

Willamette Intake Facilities Commission
Board Meeting Agenda
Monday, October 23, 2023 | 6:00 – 7:30 PM
Microsoft Teams Meeting

If you wish to attend via conference call and need dial-in information, please contact annette.rehms@twwd.org or call 971-222-5957 by 4:00 p.m. on October 23, 2023.

If you wish to address the WIF Board, please request the Public Comment Form and return it 48 hours prior to the day of the meeting.

The meeting is accessible to persons with disabilities and those who need qualified bilingual interpreters. A request for an interpreter for the hearing impaired, a bilingual interpreter or for other accommodations should be made at least 72 hours before the meeting to the contact listed above.

REGULAR SESSION – 6:00 PM

CALL TO ORDER

1. GENERAL MANAGER’S REPORT – Dave Kraska

Brief presentation on current activities relative to the WIF Commission

2. PUBLIC COMMENT

This time is set aside for persons wishing to address the Board on items on the Consent Agenda, as well as matters not on the agenda. Additional public comment will be invited on agenda items as they are presented. Each person is limited to five minutes unless an extension is granted by the Board. Should three or more people testify on the same topic, each person will be limited to three minutes.

3. CONSENT AGENDA

These items are considered to be routine and may be approved in one motion without separate discussion. Any Board member may request that an item be removed by motion for discussion and separate action. Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Board has approved those items which do not require discussion.

- A. Approve the April 24, 2023 meeting minutes

4. BUSINESS AGENDA

- A. None

5. INFORMATION ITEMS

- A. Review of Managing Agency Performance – *Dave Kraska*
- B. FY 2025 Annual Work Plan Development Preview – *Dave Kraska*
- C. Legislative Updates – *Joel Cary*
- D. The next Board meeting is scheduled on January 22, 2024 via Microsoft Teams

6. COMMUNICATIONS AND NON-AGENDA ITEMS

- A. None scheduled

ADJOURNMENT

Willamette Intake Facilities Commission

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GENERAL MANAGER'S REPORT

To: Board of Commissioners
From: David Kraska, P.E., General Manager
Date: October 23, 2023
Subject: Willamette Intake Facilities General Manager's Report

This report provides an overview of some of the current Willamette Intake Facilities (WIF) work efforts under the direction of this Commission.

- 1. Raw Water Facilities Update** – Since the last Willamette Water Supply System (WWSS) Raw Water Facilities (RWF) Project update, the intake screen protection piles in the Willamette River were driven to the design depth and the catchment fence was installed. Phase 2 of the WWSS RWF Project is now underway. Phase 2 work includes the Upper Site electrical building, surge control system, and backup power. It also includes HVAC, power, and resiliency improvements to the raw water pump station. To date, the electrical conduits at the Upper Site have been excavated, placed, and backfilled. The building slab was poured, and the masonry walls are complete. The brick veneer, roof members, and roof decking are underway. Construction of the exterior fence at the Upper Site is also in progress; the concrete work is complete, and the stone veneer work is on-going. Portland General Electric's contractor will be on-site this month to begin work on the infrastructure needed to supply power to the new facility. Early next year, installing the new raw water pumps and other mechanical and electrical improvements at the raw water pump station will begin. Phase 2 is scheduled to be substantially complete in early 2025.
- 2. WIF Curtailment, Operations, and Emergency Response Plans** – Staff continue to make progress on the IGA-required Curtailment, Operations, and Emergency Response Plans for the WIF. The Operations Committee completed its annual review of the Draft Curtailment Plan in late 2022. Staff continue to work with the Operations Committee to draft sections of the Operations Plan and anticipate completing the initial draft this Spring. The Emergency Response Plan effort is now underway, and staff plan to develop the draft document over the next year. All plans are anticipated to come to the WIF Commission Board for review and adoption in 2025.
- 3. Watershed Protection, Monitoring, and Outreach Plan Development Updates** – Work on the Watershed Protection, Monitoring, and Outreach Plan will continue into 2024.
 - Staff and our project consultant team completed initial outreach to introduce the WIF Commission mission to 23 high priority, regional stakeholder organizations and held five focus group sessions with the 13 organizations that responded with interest in participating. During the focus group sessions, staff discussed building partnerships and leveraging resources to accomplish shared goals.
 - The project consultant, Geosyntec, finalized a technical memorandum on monitoring technologies and case studies.
 - Geosyntec also provided a draft technical memorandum expanding on the water quality risks associated with the highest priority potential contaminant sources identified earlier in the project.

