

Willamette Water Supply System Commission
Board Meeting Minutes
Thursday, July 1, 2021

Commissioners present: ROLL CALL TABLE

City of Beaverton:	Marc San Soucie (<i>alternate</i>)
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:	Eric Hielema (<i>alternate</i>)
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	Bill Van Derveer
WWSP Engineering and Construction Manager	Mike Britch
WWSP Permitting and Outreach Manager	Christina Walter
WWSP Finance Manager	Lisa Houghton
WWSS Commission Recorder / WWSP Administrative Assistant	Annette Rehms

Other Attendees present:

TVWD Asset Management Division Manager	Matt Oglesby
TVWD Water Resources Division Manager	Joel Cary
TVWD, Controller	David Shick
TVWD, Technical Services Accountant	Shital Patel
Geosyntec Consultants, Inc. Senior Principal Engineer	Rob Annear
Stantec, Senior Principal	Patrick Lytle
Stantec, Vice President, Water Program Management	Jeff Schulz

REGULAR SESSION – 12:00 PM

CALL TO ORDER

Chairman Judah called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 12:00 p.m.

ROLL CALL

Ms. Rehms administered the roll call and noted attendance.

1. GENERAL MANAGER'S REPORT

Mr. Kraska presented a safety minute on fireworks safety (presentation on file).

The General Manager's report included an overview of etiquette for remote meetings; Board meeting appointment update; the Approvals and Procurement Forecast covering June through August 2021; updates on projects planning; permitting and communications; status updates on the design and construction of projects; and a steel market exposure update.

In response to question, staff said it is unknown if we have missed the window to procure steel at a lower price. The steel producers have the ability to produce the steel needed to meet current demands, but time is needed to recover from the shutdowns related to COVID-19. The WWSP's subject matter experts believe steel prices will come down and WWSP staff will continue to monitor the market closely.

Commissioners thanked Mr. Kraska for the thorough analysis and information presented. They acknowledge Alternative 1 (*Owner-procured Hot-rolled Coil and Rebar Only for Pipelines and Facilities*) and Alternative 2 (*Owner-procured Fabricated Pipe for Pipelines and Rebar/Other Steel for Pipelines and Facilities*) have inherent risks that preclude their selection until there are clear signals that either alternative is advantageous.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

- A. Approve the June 3, 2021, meeting minutes.

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

4. BUSINESS AGENDA

- A. Approve PLM_4.2 Resolution of Need and Delegation of Authority for Acquisition to Washington County –
Joelle Bennett

Ms. Bennett described the project location and reported there are certain properties along the project that require acquisition solely for the WWSS, although this project is partnered with Washington County Land Use and Transportation. For efficiency for the project partners and simplicity for the property owners, Washington County has agreed to perform all property acquisitions for the project. This resolution is unique as it is authorizing Washington County to perform the property acquisition process, including negotiations with interest holders, and authorizes the acquisition of the property interests by eminent domain, to the extent negotiations fail on behalf of the WWSS Commission. Funds for purchase of easements are included in the WWSP baseline budget. (*Presentation on file*)

Motion was made by Duggan, seconded by San Soucie, to adopt Resolution No. WWSS-13-21 approving the Declaration of Public Necessity to acquire property interests over, upon, under, and through real property for pipeline section PLM_4.2 for the Willamette Water Supply System and delegating authority to Washington County. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

B. Adopt PLM_4.2 WCLUT Teton to Langer Design IGA Amendment 3 – *Mike Britch*

Mr. Britch provided an overview of the project design background, the partnership agreement with Washington County Land Use and Transportation (WCLUT) and reviewed the intergovernmental agreement (IGA) and prior amendments. The proposed resolution updates the project's design-related cost share details and adjusts schedule milestones to support design completion. These changes are mostly pertaining to topographic and utility survey, development of the traffic control plans, and railroad crossing permit support. The design milestones have also been adjusted to reflect recent partnership coordination. The project is anticipated to be bid in May 2022. He also noted the additional cost of work described in the IGA amendment will be accommodated through project contingency. *(Presentation on file)*

Motion was made by San Soucie, seconded by Duggan, to adopt Resolution WWSS-14-21 approving PLM_4.2 WCLUT Teton to Langer Design IGA Amendment 3. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

