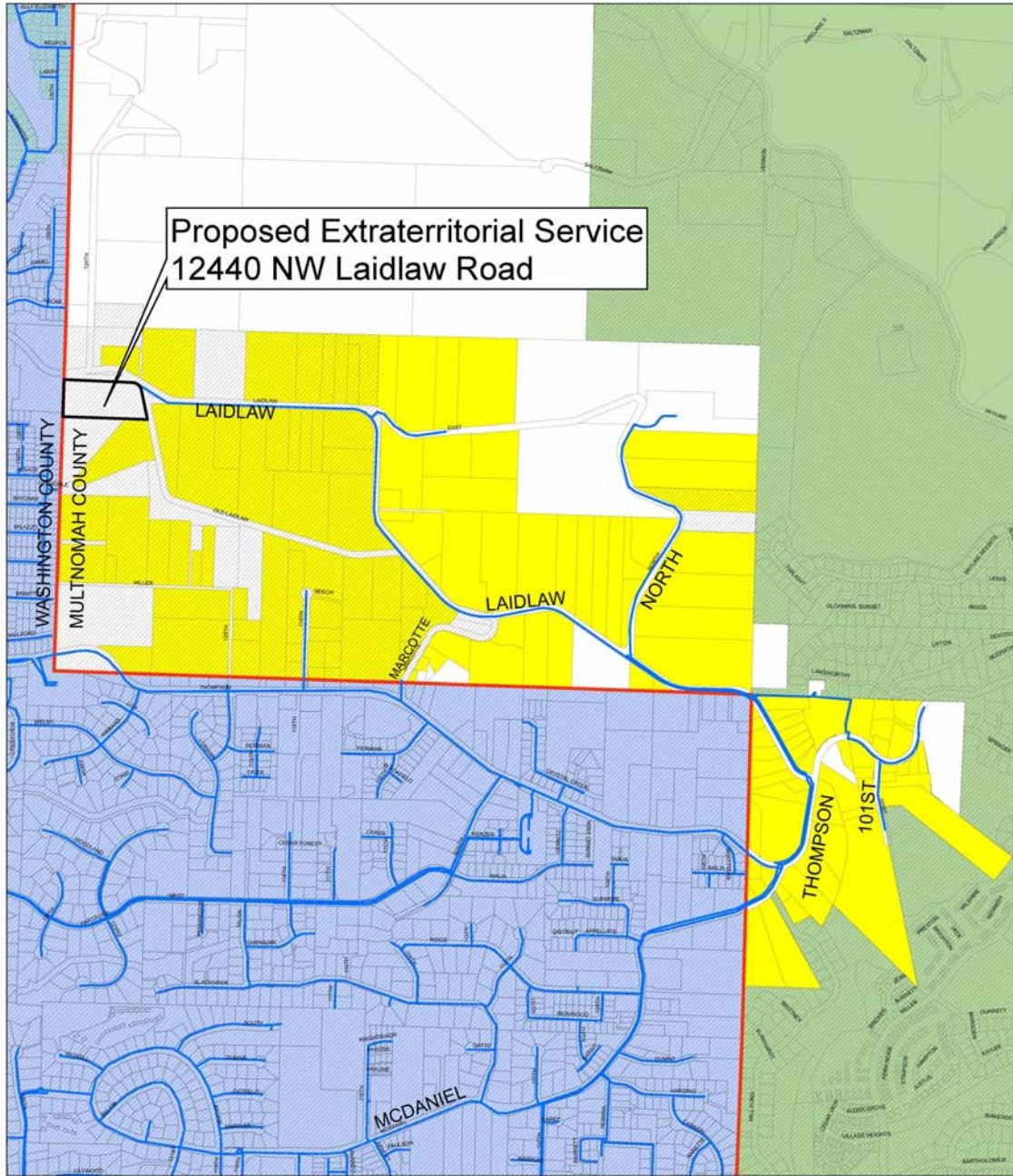
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Nevada
 STATE OF ~~OREGON~~ County of Clark) ss.
 This instrument was acknowledged before me on May 19, 2005 xxx
 by Richard D. Fritzler II
 as President
 of Bradford Marketing Services








Jannette Behmer
 Nevada
 Notary Public for ~~OREGON~~
 My commission expires Dec. 8, 2008