- The overall Watershed Protection, Monitoring, and Outreach Plan will summarize the work performed to date and include source water protection strategy recommendations as well as an implementation plan.
 - Staff aim to bring a draft of the Plan to the WIF Commission Board for review in January and recommend approval in April.
- 4. Financial Procedures Updates** –Staff have been working with FSC Group (FCS) since February 2023 to develop the WIF and WWSS Financial Procedures. Workshops have been held monthly with the Finance Committee members on the following topics: payment frequencies, depreciable lives of assets, firm lease rates, capitalization policy, interruptible leases, periodic reporting, compensation for overuse, surplus capacity, and indirect cost allocations. Additional workshops are planned for October, November, and December 2023 on the topics of allocation of operation and maintenance expenses, capital improvement plan costs, and allowances for working capital. FCS will produce a summary report of all decisions made which will be brought to the WIF Management Committee for review prior to presentation to the WIF Commission Board for approval in 2024.
- 5. Thermal Trading Plan Updates** – In April 2021, WaterWatch filed a petition for judicial review with the Multnomah County Circuit Court on the Oregon Department of Environmental Quality's (DEQ) approval of the Willamette Water Supply System's (WWSS) Thermal Trading Plan. In June 2021, the WWSS filed a motion to intervene, which was granted and WWSS became a party to the case. On June 7, 2023, staff and legal counsel (Cable Huston), participated in a mediation meeting with WaterWatch which was unsuccessful at resolving the case. On July 28, 2023, a summary judgement hearing occurred. At the conclusion of the oral argument, the Court indicated that it was not satisfied that the evidence was sufficiently clear to grant summary judgment. Subsequently, on August 1, 2023, legal counsel filed a petition for reconsideration of the summary judgement motion. At this time, staff have not been informed of the Court's response. The trial date has been revised and is set for January 16-24, 2024.
- 6. Quarterly Financial Reports** – Task 4.c. of the Annual Work Plan requires the Managing Agency to prepare quarterly financial reports and provide them to the WIF Commission Board. Attached to this General Manager's report are the quarterly financial statements for the periods ending June 30, 2023 and September 30, 2023.
- 7. WIF 2023 – Audit Planning Letter** – On September 25, 2023, staff emailed the audit planning communication letter from our auditors. This is a required element of the Commission's annual financial audit. Attached is a copy of the letter. The Board of Commissioners is encouraged to read the letter and if they have any questions to direct them to interim Chief Financial Officer Justin Carlton, at Justin.carlton@tvwd.org.
- 8. Election of Officers** – In accordance with Section 4.6 of the WIF Commission IGA, election of officers will occur during the January 2024 Board meeting. As a reminder, in 2022 the Board agreed to the following planned rotation of officer positions. If the Board chooses to follow the rotation, Commissioner Tivnon from the City of Beaverton would become chair and Commissioner Godsey from City of Hillsboro would become vice chair.

Year	Chair	Vice Chair
2023	Wilsonville	Beaverton
2024	Beaverton	Hillsboro
2025	Hillsboro	TVWD
2026	TVWD	Sherwood

Willamette Intake Facilities Commission

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WILLAMETTE INTAKE FACILITIES COMMISSION BOARD MEETING

October 23, 2023



1

GENERAL MANAGER'S REPORT: RAW WATER INTAKE UPDATE

October 23, 2023

2

RAW WATER INTAKE UPDATE – LOWER SITE



- Protection piles driven to design depth
- Catchment fence complete
- Security system coordination and work on-going
- HVAC and resiliency improvements at raw water pump station in future

October 23, 2023

Willamette Intake Facilities Commission

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RAW WATER INTAKE UPDATE – UPPER SITE ELECTRICAL WORK



- Conduits installed
- Conduit concrete encasement complete
- PGE to begin work on-site this month for new power supply infrastructure

