

**Tualatin Valley Water District**



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

**FEBRUARY 15, 2012  
REGULAR MEETING - 7:00 PM**

**Listening devices are available upon request  
48 hours prior to the day of the meeting (503-642-1511)  
Streaming live at [www.tvwd.org](http://www.tvwd.org)  
Broadcast by TVCTV (at a later date)**

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**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 January 18, 2012 .....

**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. RESOLUTION 01-12 AUTHORIZING A SUPPLEMENTAL BUDGET FOR THE BIENNIAL PERIOD 2011-13, TRANSFERS APPROPRIATION WITHIN THE GENERAL FUND FOR DEBT SERVICE, AND INCREASES APPROPRIATION AUTHORITY IN THE REVENUE BOND DEBT SERVICE FUND (MOTION) .....
- 7. IN THE MATTER OF APPROVING PURCHASE OF LOT 24 OF THE TUALATIN VIEW SITE NO. 2 (MOTION) .....
- 8. RESOLUTION 05-12 ENDORSEMENT OF NORTH BETHANY SUBAREA ANNEXATION AS PROPOSED BY WASHINGTON COUNTY (MOTION) .....
- 9. ADJOURNMENT (MOTION)

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

**MEETING DATE: FEBRUARY 15, 2012**

**TITLE: RESOLUTION 01-12, A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET FOR THE BIENNIAL PERIOD 2011-13. TRANSFERS APPROPRIATION WITHIN THE GENERAL FUND FOR DEBT SERVICE AND INCREASES APPROPRIATION AUTHORITY IN THE REVENUE BOND DEBT SERVICE FUND**

**ITEM:** Finance staff has identified an opportunity to save the District money by repaying the outstanding Water Revenue Refunding Bonds, Series 2002 (Series 2002 Bonds) early. The principal outstanding on the Series 2002 Bonds is \$1.14 million with the last scheduled payment due on June 1, 2015. Staff estimates the District will save about \$47,600 in interest costs if the Series 2002 Bonds are repaid by the end of March of this year. This figure is based on savings on interest cost for the Series 2002 Bonds, net of foregone interest earnings in the Local Government Investment Pool on the funds used to redeem the bonds. The Series 2002 Bond Declaration provides the District the authority to repay the bonds early.

To repay the Series 2002 Bonds in March, the District requires \$370,000 in additional appropriation authority in the Revenue Bond Debt Service Fund for the 2011-13 Biennial Budget. Resolution 01-12 authorizes the \$370,000 debt service appropriation through a transfer of General Fund Contingency. The proposed supplemental budget and appropriation transfer in Resolution 01-12 are permitted under Local Budget Law. Due to the relatively small dollar amount of this action, the District’s full Budget Committee’s participation is not required. Local Budget Law authorizes the Board to consider the resolution at a regularly scheduled meeting.

Should Resolution 01-12 be approved, staff will immediately begin work with the District’s paying agent to repay the Series 2002 Bonds in March. As allowed by our Series 2002 Bond Declaration, the bondholders will be provided a 30-day notice. Bonds will be repaid on a date selected by the District, which is currently anticipated to be March 31, 2012.

**STAFF RECOMMENDATION:** Staff recommends the Board approve Resolution 01-12 authorizing a \$370,000 General Fund transfer from General Operating Contingency to the Transfer To Revenue Bond Debt Service Fund category. Resolution 01-12 also authorizes a 2011-13 Biennial Budget supplemental budget appropriation increase of \$370,000 for Debt Service Appropriation in the Revenue Bond Debt Service Fund.

**BUDGET IMPACT:** Reduces General Fund General Operating Contingency from \$8,445,000 to \$8,075,000. Increases Debt Service Appropriation in the Revenue Bond Debt Service Fund from \$3,874,900 to \$4,244,900. Net savings to the District to repay the outstanding Series 2002 Bonds early is estimated to be \$46,700.

**ADDITIONAL INFORMATION:** Paul Matthews, [paulm@tvwd.org](mailto:paulm@tvwd.org), (503) 848-3017  
Tod Burton, [todb@tvwd.org](mailto:todb@tvwd.org), (503) 848-3040

**ATTACHMENTS:** Resolution 01-12

**APPROVING MANAGERS INITIALS:**

|                         |       |                     |     |
|-------------------------|-------|---------------------|-----|
| 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 \_\_\_\_\_



**RESOLUTION 01-12**

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET FOR THE BIENNIAL PERIOD 2011-13. TRANSFERS APPROPRIATION WITHIN THE GENERAL FUND FOR DEBT SERVICE AND INCREASES APPROPRIATION AUTHORITY IN THE REVENUE BOND DEBT SERVICE FUND**

