

Tualatin Valley Water District



Delivering the Best Water 💧 Service 💧 Value

Board Meeting Minutes August 15, 2018

REGULAR SESSION – 7:00 PM

CALL TO ORDER

Commissioners Present: Bernice Bagnall; Jim Doane, PE; Jim Duggan, PE; Todd Sanders; Dick Schmidt

Staff Present: Mark Knudson, PE, Chief Executive Officer; Paul Matthews, Chief Financial Officer; Clark Balfour, General Counsel; Andrew Carlstrom, Customer Service Manager; Dave Kraska, PE, Water Supply Program Director; Amy Blue, Human Resources Director; Pete Boone, PE, Water Operations Division Manager; Debbie Werner, District Recorder

REPORTS BY THE CHIEF EXECUTIVE OFFICER AND MANAGEMENT STAFF

Mr. Balfour presented the safety minute on badly behaved bees. In response to a question, he said there is an epinephrine pen on site.

Mr. Knudson provided information on cyanotoxin monitoring and water supply and highlighted the Regional Water Provider Consortium's new bilingual website (see attached memo).

Mr. Balfour gave the department report on his current and anticipated projects (see attached presentation).

COMMISSIONER COMMUNICATIONS

A. Reports of meetings attended

Commissioners described and submitted a list of recently attended meetings (see attached forms).

B. Topics to be raised by the Commissioners

There was none.

PUBLIC COMMENT

There was none.

1. CONSENT AGENDA

- A. Approve the July 18, 2018 regular meeting minutes.
- B. Approve the July 23, 2018 retreat meeting summary.
- C. Approve the August 7, 2018 work session minutes.
- D. Grant the Chief Executive Officer, as per his employment agreement, the authority to amend the Drug Free Workplace Policy and the authority to create personnel/risk policies or make any necessary changes to other District personnel/risk policies within budget appropriations without formal Board approval.

Motion was made by Doane, seconded by Duggan, to approve the Consent Agenda as presented. The motion passed unanimously with Bagnall, Doane, Duggan, Sanders and Schmidt voting in favor.

2. BUSINESS AGENDA

- A. Consider adopting Resolution No. 21-18, a resolution approving a Programmatic Agreement among the United States Army Corps of Engineers (USACE), the Oregon State Historic Preservation Office (SHPO), Tualatin Valley Water District and the City of Hillsboro, and authorize the Chief Executive Officer to review and approve any revisions that may be requested by USACE, SHPO or the Confederated Tribes of the Grand Ronde.

Mr. Kraska provided the background on the agreement as well as summarized its contents (see attached presentation).

Motion was made by Schmidt, seconded by Sanders, to adopt Resolution No. 21-18, a resolution approving a Programmatic Agreement among the United States Army Corps of Engineers (USACE), the Oregon State Historic Preservation Office (SHPO), Tualatin Valley Water District and the City of Hillsboro, and authorize the Chief Executive Officer to review and approve any revisions that may be requested by USACE, SHPO or the Confederated Tribes of the Grand Ronde. The motion passed unanimously with Bagnall, Doane, Duggan, Sanders and Schmidt voting in favor.

- B. Consider approving the appointments of Board officers and internal and external committee assignments for the 2018-19 fiscal year.

Motion was made by Doane, seconded by Duggan, to approve the appointments of Board officers and internal and external committee assignments for the 2018-19 fiscal year as outlined in the meeting packet. The motion passed unanimously with Bagnall, Doane, Duggan, Sanders and Schmidt voting in favor.

ADJOURNMENT

There being no further business, President Bagnall adjourned the meeting at 7:30 p.m.

Bernice Bagnall, President

Todd Sanders, Secretary



MEMO

Date: August 15, 2018
To: Tualatin Valley Water District Board of Commissioners
From: Mark Knudson, CEO
Re: Chief Executive Officer and Management Staff Report

The following items will be covered during the report by the CEO:

- 1. Safety Minute** – Clark Balfour, TVWD’s General Counsel, will present the safety minute.
- 2. Cyanotoxin Monitoring** – As I announced last month, TVWD is monitoring for cyanotoxins this summer under the Environmental Protection Agency’s unregulated contaminant monitoring rule and under the new, temporary rule established by the Oregon Health Authority (OHA). To date, we have yet to detect cyanotoxins in the Joint Water Commission (JWC) or Portland supplies into TVWD. All results will be shared with TVWD if a public health advisory is triggered and additional system monitoring is conducted under OHA’s new rule.
- 3. Water Supply Update** – This summer continues to be warmer and dryer than normal, and as I reported last month, portions of the state are now moving into drought conditions. The good news is that TVWD’s water supply sources remain in good shape, and we project that we will have ample water to make it through the summer.