October 23, 2023

Willamette Intake Facilities Commission

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RAW WATER INTAKE UPDATE – UPPER SITE ELECTRICAL BUILDING



- Masonry complete
- Brick veneer on-going
- Structural steel roof members complete
- Roof decking in progress
- Surge tanks and backup generators in future

October 23, 2023

Willamette Intake Facilities Commission

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RAW WATER INTAKE UPDATE – UPPER SITE



- HVAC units on-site
- Exterior fence concrete complete
- Exterior fence stone veneer on-going



October 23, 2023

Willamette Intake Facilities Commission

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QUESTIONS?



Willamette Intake Facility Commission
 For the annual budget period ending June 30, 2023
 For the quarter ended June 30, 2023

<i>Activity for the Quarter</i>			<i>Unaudited</i>	<i>Annual</i>				
<i>Budget</i>	<i>Actual</i>	<i>Variance</i>		<i>Annual Budget</i>	<i>Budget To date</i>	<i>Actual</i>	<i>Variance</i>	<i>Remaining Budget</i>
			Revenues					
\$ 197,975	\$ 153,608	\$ (44,367)	Contributions	\$ 791,900	\$ 791,900	\$ 306,407	\$ (485,493)	\$ 485,493
373,328	(189,336)	(562,664)	Capital contributions	1,493,313	1,493,313	479,492	(1,013,821)	1,013,821
\$ 571,303	\$ (35,728)	\$ (607,031)	Total Revenues	\$ 2,285,213	\$ 2,285,213	\$ 785,899	\$ (1,499,314)	\$ 1,499,314
			Expenditures					
\$ 197,975	\$ 153,608	\$ 44,367	Materials and Services	\$ 791,900	\$ 791,900	\$ 306,407	\$ 485,493	\$ 485,493
355,328	(189,336)	544,664	Capital Outlay	1,421,313	1,421,313	479,492	941,821	941,821
18,000	-	18,000	Contingency	72,000	72,000	-	72,000	72,000
\$ 571,303	\$ (35,728)	\$ 607,031	Total Expenditures	\$ 2,285,213	\$ 2,285,213	\$ 785,899	\$ 1,499,314	\$ 1,499,314

Willamette Intake Facilities Commission

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Willamette Intake Facility Commission
For the annual budget period ending June 30, 2024
For the quarter ended September 30, 2023

<u>Activity for the Quarter</u>			<u>Unaudited</u>	<u>Annual</u>				
<u>Budget</u>	<u>Actual</u>	<u>Variance</u>		<u>Annual Budget</u>	<u>Budget To date</u>	<u>Actual</u>	<u>Variance</u>	<u>Remaining Budget</u>
			Revenues					
\$ 193,296	\$ 20,810	\$ (172,486)	Admin Services	\$ 773,185	\$ 193,296	\$ 20,810	\$ (172,486)	\$ 752,375
-	-		Miscellaneous Income	-	-	-	-	-
2,750	-	(2,750)	Capital contributions	11,000	2,750	-	(2,750)	11,000
\$ 196,046	\$ 20,810	\$ (175,236)	Total Revenues	\$ 784,185	\$ 196,046	\$ 20,810	\$ (175,236)	\$ 763,375
			Expenditures					
\$ 193,296	\$ 20,810	\$ 172,486	Materials and Services	\$ 773,185	\$ 193,296	\$ 20,810	\$ 172,486	\$ 752,375
2,750	-	2,750	Capital Outlay	11,000	2,750	-	2,750	11,000
-	-	-	Contingency	-	-	-	-	-
\$ 196,046	\$ 20,810	\$ 175,236	Total Expenditures	\$ 784,185	\$ 196,046	\$ 20,810	\$ 175,236	\$ 763,375

Willamette Intake Facilities Commission

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T (503) 242-1447
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805 SW Broadway
Suite 1200
Portland, OR 97205

September 21, 2023

To the Board of Commissioners
Willamette Intake Facilities Commission
1850 SW 170th Avenue
Beaverton, OR 97003

Re: Audit Communications

In connection with our engagement to audit the financial statements of Willamette Intake Facilities Commission (the "Commission") as of and for the year ended June 30, 2023, professional standards require that we communicate with you certain items including our responsibilities with regard to the financial statement audit and the planned scope and timing of our audit. We would also appreciate the opportunity to meet with you to discuss this information further since two-way communication can provide valuable information in the audit process.

