

**Willamette Water Supply System Commission  
Board Meeting Minutes  
Thursday, December 7, 2023**

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**Attendance:**

**Commissioners present:**

City of Beaverton	Allison Tivnon
City of Hillsboro	David Judah
Tualatin Valley Water District (TVWD)	Jim Duggan

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**Committee Members present:**

City of Beaverton	David Winship
City of Hillsboro	Niki Iverson
TVWD	Paul Matthews, Pete Boone

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**Managing Agency Staff present:**

WWSS Commission General Manager / Willamette Water Supply Program (WWSP) Director	David Kraska
TVWD Legal Counsel	Clark Balfour
WWSP Assistant Director	Joelle Bennett
WWSP Program Manager	Andre Tolme
WWSP Deputy Program Manager	Jill Chomycia
WWSP Permitting and Outreach Manager	Christina Walter
TVWD Interim CFO / WWSP Finance Manager	Justin Carlton
WWSS Commission Recorder / WWSP Exec. Assistant	Annette Rehms

**Other Attendees present:**

Hillsboro staff	Chris Wilson, Negar Niakan, Jessica Dorsey
TVWD staff	Joel Cary, David Shick

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**REGULAR SESSION – 12:00 PM**

**CALL TO ORDER**

Chair Duggan called the regular Willamette Water Supply System (WWSS) Commission meeting to order at 12:00 PM.

**ROLL CALL**

Ms. Rehms administered the roll call and noted a quorum was present.

**1. GENERAL MANAGER'S REPORT**

The General Manager's report included status updates on a cost agreement with Portland General Electric, cancellation of the January Board meeting, a reminder of upcoming Board Officer elections, in-person meeting status, and Willamette Water Supply Program (WWSP) permitting, communications, and construction activities. (*presentation on file*)

In response to commissioner feedback, Mr. Kraska will work with internal staff to develop a plan for potential future in-person Board meetings and will present the plan during the February 1, 2024, Board meeting.

## **2. PUBLIC COMMENT**

There were no public comments.

## **3. CONSENT AGENDA**

- A. Approve the November 2, 2023, meeting minutes

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

## **4. BUSINESS AGENDA**

- A. Approve WTP\_1.0 GMP No. 2 Contract for Construction – *David Kraska*

Mr. Kraska presented an overview of the background and scope of work for the WTP\_1.0 Guaranteed Maximum Price (GMP) for construction from Sundt Construction, Inc (Sundt). The contract for construction manager/general contractor (CM/GC) services was executed on January 25, 2019, and was planned to be amended to include two GMPs for construction; GMP No. 1 for most of the water treatment plant construction and GMP No. 2 for final road construction, landscaping, fencing, and finished water system commissioning. Recently, the decision was made to separate the finished water system commissioning work from GMP No. 2 as the CM/GC was not able to complete the scope and pricing for it in time. This allows for timely execution of the site work contracts while the CM/GC continues to work on scope and pricing for the finished water system commissioning, which will now be contracted under a new GMP No. 3. The GMP No. 2 change order value of \$11,578,844 is within the approved \$16.8 million baseline budget (Baseline 8.1, approved in 2023) for this project. The difference in the change order value and the Baseline will be used to fund GMP No. 3 (*presentation on file*)

Motion was made by Tivnon and seconded by Judah, to approve a change to the Sundt contract (Contract 2018-015) in the amount of \$11,578,844 to incorporate Guaranteed Maximum Price No. 2 for the construction of the WTP\_1.0 project of the Willamette Water Supply Program. The motion passed unanimously with Tivnon, Judah, and Duggan voting in favor.

## **5. INFORMATION ITEMS**

- A. Water Treatment Plant Schedule Recovery Progress Update – *Dave Kraska*

Mr. Kraska reviewed the current schedule for the WWSS WTP\_1.0 project. Progress on the schedule recovery plan has been slower than anticipated as the contractor continues to work on improving the quality and accuracy of its schedule. In November 2023, Sundt hired a new schedule team and WWSP staff anticipate an improved schedule as a result. Once the improved schedule is available, WWSP staff will work closely with the Contractor's team to evaluate opportunities to retain the scheduled float. This topic will be discussed at the each upcoming WWSS Board meeting. (*presentation on file*)

B. WWSP Performance Audit – *Justin Carlton*

Mr. Carlton presented an overview of the WWSP Performance Audit and background. The performance audit was conducted to ensure efficient and effective internal controls and recommend improvements to WWSP processes. The report concluded that WWSP and TVWD accounting staff have adhered to the policies and procedures that were established under the Intergovernmental Agreement (IGA), Management Authority Matrix, and Program Management Plan. The auditor recommendation for improvement is to obtain WWSS Board approval of the cost-allocation methodology or to have the Board delegate approval authority to the Management Committee. Considering the limited remaining use of the cost-share allocation and that its use is already accepted by the partners, staff recommends that the WWSS Board take no action on the auditor’s recommendation.

In response to staff recommendation, the Board requested more time for consideration and to convene with their respective Management Committee representatives for input.

In response to commissioner request, the General Manager will support the Management Committee members through the decision process. This topic will be brought to a future Board meeting for action.

C. Planned February Business Agenda items – *Joelle Benett*

Ms. Bennett presented information on the business agenda items planned for the February 1, 2024, WWSS Commission Board Meeting.

Staff anticipates the following business agenda items:

1. Election of Officers
2. Adopt Fiscal Year 2024-25 Annual Work Plan and Budget and Capital Improvement Plan (Baseline 9.0)
3. Approve WTP\_1.0 GMP No.3 Contract for Construction [*Tentative*]

D. The next Board meeting is scheduled on February 1, 2024, via Microsoft Teams.

**6. COMMUNICATIONS AND NON-AGENDA ITEMS**

A. None scheduled

**ADJOURNMENT**

There being no further business, Chair Duggan adjourned the meeting at 1:44 PM.

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James Duggan, Chair

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David Judah, Vice Chair