Portland’s Bull Run reservoirs are currently about 60% full which is about average for this time of year. Portland is also operating their groundwater supply to augment the Bull Run supply and limit the risk of a possible shortfall.

The JWC reservoirs (Barney and Scoggins) are about 66% full. This is below average for this time of year, but it is above the levels in 2015 - which was an unusually hot and dry year - and we finished that summer with ample water.

TVWD has used about 50% of the District’s capacity share of the Barney Reservoir (we don’t own capacity in Scoggins), so we are using the JWC at a slighter higher utilization rate as compared to the other JWC partners. That is, in part, due to TVWD’s increased use of the JWC supply after Portland terminated

CEO & Management Staff Report to the TVWD Board of Commissioners

August 15, 2018

Page 2

availability of the summer interruptible water that was historically available under our existing supply contract with Portland.

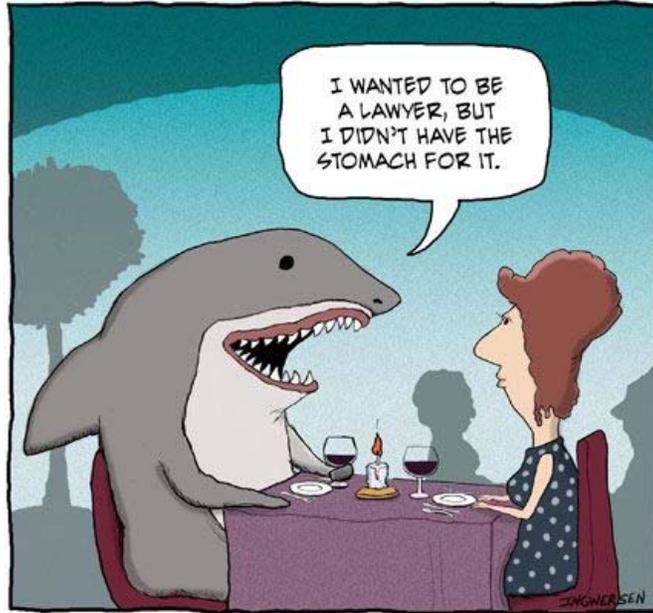
While TVWD has ample water supplies to make it through the summer, we continue to encourage our customers to use water wisely. Water conservation tips are available at the District's website, www.TVWD.org, or from the Regional Water Providers Consortium at www.conserveh2o.org.

- 4. Consortium Website Goes Bilingual.** Speaking of conservation, I am happy to report that the Consortium's conserveh2o website will soon be bilingual. Many of the conservation features on the website have been translated into Spanish, and those features are scheduled to go online any day now. These Spanish language resources are just another important benefit provided through TVWD's ongoing membership in the Regional Water Providers Consortium.
 - 5. Department Report** – In keeping with the District's mission of providing quality water and customer service, Clark Balfour will present the department report for the Legal Department this evening.
-

Legal Department Report

Clark Balfour, General Counsel

August 15, 2018



ONGOING AND EVOLVING

- Willamette Water Supply Program
 - Intergovernmental agreements for pipeline design and construction
 - Washington County
 - Wilsonville
 - Right of way and land acquisition
 - Pipeline and reservoirs
 - Coordination agreements with developers



ONGOING AND EVOLVING

- Willamette Intake Facilities Commission
 - Standing up the WIF commission
 - Construction Manager General Contractor (CM/CG) selection
 - Raw Water Pipeline routing
- Grabhorn Reservoir
- Ridgewood View Reservoir
- Customer Information System (CIS)
- Oregon Water/Wastewater Agency Response Network (ORWARN)



Ridgewood View Reservoir

ON THE HORIZON

Willamette Water Supply System (WWSS):

- IGA for ownership, design, construction and governance
- Calendar Year 2018

Willamette Water Supply
Our Reliable Water



Willamette River Water Coalition IGA Restatement:

- Recast WRWC to hold and manage water rights in conjunction with WIF and WWSS
- Calendar Year 2018

WRWC
Willamette River Water Coalition
Water For Our Communities



THIS JUST IN.....