As stated in our engagement letter dated September 8, 2023, we are responsible for conducting our audit in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards for the purpose of forming and expressing an opinion about whether the financial statements that have been prepared by management, with your oversight, are presented, in all material respects, in conformity with principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility for the supplementary information accompanying the financial statements is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including its internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or regulations that are attributable to the Company or to acts by management or employees acting on behalf of the Company. We will communicate to you at the conclusion of our audit, significant matters that we believe are relevant to your responsibilities in overseeing the financial reporting process, including any internal control related matters that are required to be communicated under professional standards.

We expect to begin our audit on approximately September 25, 2023, and issue our report no later than December 31, 2023.



During the planning of the audit we have identified the following significant risks:

- Segregation of duties related to accounting functions
- Management override of controls
- Plant assets - depreciation
- Operating revenues and operating expenses

Your client service team includes:

Julie Desimone – Partner and Engagement Reviewer

Keith Simovic – Partner and Concurring Reviewer

Laurel Braschayko – Senior Manager

Jack Strother-Blood – Manager

This information is intended solely for the information and use of Board of Commissioners and management of Willamette Intake Facilities Commission and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully,

A handwritten signature in blue ink that reads 'Julie Desimone'.

Partner for Moss Adams LLP

Portland, Oregon

September 21, 2023

Willamette Intake Facilities Commission
Board Meeting Minutes
April 24, 2023

Attendance:

Commissioners present:

Table listing commissioners present: City of Beaverton (Allison Tivnon), City of Hillsboro (John Godsey), City of Sherwood (Tim Rosener), City of Tigard (Not available), City of Wilsonville (Kristin Akervall), Tualatin Valley Water District (TVWD) (Jim Doane).

Committee members present:

Table listing committee members present: City of Hillsboro (Niki Iverson), City of Wilsonville (Delora Kerber).

Managing Agency staff present:

Table listing managing agency staff present: WIF Commission General Manager / Willamette Water Supply Program (WWSP) Director (Dave Kraska), TVWD General Counsel (Clark Balfour), WWSP Assistant Director (Joelle Bennett), WWSP Permitting and Outreach Manager (Christina Walter), WWSP Finance Manager (Justin Carlton), TVWD Water Resources Division Manager (Joel Cary), WIF Commission Recorder / WWSP Executive Assistant (Annette Rehms).

Public Attendance

Rob Annear

REGULAR SESSION – 6:00 PM

CALL TO ORDER

Chair Akervall called the Willamette Intake Facilities (WIF) Commission meeting to order at 6:01 p.m.

ROLL CALL

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

1. GENERAL MANAGER’S REPORT

Mr. Kraska presented a safety minute on what to do after an auto accident. It was noted by Commissioner Tivnon who shared that your home address is no longer recommended when exchanging information after an accident. (presentation on file)

Mr. Kraska confirmed that the Commissioners support ceasing safety minute presentations for future WIF Board meetings.

The General Manager's report included updates on the Raw Water facilities, WIF IGA and WIF easement, WIF Curtailment Plan, Operations Plan, and Emergency Response plans, and quarterly financial reports for the period ending March 30, 2023.

In response to question, staff clarified that Exhibit 1 – Willamette Intake Facilities Easement was drafted in 2018. Now that construction is nearly complete, the final easement drawings can be completed. The WIF IGA legal terms will not be impacted or changed. Once the easement has been finalized, it will be vetted with the WIF Management Committee and Board for approval.

2. PUBLIC COMMENT

There were no public comments.

3. CONSENT AGENDA

A. Approve the January 23, 2023 meeting minutes

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

Commissioner Rosener experienced technical issues and had to drop out of the meeting. A quorum was noted as still present.

