

# Tualatin Valley Water District



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

DECEMBER 2, 2010  
WORK SESSION MINUTES

Present: Commissioners: Jim Duggan, Jim Doane, Marilyn McWilliams,  
President Dick Schmidt (Commissioner Burke was absent)

Management

Staff: Greg DiLoreto, Clark Balfour, Todd Heidgerken, Mark Knudson, Patty Rupp

Citizens: None

President Schmidt called the Tualatin Valley Water District (TVWD) Work Session to order at 6:00 P.M.

Chief Executive Officer, Greg DiLoreto provided opening comments on the agenda topics and then gave the floor to Chief Engineer, Mark Knudson to present the information.

## PROPOSED EXTRATERRITORIAL WATER SERVICE

Mr. Knudson indicated that the District has received a new service request from Tina Higgins, the owner of the property located at the address of 12440 NW Laidlaw Road. The address is just outside the District's service boundary, inside the Urban Growth Boundary (UGB), and is located in Multnomah County. Ms. Higgins currently has a private well on the property that is no longer able to provide adequate water supply to the existing single family dwelling. Ms. Higgins has obtained approval from Multnomah County for TVWD to provide the requested service based upon public health considerations associated with the failing well. Mr. Knudson pointed out that since the request for service is for property outside of the District's established service area, it must also be approved by the District's Board as an extraterritorial water line.

Mr. Knudson explained that the District has an existing 6-inch water main in NW Laidlaw Road located on the northeast corner of Ms. Higgins property. She would be required to obtain a new water service consistent with the District's standard terms and conditions including payment of a system development charge of \$5,481 and a meter fee of \$2,050 for a 5/8-inch service.

Mr. Knudson explained to the Board that staff wished to share this information with them before a resolution is presented as a part of the consent agenda at the December 15 Regular Board meeting.

Commissioner Doane asked if the extraterritorial water line discussion would be related to Agenda Item #3, " Backflow Prevention for Private Wells". Mr. Knudson clarified that this is an understandable question, and added that whatever policy direction given by the Board would be the avenue that would be taken. Therefore, it would be expected that Ms. Higgins comply, should the policy direction require her to abandon her well. The policy may also require the addition of a backflow prevention device, most likely a double check device placed at the property line, to protect backflow into the distribution system.

Mr. Knudson referred to the Vicinity Map included on page 4 of the agenda packet. A discussion took place with respect to service areas and transmission lines as well as boundaries relating to urban service providers. Mr. Knudson and Legal Counsel, Clark Balfour, explained that the City of Portland is aware of the situation and staff will continue to keep them involved.

Staff will prepare a resolution to endorse the proposed Extraterritorial Water Service as described above to be presented to the Board at the December 15, 2010 Board meeting.

### BONNY SLOPE ANNEXATION IN MULTNOMAH COUNTY

#### Background:

The District serves approximately 135 properties in Multnomah County. This includes 87 extraterritorial customers outside the UGB. These 87 properties are outside of TVWD's existing service area boundary and 48 customers are within the UGB.

Mr. Knudson referred to the map of the properties on page 2 of the PowerPoint slides.

#### The Proposal:

- TVWD is the existing water service provider
- Multnomah County and the City of Portland agree in concept (Portland serves only inside the UGB)
- Urban Services planning process to address water service inside UGB
- Multnomah County must find annexation consistent with comprehensive plan
- TVWD Board and Washington County must approve

#### Benefits for annexed customers:

- Failing pipeline and pump to be replaced
- Improved reliability
- Improved water quality
- Provides fire flow
- No change in cost, rates, taxes
- Capital costs shared by all customers

#### Benefits for the rest of the District:

- Rates would remain the same
- Minor decrease in operating cost
- Improved reliability reduces risk of erosion of customer confidence
- Decreased potential liability
- Increased certainty of customer base
- Increased likelihood of becoming service provider of choice for area inside of UGB

Mr. Knudson pointed out that there would be a double-majority annexation process for a minor boundary change.