Legislative agenda for 2019:

- Budget
- PERS Impact
- Fees and General Fund



Oregon Health Authority (OHA) fees:

- OHA legislative and administrative rulemaking
- Addition of drinking water program staff
- Significant increase in fees particularly on larger entities

Oregon Health
Authority

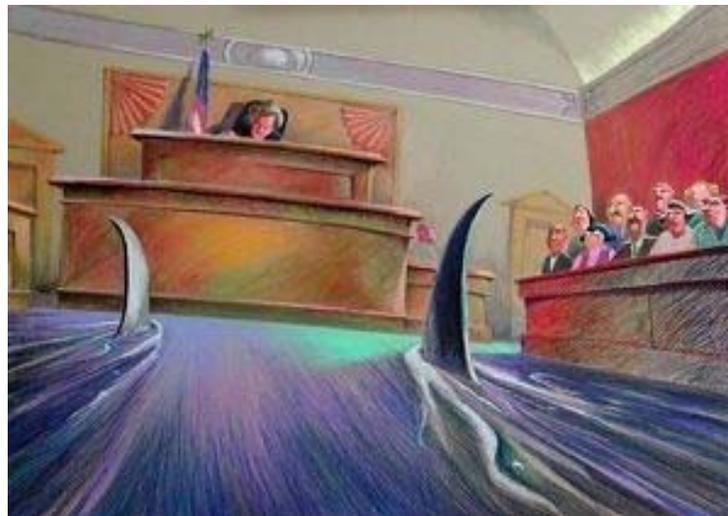
THIS JUST IN....



Issues and Concerns

- Need a strong drinking water program
- General fund is most appropriate
- Fee should be commensurate with benefits and needs
- Combination?
- State retention of drinking water program
- Loss of delegation and reversion to Environmental Protection Agency

QUESTIONS?



"Counsel, please approach the bench."

Willamette Water Supply *Our Reliable Water*

Cultural Resources Programmatic
Agreement Between TVWD, Hillsboro, US
Army Corps of Engineers and Oregon State
Historic Preservation Office
August 15, 2018

Background – Cultural Resources Programmatic Agreement

- First brought to TVWD Board at the March 2018 regular meeting
- Adopted Resolution 11-18 approving a Cultural Resources Programmatic Agreement.
 - CEO to execute the agreement
 - Recognizes that some edits and corrections to the agreement are pending, but are not expected to be substantial in nature
- Due in part to some staffing changes, USACE requested changes to the agreement that were greater than anticipated, and SHPO provided comments that needed to be addressed.

Background – Cultural Resources Programmatic Agreement

- Constructing the Willamette Water Supply System will entail ground disturbing activities.
- We are working with the following resource agencies to avoid, minimize or mitigate adverse impacts to cultural and historic resources and properties:
 - United States Army Corps of Engineers (Corps)
 - State of Oregon – State Historic Preservation Office (SHPO)
 - Affected Tribes (Confederated Tribes of the Grand Ronde, Warm Springs, Siletz)
- This Programmatic Agreement enables the WWSP to continue to advance while the field survey work is still in progress.

Programmatic Agreement Summary

- Intergovernmental agreement between TVWD, Hillsboro, United States Army Corps of Engineers and Oregon State Historic Preservation Office.
 - The Tribes rarely sign PAs – USACE will continue to consult with them
- Provides for permitting, designing and constructing the WWSS in compliance with the National Historic Preservation Act.
 - Stipulations in the agreement explain in detail the required actions to avoid, minimize or mitigate impacts
- Revisions from the prior version consist largely of wording clarifications, defined resolution of adverse effects, revised reporting, limited duration to 10 years and established concurrence with SHPO.
- Some revisions to this agreement may still be needed, but they are expected to be minor.

Resolution No. 21-18

Consider adopting a resolution approving a Programmatic Agreement between the United States Army Corps of Engineers and the Oregon State Historic Preservation Office, the Tualatin Valley Water District and the City of Hillsboro.