4. BUSINESS AGENDA

A. Adopt FY2023-24 WIF Annual Work Plan and Budget – Justin Carlton

Mr. Carlton reviewed the Annual Work Plan (AWP) and Budget preparation timeline and highlighted the following AWP proposed changes from FY23:

- **General Administration –**
 - Developing Emergency Response Plan
 - Complete Source Water Protection Plan
- **Capital Project Management**
 - Monitoring and reporting, only
- **Operations Committee Administration**
 - Six meetings per year
- **Administer WIF Board of Commissioners Meetings**
 - Three meetings per year
- **Operations, Maintenance, Repair**
 - New item - utilities, equipment maintenance, repairs, and contract labor

He said the proposed FY24 budget is \$784,185, a reduction of \$1,429,028 from the FY23 budget. The capital outlay has significantly reduced as WIF related elements at the Raw Water Facilities have been completed. The only remaining work is to receive and install a valve for the air burst system. (*presentation on file*)

Motion was made by Godsey, seconded by Tivnon, to adopt Resolution No. WIF 01-23 approving the Willamette Intake Facilities (WIF) Annual Work Plan and Budget for 2023-24 fiscal year. The motion passed unanimously with Tivnon, Godsey, Doane, and Akervall voting in favor.

B. Adopt FY2023-24 WIF Board Meeting Schedule

Mr. Kraska presented the staff report establish regular meeting dates for fiscal year 2023-24. He recommended to continue meeting three times per year in January, April, and October and to continuing meeting on the fourth Monday of said month at 6:00 p.m. (*presentation on file*)

Motion was made by Doane, seconded by Tivnon, to adopt Resolution No. WIF 02-23 approving regular meeting dates of the Willamette Intake Facilities (WIF) Board of Commissioners for fiscal year 2023-24, meeting three times during the year. The motion passed unanimously with Tivnon, Godsey, Doane, and Akervall voting in favor.

In future years, this item will be included on the Commission's consent agenda.

5. INFORMATION ITEMS

A. Watershed Protection, Monitoring, and Outreach Plan

Ms. Walter provided a progress update on the Phase 2 Willamette Watershed Protection, Monitoring, and Outreach Plan development accomplishments:

- Completed two technical memorandums, one on funding opportunities and the second on source water management case studies to assist in developing upstream protection and early warning systems.
- Staff has worked closely with Geosyntec facilitating two workshops with the WIF Operations Committee regarding outreach strategy, key messaging to stakeholders, and brand identity for the WIF Commission.
- In May, staff will begin a series of "brown bag" focus group sessions with external stakeholders. These groups consist of water providers, government agencies, environmental groups, and agricultural. The goal of these focus groups sessions will be to identify opportunities for future partnerships in achieving shared goals for the WIF Commission's Willamette Watershed Protection, Monitoring, and Outreach Plan.

Ms. Walter will provide another progress update at the next WIF Commission Board meeting.

B. Legislative Update

Mr. Cary reported on current legislative activities that are relevant to WIF operations, he said as of mid-April, the 2023 Oregon Legislative Session had crossed the halfway mark. Agency staff and industry coalitions have been testifying and engaging with legislators on a variety of water related bills introduced this session. He provided updates on three notable items related to water supply planning and management:

1. HB2813 – Oregon Watershed Enhancement Board (OWEB) Grant Program
2. HB 3100 – Updated Integrated Water Resources Strategy Requirements
3. HB 3124 – Bipartisan Drought Relief and Water Security Package (BiDRAWS)

Mr. Cary will provide another update at the next WIF Commission Board meeting.

C. The next Board meeting is scheduled on October 23, 2023, via Microsoft Teams

6. COMMUNICATIONS AND NON-AGENDA ITEMS

A. None scheduled.

ADJOURNMENT

There being no further questions or business, Chair Akervall adjourned the meeting at 6:38 p.m.