Bradford Marketing Services 1800 E. Sahara, Suite 107 Las Vegas, NV 89104 Grantor's Name and Address	STATE OF OREGON, County of _____ } ss. Recorded in MULTNOMAH COUNTY, OREGON C. Swick, Deputy Clerk A37 1 Total : 21.00 ATTD5 2005-093679 05/25/2005 09:29:28am County attixed: _____ By _____, Deputy.
After recording return to (Name, Address, Zip): Orangeview Property Management 1800 E. Sahara, Suite 107 Las Vegas, NV 89104	
Until requested otherwise send all tax statements to (Name, Address, Zip): Orangeview Property Management 1800 E. Sahara, Suite 107 Las Vegas, NV 89104	

Exhibit B
Vicinity Map
12440 NW Laidlaw Road



Legend

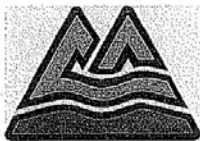
-  Proposed Extraterritorial Service Boundary
-  Water Lines
-  County Line
-  In Urban Growth Boundary
-  Water Service Provided by TWWD Outside of Existing Service Area
-  City of Portland
-  TWWD Existing Service Area



Tualatin Valley Water District

December 1, 2010

Exhibit C
Letter from Multnomah County
12440 NW Laidlaw Road



Department of Community Services
MULTNOMAH COUNTY OREGON

Land Use and Transportation Program
1600 SE 190th Avenue
Portland, Oregon 97233-5910
PH. (503) 988-3043 Fax (503) 988-3389
www.co.multnomah.or.us/landuse

cc Mark ✓
RECEIVED

FEB 24 2010

TUALATIN VALLEY
WATER DISTRICT

✓ Stu Davis
Tualatin Valley Water District
1850 SW 170th Avenue
Beaverton, Oregon 97006

February 23, 2010

RE: Water Service to property at 12440 NW Laidlaw Road in Unincorporated Multnomah County

Dear Mr. Davis,

We have been informed by the landowner at 12440 NW Laidlaw Road¹ that her private well's yield has dramatically dropped and no longer is able to provide adequate water service to the single family dwelling. The landowner (Tina Higgins) mentioned that she contacted your office recently to inquire about connecting to TVWD service west of and adjacent to this property.

The property is located within the Bonny Slope West subdivision which was included in the Urban Growth Boundary in 2002. Multnomah County is undergoing urban concept planning for this area as required by Metro and a part of this planning process involves selection of urban service providers including municipal urban water service which has not yet occurred. Although it would be premature for Multnomah County to authorize extension of any urban services into the concept plan area at this time, based on advice from our legal counsel, it is our understanding that county authorization is not necessary for TVWD to serve this one property.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schilling".

Karen Schilling,
Multnomah County Planning Director

cc: Tina Higgins
6044 East Calle Camelia
Scottsdale, AZ
85251

¹ TIN, R1W, Sec 22C, TL 1700

**TUALATIN VALLEY WATER DISTRICT
REGULAR BOARD MEETING AGENDA ITEM**

MEETING DATE: DECEMBER 15, 2010

TITLE: COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED JUNE 30, 2010 AND GFOA AWARD OF EXCELLENCE IN FINANCIAL REPORTING FOR THE PREVIOUS YEAR'S CAFR.

ITEM: Julie Desimone, CPA & Partner and Scott Johnson, CPA, will present the District's CAFR to the Board, explain the highlights, and be available for questions. Ms. Desimone and Mr. Johnson represent our auditing firm: Moss-Adams LLP. This is our second year of a three-year contract with this independent auditor. We have received a "clean" opinion that the CAFR fairly represented the financial position of the District as of June 30, 2010 in all material respects, and in conformity with the generally accepted accounting principles. We have also complied with Oregon budget law and other statutory and contractual provisions.

We are pleased to report that the District has once again earned the Government Finance Officers Association (GFOA) Award of Excellence in Financial Reporting for the previous year's CAFR. This is the 20th consecutive award. We plan to submit the current year CAFR for the award, as well.

STAFF RECOMMENDATION: We recommend that the Board move to approve the Comprehensive Annual Financial Report for the Year Ended June 30, 2010, and accept the GFOA Award of Excellence in Financial Reporting for the previous year's CAFR.

BUDGET IMPACT: None

ADDITIONAL INFORMATION: Bernice Bagnall, bernice@tvwd.org, (503) 848-3017, Bob Shields, bob@tvwd.org, (503) 848-3070

ATTACHMENTS: The FY 2009-10 Comprehensive Annual Financial Report.

APPROVING MANAGERS INITIAL:

CHIEF EXECUTIVE OFFICER	_____	HUMAN RESOURCES	N/A
FIELD OPERATIONS	N/A	INTERGOV. RELATIONS	N/A
FINANCIAL SERVICES	_____	CUSTOMER SERVICES	N/A
ENGINEERING SERV.	N/A		

BOARD ACTION:

APPROVED _____
DENIED _____