- CEO to execute the agreement
- Recognizes that some edits and corrections to the agreement are pending, but are not expected to be substantial in nature

Tualatin Valley Water District



Delivering the Best Water Service Value

Report of Meetings Attended

Commissioner Jim Doane

Date	Meeting or Function	Purpose	\$	Claimed
7/23	Work Retreat		50	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8/7	Work Session		50	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8/9	Aloha Business Assoc		50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8/14	Regular Mtg		50	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

#200
 \$50 to Deane
 \$150 to LEAP
 OK to pay
 Dinner

Date 8/15

Signed and approved

Date 8/15/18

ORS 198.190, "A member of the governing body of a district may receive, not to exceed \$50.00 for each day or portion thereof as compensation for services performed as a member of the governing body. Such compensation shall not be deemed lucrative. The governing body may provide for reimbursement of a member for actual and reasonable traveling and other expenses necessarily incurred by a member in performing official duties." *Please note that in accordance with ORS 294.331 (3) members of the budget committee shall receive no compensation for their services as members of such committee.*

By Board Resolution 02-14, an amount equal to the unclaimed funds for services will be transferred to the District's Customer Emergency Assistance Program.

Tualatin Valley Water District



Report of Meetings Attended

Commissioner Jim Duggan

Date	Meeting or Function	Purpose	\$	Claimed
23 JULY 18	BOARD RETREAT	STRATEGIC VISION	50 ⁰⁰	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2 AUG 18	MTG w/ MARK K.	POLICY UPDATES	50 ⁰⁰	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7 AUG 18	BOARD WORK SESSION	DRUG POLICY	50 ⁰⁰	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15 AUG 18	BOARD MTG.	EXEC. SESSION of REG. MONTHLY MTG.	50 ⁰⁰	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

200⁰⁰
OK to pay
D. Werner

Date 15 AUGUST 2018

Signed and approved

Date 8/15/2018

ORS 198.190, "A member of the governing body of a district may receive, not to exceed \$50.00 for each day or portion thereof as compensation for services performed as a member of the governing body. Such compensation shall not be deemed lucrative. The governing body may provide for reimbursement of a member for actual and reasonable traveling and other expenses necessarily incurred by a member in performing official duties." Please note that in accordance with ORS 294.331 (3) members of the budget committee shall receive no compensation for their services as members of such committee.

By Board Resolution 02-14, an amount equal to the unclaimed funds for services will be transferred to the District's Customer Emergency Assistance Program.

Tualatin Valley Water District



Delivering the Best Water ◊ Service ◊ Value

Report of Meetings Attended

Commissioner Todd Sanders

Date	Meeting or Function	Purpose	\$	Claimed
7/13/18	BOARD MEETING	District Business	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7/19/18	New Board member mtg	Orientation	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7/23/18	Board Retreat	Retreat	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8/7/18	WORK SESSION	District Business	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8/15/18	BOARD Meeting	District Business	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
			\$250 OK to pay D Werner	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

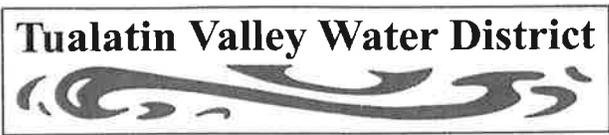
Date 8/15/18

Signed and approved

Date 8/15/18

ORS 198.190, "A member of the governing body of a district may receive, not to exceed \$50.00 for each day or portion thereof as compensation for services performed as a member of the governing body. Such compensation shall not be deemed lucrative. The governing body may provide for reimbursement of a member for actual and reasonable traveling and other expenses necessarily incurred by a member in performing official duties." Please note that in accordance with ORS 294.331 (3) members of the budget committee shall receive no compensation for their services as members of such committee.

By Board Resolution 02-14, an amount equal to the unclaimed funds for services will be transferred to the District's Customer Emergency Assistance Program.



Report of Meetings Attended

Commissioner Dick Schmidt

Date	Meeting or Function	Purpose	\$	Claimed
080718	Work session	Beaverton IGA	50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
081518	Regular board		50	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			\$100	<input type="checkbox"/> Yes <input type="checkbox"/> No
			OIC to pay DWemer	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

Date 8/15/18

Signed and approved

Date 8/15/18

ORS 198.190, "A member of the governing body of a district may receive, not to exceed \$50.00 for each day or portion thereof as compensation for services performed as a member of the governing body. Such compensation shall not be deemed lucrative. The governing body may provide for reimbursement of a member for actual and reasonable traveling and other expenses necessarily incurred by a member in performing official duties." *Please note that in accordance with ORS 294.331 (3) members of the budget committee shall receive no compensation for their services as members of such committee.*

By Board Resolution 02-14, an amount equal to the unclaimed funds for services will be transferred to the District's Customer Emergency Assistance Program.