Kristin Akervall, Chair

Allison Tivnon, Vice Chair

WIF COMMISSION STAFF REPORT

To: Board of Commissioners
From: David Kraska, P.E., General Manager
Date: October 23, 2023
Subject: Managing Agency Performance Review for Fiscal Year 2022-23

Key Concepts:

- TVWD currently serves as Managing Agency (MA) for the WIF Commission and as such is responsible for managing the business affairs of the WIF Commission and acting in accordance with Section 5 and other provisions of the WIF IGA.
- Section 5.4 of the IGA requires the WIF Management Committee to conduct an annual performance review of the MA and submit a report to the Board.
- The subject report presents the WIF Management Committee's review of TVWD's performance of its MA duties under the WIF IGA while executing the work authorized through the Board-approved Annual Work Plan (AWP) for Fiscal Year 2022-23.
- The MA's performance met or exceeded expectations in all ten performance areas evaluated.
- Due to a now-corrected oversight, similar reports were not prepared for the preceding three fiscal years; however, MA performance was substantially the same during that period.

Background:

The Management Committee for the WIF Commission completed an annual performance review of the WIF MA for Fiscal Year 2022-23 as required by Section 5.4 of the WIF IGA. Ten areas of performance were reviewed – performance for each of the eight scope areas identified in the AWP, adherence to the AWP budget, and modeling the WIF Commission's values as defined in the Strategic Framework – as follows:

AWP Scope Areas

1. General Administration
2. Capital Projects Management
3. Annual Work Plan and Budget Development
4. Finance Committee Administration
5. Operations Committee Administration
6. Management Committee Administration
7. Administer WIF Board of Commissioners Meetings
8. Contingency

AWP Budget

9. Performance Against MA's AWP Budget

WIF Commission Values

10. Modeling of the WIF Commission's Values

For each performance area, the report summarizes planned activities and/or expectations for the MA, assigns a performance rating, and provides a basis for the rating.

The MA prepared a draft self-assessment, which was submitted to the Management Committee. The draft self-assessment was shared with the Management Committee members at a meeting held on September 20, 2023, and no exceptions were expressed at the meeting. Since then, and upon further review of the draft self-assessment, the Management Committee members agree that the MA is fulfilling its duties under the WIF IGA, operating in alignment with the WIF Commission's Strategic Framework, and doing so within the confines of the specific scope and budget established through the AWP adopted for Fiscal Year 2022-23. The MA's performance met or exceeded expectations in all ten performance areas.

Due to an oversight, since corrected, annual reviews of MA performance were not prepared for Fiscal Years 2019-20, 2020-21, or 2021-22. The MA has been operating in substantially the same manner and with substantially the same staff since the WIF IGA became effective in April 2018. Consequently, the performance review for Fiscal Year 2022-23 can be considered indicative of MA performance for earlier fiscal years. The requirement for annual reviews is being tracked and the attached report and development approach will serve as guides for future reviews.

Budget Impact:

None.

Staff Contact Information:

David Kraska, P.E.; General Manager; 503-941-4561; david.kraska@tvwd.org

Attachments:

- Managing Agency Performance Review for Fiscal Year 2022-23

Managing Agency Performance Review for Fiscal Year 2022-23, Willamette Intake Facilities Commission**To:** Board of Commissioners**From:** WIF Management Committee*City of Beaverton: Dan Weinheimer**City of Hillsboro: Niki Iverson**City of Sherwood: Craig Sheldon**City of Tigard: Brian Rager**City of Wilsonville: Delora Kerber**TVWD: Paul Matthews***Date:** October 23, 2023

Summary:

The Management Committee for the Willamette Intake Facilities (WIF) Commission completed this annual performance review of the WIF Managing Agency (MA) for fiscal year 2023 (FY23) as required by Section 5.4 of the WIF Intergovernmental Agreement (IGA). Ten areas of performance were reviewed – performance for each of the eight scope areas identified in the MA’s approved Annual Work Plan (AWP), adherence to the AWP budget, and modeling the WIF Commission’s values as defined in the WIF Strategic Framework. Based on its review, the Management Committee finds that the MA is fulfilling its duties under the WIF IGA, operating in alignment with the Strategic Framework, and doing so within the confines of the specific scope and budget established through the AWP adopted for FY23. The MA’s performance met or exceeded expectations in all ten performance areas.