WHEREAS, the Board of Commissioners find that it is financially advantageous to cash redeem with available District Funds all outstanding Water Revenue Refunding Bonds, Series 2002 (Series 2002 Bonds) as authorized by Section 2.3 of the Tualatin Valley District Water Revenue Refunding Bonds, Series 2002 Bond Declaration, dated December 1, 2002; and,

WHEREAS, the net District savings on interest costs on the Series 2002 Bonds is estimated to be \$47,600; and,

WHEREAS, to effect the cash redemption of all outstanding Series 2002 Bonds during the Biennial Budget period 2011-13 it is necessary for the Board of Commissioners to pass a supplemental budget resolution providing additional appropriation authority in the District's Revenue Bond Debt Service Fund through a transfer of General Fund Contingency; and,

WHEREAS, the following supplemental budget action and appropriation transfer is in compliance with Oregon Local Budget Law (ORS 294.305 to ORS 294.565) permitting the Board of Commissioners to adopt the supplemental budget by resolution at a regular meeting of the governing body;

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

Pursuant to the provisions of ORS 294.463(1) and ORS 294.471, the Board of Commissioners of the Tualatin Valley Water District approves the transfer and supplemental appropriations to the 2011-13 Biennial Budget as follows:

Section 1. The following appropriation be and is hereby transferred from the General Operating Contingency to the Transfer To Revenue Bond Debt Service Fund category within the General Fund of the District for the 2011-2013 biennium:

GENERAL FUND

Appropriation transferred from:

General Operating Contingency \$ 370,000

GENERAL FUND

Appropriation transferred to:

Transfer To Revenue Bond Debt Service Fund \$370,000

Section 2. The following supplemental budget appropriation increase for the Revenue Bond Debt Service Fund be and is hereby approved the 2011-2013 biennium:

REVENUE BOND DEBT SERVICE FUND

Supplemental Budget Appropriation:

Debt Service Appropriation \$370,000

Section 3. The purpose of this transfer and supplemental budget appropriation is to fully cash redeem all outstanding Water Revenue Refunding Bonds, Series 2002. The percentage change in the appropriation increase authorized by this resolution for the 2011-13 Adopted Biennial Budget for the Revenue Bond Debt Service Fund is 9.5%, which falls within Local Budget Law requirements under ORS 294.471(3)(a).

INTRODUCED AND ADOPTED THIS 15<sup>TH</sup> DAY OF FEBRUARY 2012

TUALATIN VALLEY WATER DISTRICT

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

BY: \_\_\_\_\_  
James Duggan, Secretary

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

**MEETING DATE: FEBRUARY 15, 2012**

**TITLE: IN THE MATTER OF APPROVING PURCHASE OF LOT 24 OF THE TUALATIN VIEW SITES NO. 2**

**ITEM:** The Tualatin Valley Water District has entered into a Purchase and Sale Agreement dated June 9, 2011 for purchase of the subject property. A first and second amendment to the PSA has extended the due diligence period to February 29, 2012.

**STAFF RECOMMENDATION:** It is recommended that the Board move to approve by motion to authorize the Chief Executive Officer or his designee to execute all necessary documents for purchase of the Lutz property located at 1730 SW 87<sup>th</sup> Avenue in fee simple upon completion of the due diligence.

**BUDGET IMPACT:** Purchase price for the property is \$395,000.00

**ADDITIONAL INFORMATION:** Mark Knudson (503-848-3027) [markk@tvwd.org](mailto:markk@tvwd.org)  
Stu Davis (503-848-3025) [stu@tvwd.org](mailto:stu@tvwd.org)