C. Adopt PLM_4.4 WCLUT Roy Rogers Road Design IGA Amendment 1 – *Mike Britch*

Mr. Britch provided an overview of the project design background, the partnership agreement with WCLUT and reviewed the IGA. The proposed resolution updates design-related cost share details and adjusts schedule milestones to reflect the current, refined plan for delivery of the partnership project. These changes are mostly pertaining to topographic and utility survey, development of the traffic control plans, and associated WCLUT project administration. The design milestones have also been adjusted to reflect recent partnership coordination. The project is anticipated to be bid in December 2021. He also noted the additional cost of work described in the IGA amendment will be accommodated through project contingency. *(Presentation on file)*

Mr. Britch concluded by listing the benefits of WWSP partnering with Washington County on the project.

Motion was made by Duggan, seconded by San Soucie, to adopt Resolution WWSS 15-21 approving PLM_4.4 WCLUT Roy Rogers Road Design IGA Amendment 1. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

D. Execute WWSS IGA Exhibit 13 Intergovernmental Agreement for Financial Assurances between City of Beaverton and Willamette Water Supply System – *Dave Kraska*

Mr. Kraska gave a background overview of the WWSS intergovernmental agreement (IGA). He indicated IGA Exhibit 13, for Financial Assurance between City of Beaverton and WWSS has yet to be independently authorized and executed. He noted as part of the continued development of the WWSS, there will be a need to provide financial assurance for some public improvements in the City of Beaverton. Funds for construction and maintenance (prior and up to when the WWSS is commissioned) for all WWSS facilities are included in the WWSS Baseline budget.

In response to a question, general counsel said it is appropriate for the City of Beaverton's WWSS Commission representative to vote on behalf of the commission. He indicated that the IGA including Exhibit 13 were approved by all governing bodies two years ago. However, Exhibit 13, still requires signatures in order to be fully executed.

Motion was made by San Soucie, seconded by Duggan, to adopt Resolution WWSS 16-21 approving the execution of the WWSS IGA Exhibit 13 Intergovernmental Agreement for Financial Assurances between City of Beaverton and Willamette Water Supply System. The motion passed unanimously with San Soucie, Judah, and Duggan voting in favor.

5. INFORMATION ITEMS

A. Early Procurement of Pipe for RES_1.0/PLM_5.3 by CM/GC – *Mike Britch*

Mr. Britch presented an overview of the Management Committee approved approach to perform early pipe procurement for the RES_1.0 and PLM_5.3 projects through the CM/GC contractor. He provided a list of expected benefits and estimated cash flow impacts. He also provided a summary of the steps taken for partner finance evaluation and the request for approval process that have been completed.

In response to a question, staff said, providing the contractor and pipeline manufacturer additional schedule flexibility has greater benefits to the program than waiting for steel prices to trend down. This earlier than originally planned procurement allows for the PLM_5.3 and RES_1.0 pipeline to be bid prior to other WWSP construction packages that we will be bid near the end of 2021.

Commissioners thanked staff for the information presented and encouraged the program team to continue keeping them informed on important decisions that influence risk management, cost, and schedule performance.

B. Planned August Business Agenda Items – *Joelle Bennett*

Ms. Bennett presented information on business agenda items planned for the August 6, 2021, WWSS Commission Board meeting.

Staff anticipates recommending approval of:

1. PLM_1.3 Supplemental Resolution of Need
2. MPE_1.2 Supplemental Resolution of Need
3. Adopt RES_1.0 WCLUT Grabhorn Road Realignment IGA
4. Adopt PLM_4.4 WCLUT Roy Rogers Road Construction IGA
5. Adopt PLW_1.2 WCLUT Cornelius Pass Road Construction IGA
6. Approve PLM_1.3 Settlement Agreement with W-4 LLC

B. The next Board meeting is scheduled on August 5, 2021, 12:00 PM via Microsoft Teams.

6. COMMUNICATIONS AND NON-AGENDA ITEMS

A. None scheduled.

In response to question, staff said the discussion of in-person meetings will be added to the September 2, 2021, Board meeting agenda.

ADJOURNMENT

There being no further business, Chairman Judah adjourned the meeting at 1:01 p.m.

David Judah, Chair

James Duggan, Vice Chair