The process:

- Petition by existing property owners, administered by TVWD staff
- Petition for approval by 50% of land owners based on land area, and 50% of registered voters
- Certification by Washington County Assessor
- Endorsement by TVWD Board
- Determination by Multnomah County Planning
- Hearing, approval by Washington County Board
- Filed with Oregon Secretary of State

Proposed Target Dates:

Activity	Target Date
Letter, fact sheet to customers	December 13, 2010
Public meeting, Terra Nova School	January 11, 2011
Petition period	Dec. 12, 2010 – Jan. 2111
Title searches/property descriptions	Dec. 2010 – Feb. 2011
Certification by Washington County	February 2011
Endorsement by TVWD Board	March 2011
Determination by Multnomah County	March 2011
Application to Washington County	April 2011
Approval by Washington County Board	July 2011

A brief discussion took place amongst the Board and Staff. Mr. Knudson explained that the District would be responsible for paying the cost of title searches, however this would be minimal. The filing fee to Washington County may be around \$3,000.

Commissioner Duggan asked if the District had any other customers in Multnomah County. Mr. Knudson replied that there may be a few in the Metzger area.

BACKFLOW PREVENTION FOR PRIVATE WELLS

Background:

Many existing District customers have private wells that are typically used for irrigation purposes. Oregon Administrative Rules do not explicitly require installation of a backflow prevention device at such properties unless the well is directly connected to the home plumbing system, in which case the highest level of backflow prevention is required.

For clarification, Mr. Knudson read the Oregon Administrative Rules (Oregon Department of Human Services, Public Health Division, Drinking Water Program) OAR 333-061-0070, 333-061-0070 (8) (a) (A), tables 48 & 49, which establish cross connection control requirements located on page 1 of the PowerPoint presentation.

Mr. Knudson described how easily a cross connection backflow incident could happen and asked for the Board's input in terms of policy guidelines on the adequacy of the existing procedures, with respect to backflow prevention. The District's Cross Connection Control Program adheres to these requirements, and was adopted by the Board by Ordinance 1-96.

Since the early years in 2000, the District's practice allowed a customer with a private well to complete a document named a Covenant Running with the Land which addressed the requirement of the backflow prevention for private wells. The customer agreed to a physical disconnection (no link permanently or temporarily) between the non-public water source and the public source and the public water supplied by TVWD. If the customer were to default on the agreement, the District would terminate water service or require the installation of the backflow prevention device. Mr. Knudson described a recent incident that happened in the City of Hillsboro.

Mr. Knudson described the policies of our neighboring water purveyor, located on page 3 of the PowerPoint presentation.

TVWD has 18 existing Covenants that have been signed and recorded. There are 75 known wells in the District, possibly more.

Options to consider:

For existing covenants:

- Do nothing
- Customer Education – annual reminder letter
- Recommend increased protection
- Enhanced inspection and enforcement
- Require increased protection – discontinue covenant, cost?

For known wells:

- Do nothing
- Inspect, continue to allow covenants
- Require covenants for all wells
- Backflow device required only for connected wells
- Inspect, require device for all wells (connected or not)
- No new covenants
- No backflow for legally abandoned wells
- Appropriate device required for all active wells

Mr. Knudson spoke of the suggestions made by the Backflow staff. They have suggested sending notices annually as a reminder to those residents that have covenants in place. Inspections should be made annually on the existing installations to be sure they are not connected, which may require a fee to cover the cost. The focus would be on the sites with the highest risks.

In closing, Mr. Knudson spoke of the staff's recommendation, which would eliminate new covenants and require a double-check backflow prevention device for all known wells. This would provide a greater level of protection to the District's distribution system.

A general discussion took place amongst the Board and staff in terms of the direction the Board wished to take with respect to a new specific policy for private wells.

Chief Executive Officer, DiLoreto, indicated that he understood the Board's direction to be to move forward with writing a policy based upon a resolution, to be presented at a Regular Board meeting for their consideration. The Board agreed with Chief Executive Officer, DiLoreto's consensus.

ADJOURNMENT

Without objection, President Schmidt adjourned the meeting at 7:00 P.M.

BOARD OF COMMISSIONERS  
TUALATIN VALLEY WATER DISTRICT

BY: \_\_\_\_\_  
Dick Schmidt, President

BY: \_\_\_\_\_  
Jim Duggan, Secretary

Date Approved: January 19, 2011