**ATTACHMENTS:** Background, Exhibit A – Plat Map

**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   | _____ |

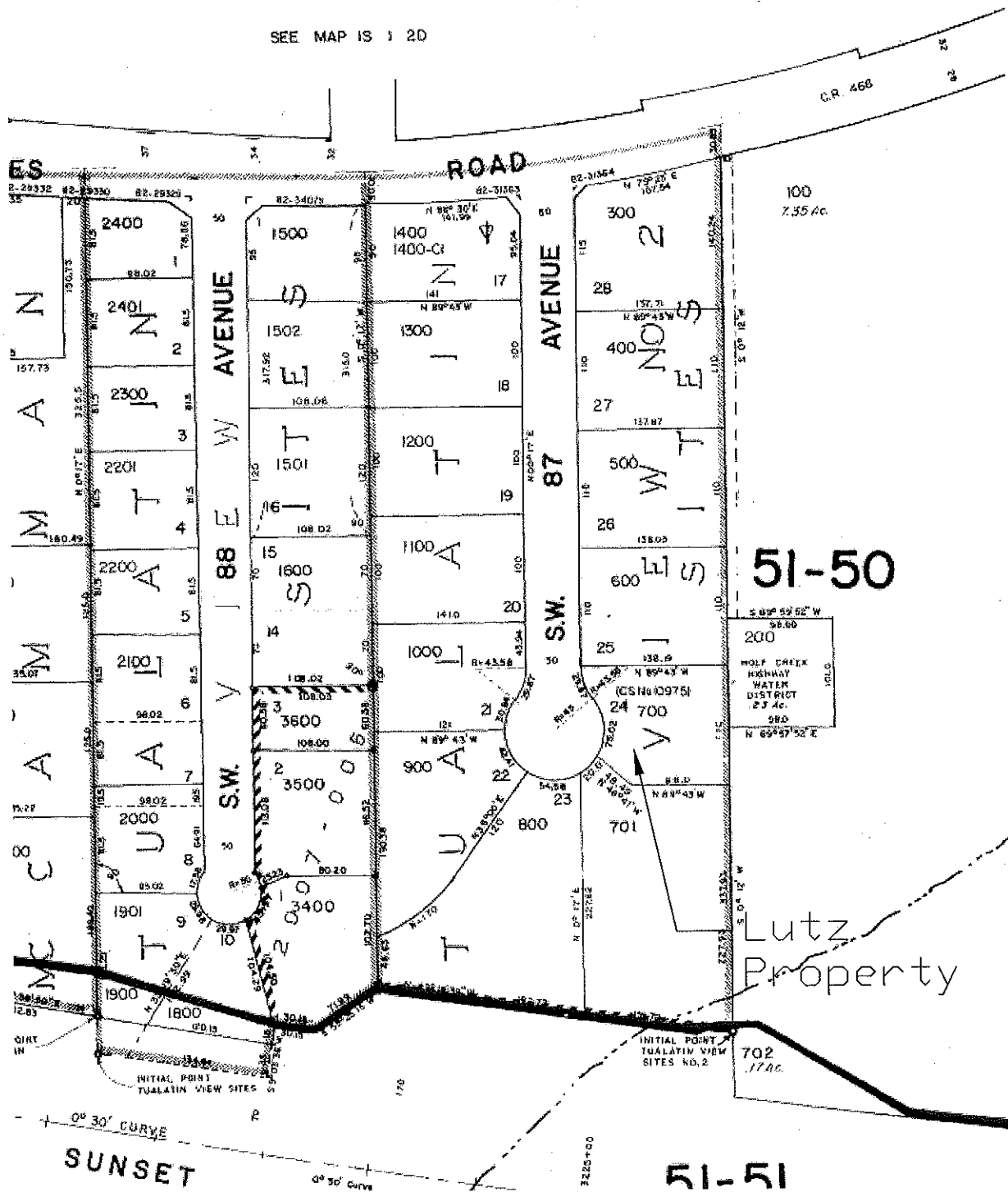
**AUTHORIZE CLOSING OF PURCHASE OF  
LUTZ PROPERTY AT 1730 SW 87<sup>TH</sup> AVENUE**

The District requires property in this area for construction of the new Rosander Pump Station to replace the existing Sunset Pump Station. A duplex dwelling occupies the site at present. The District signed a Purchase and Sale Agreement (PSA) dated June 9, 2011 for purchase of the subject property. A first and second amendment to the PSA extended the due diligence period to February 29, 2012. The District has been in contact with neighbors within the subdivision regarding signing the *First Amendment to Declaration of Restrictions for Tualatin View Sites No. 2* amending the Covenants Conditions and Restrictions (CC&Rs) to allow construction of a structure other than a single-family dwelling.

To-date signatures from 10 property owners for the 14 properties covered by the CC&Rs have been received. Of the remaining property owners, two or three are likely to sign and one has indicated he does not intend to sign. Staff continues to negotiate with the remaining property owners in attempt to reach agreement on amending the CC&Rs.

The District contracted for surveying services and has received a detailed topographic survey of the site that included the adjacent Rosander Reservoir site that is in Tualatin Valley Water District ownership. The subject property is well suited for use by the District for a pump station because its proximity to the Rosander Reservoir, which provides excellent hydraulic conditions for the pump suction. The need for these improvements was identified in the West Hills Study performed by Black and Veatch in 2011.

SEE MAP IS 20



51-50

Lutz Property

51-51

Tualatin Valley Water District

1850 SW 170th Ave. Beaverton, OR 97006 \*(503) 642-1511 \*www.tvwd.org

EXHIBIT A  
1S102DD00700 LOT 24

NORTH  
SCALE: NTS



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

**MEETING DATE: February 15, 2012**

**TITLE:** Resolution 05-12, Endorsement of North Bethany Subarea Annexation as Proposed by Washington County

**ITEM:** This item consists of TVWD Board endorsement of the proposed annexation of properties within the North Bethany Subarea into the TVWD service area. This proposed annexation includes multiple parcels of the North Bethany Subarea as defined by Washington County. The North Bethany Subarea is generally located north of NW Springville Road, south of the Washington County line, west of the Washington County line and east of NW 185<sup>th</sup> Avenue as shown on the attached map.

Over the last four years, Washington County Land Use & Transportation Land Use Planning, in coordination with regional stakeholders including TVWD, prepared the North Bethany Subarea Plan. On October 25, 2011, the Washington County Board of Commissioners (BCC) adopted Ordinance 739-A, which amended the North Bethany Subarea Plan, including creation of a map identifying North Bethany urban/rural edge buffer elements; and amendments to existing plan text, maps and development standards to address issues such as provision of community service uses, urban/rural compatibility, and public facility and service requirements. The BCC will begin consideration of remaining plan elements in the coming months.

Washington County Planning staff has proposed that TVWD adopt this general annexation endorsement for the North Bethany Subarea in anticipation of the County receiving future requests for annexation and development of specific properties within the subarea.

There would be no change in water service to existing properties within the annexed area at this time and TVWD is currently not aware of specific requests for future development. Water service for future development below elevation 300 (generally south and west of NW Brugger Road) will be supplied from existing reservoirs and pipelines. Significant future development above elevation 300 will require construction of a new North Bethany Reservoir on property currently owned by the District and construction of associated transmission pipelines. Funds for the proposed North Bethany Reservoir and pipelines are included in the District’s approved capital budget. Design and construction of water distribution pipelines within the future developments will be the responsibility of the developers.

If approved by the TVWD Board, this resolution will be forwarded to the Washington County Board of Commissioners for their consideration of future specific annexation requests within the North Bethany Subarea.

**STAFF RECOMMENDATION:** Staff recommends approval of Resolution 05-12 endorsing annexation of the above described parcel and as shown in the attached Exhibit A.

**BUDGET IMPACT:** Approval of Resolution No. 05-12 has no impact to the budget.

**ADDITIONAL INFORMATION:** Mark Knudson, Chief Engineer, 503-848-3027, [markk@tvwd.org](mailto:markk@tvwd.org) or Stewart Davis, Sr. Engineer, 503-848-3025, [stu@tvwd.org](mailto:stu@tvwd.org).

**ATTACHMENTS:** Resolution No. 05-12, Exhibit A – Proposed North Bethany Annexation Endorsement

APPROVING MANAGERS INITIALS

|                         |       |                     |     |
|-------------------------|-------|---------------------|-----|
| 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 05-12

#### A RESOLUTION ENDORSING ANNEXATION OF THE NORTH BETHANY SUBAREA

WHEREAS, this matter has come before the Board of Commissioners of the Tualatin Valley Water District, hereinafter referred as the Board; and

WHEREAS, the Washington County Department of Land Use and Transportation (DLUT) has been preparing the North Bethany Subarea Plan (Plan) as shown on Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, the District in cooperation with DLUT, and other local and regional stakeholders, have engaged in development of the Plan and that TVWD is designated to provide water service in the Plan area; and

WHEREAS, the Board has been requested by the Washington County Department of Land Use & Transportation to provide a general endorsement of the annexation of the land within the North Bethany Subarea Plan into the TVWD service area in anticipation of future development within the Plan area; and

WHEREAS, the Board typically under ORS 198.850 endorses property for annexation as each Parcel is proposed therefore, but believes this master resolution for the entire Plan area is more economic and efficient and being fully advised,

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

Section 1: That in accordance with ORS 198.850, the Board by this Resolution endorses the proposed annexation of multiple tax lots with the boundaries of the North Bethany Subarea Plan as defined by Washington County and as shown in attached Exhibit A that depicts the area to be annexed, if and when there is a request for annexation; and

Section 2: That the Secretary of the Board or Chief Executive Officer of the District is hereby directed to file this Resolution with the Washington County Board.

INTRODUCED AND ADOPTED THIS 15th DAY OF FEBRUARY 2012.

TUALATIN VALLEY WATER DISTRICT

BY \_\_\_\_\_ BY \_\_\_\_\_  
Dick Schmidt, President James Duggan, Secretary

Washington County  
Multnomah County

Washington County  
Multnomah County

185TH AVE

BRUGGER RD

KAISER RD

BRUGGER RD

JOSSE AVE






SPRINGVILLE RD

LIDLAW RD

WEST UNION RD

Proposed  
Annexation  
Endorsement

**Legend**

-  Proposed Annexation Endorsement
-  North Bethany Subarea
-  County Boundary
-  Tax Lot
-  TVWD Service Area

0 1,000 2,000 Feet



2/7/2012

**Tualatin Valley Water District**



**Proposed North Bethany Annexation Endorsement**