Background and Purpose:

The WIF Commission is responsible for oversight of the management and operation of the Willamette Intake Facilities (Intake Facilities). The Intake Facilities are a critical component serving the Willamette River Water Treatment Plant now and the Willamette Water Supply System in the future. The WIF Commission is a partnership formed under ORS Chapter 190 and through an Intergovernmental Agreement (WIF IGA) between: the Tualatin Valley Water District (TVWD), and the cities of Wilsonville, Sherwood, Hillsboro, Tigard, and Beaverton. The WIF IGA establishes the general operating procedures for the WIF Commission and defines the duties of the MA. TVWD currently serves as MA for the WIF Commission. The MA is responsible for managing the business affairs of the WIF Commission and acting in accordance with Section 5 and other provisions of the WIF IGA (listed in Appendix A).

In 2021, the Board adopted a Strategic Framework: Mission, Vision, Values & Goals (Strategic Framework), which is intended to serve as the WIF Commission’s core framework for annual planning and effective decision making (summarized in Appendix B). Each year, the Board adopts an (AWP, pursuant Section 4.7.4 of the IGA, in association with an annual budget. The AWP defines the objectives, scope of work, and budget for the MA to fulfill its duties under the IGA and advance the Mission, Vision, Values and Goals established in the Strategic Framework.



Figure 1. Context for Evaluating WIF Commission Managing Agency Performance

Section 5.4 of the IGA requires the WIF Management Committee to conduct an annual performance review of the MA and submit a report to the Board.

Figure 1 depicts context for conducting an evaluation of the MA. Given this context, an efficacious MA

should be fulfilling its duties under the WIF IGA, operating in alignment with the Strategic Framework, and doing so within the confines of the specific scope and budget established through an adopted AWP.

This report presents the WIF Management Committee’s review of TVWD’s performance of its MA duties under the WIF IGA while executing the work authorized through the AWP for FY23 (provided in Appendix C).

Approach:

Ten areas of performance are reviewed – performance for each of the eight scope areas identified in the AWP, adherence to the AWP budget, and modeling the WIF Commission’s values as defined in the Strategic Framework – as follows:

AWP Scope Areas

1. General Administration
2. Capital Projects Management
3. Annual Work Plan and Budget Development
4. Finance Committee Administration
5. Operations Committee Administration
6. Management Committee Administration
7. Administer WIF Board of Commissioners Meetings
8. Contingency

AWP Budget

9. Performance Against MA’s AWP Budget

WIF Commission Values

10. Modeling of the WIF Commission’s Values

For each performance area, the planned activities and/or expectations are summarized, a performance rating is assigned, and a basis for the rating is provided. Table 1 shows the performance rating scale that is used.

Table 1. Performance Rating Scale

1	2	3	4	5
<i>Performance was Below Expectations</i>	<i>Performance did not Consistently Meet Expectations</i>	<i>Performance Met Expectations</i>	<i>Performance Met and Sometimes Exceeded Expectations</i>	<i>Performance Exceeded Expectations</i>

Intermediate ratings between categories (e.g., 2.5 or 4.5) may be used as appropriate.

The MA prepared a draft self-assessment, which was submitted to the Management Committee. The Management Committee modified or accepted the draft information as the committee deemed appropriate. The MA was provided with a draft of the Management Committee’s report and was provided an opportunity to suggest corrections and clarifications. The performance review results and recommendations in the subsequent sections reflect the Management Committee’s consideration of all available information.

MA Performance:

Table 2 identifies performance areas and planned activities and/or expectations for the MA for FY23. It also contains the Management Committee’s rating of the MA’s performance for each area and the basis for that performance rating.

Table 2. Management Committee’s Performance Review of the Managing Agency for FY23

Performance Area	Planned Activities and/or Expectations	Performance Rating	Rating Basis
<p>1. General Administration The MA is responsible for managing the business affairs of the Commission.</p>	<ul style="list-style-type: none"> • Develop a draft outline of the Emergency Response Plan and revise/update the draft Operations Plan and draft Curtailment Plan • Manage WIF-related records • Coordinate responses to public or media requests for information • Maintain a web page on the TVWD website to support communications and public outreach • Provide quarterly legislative updates to the Management Committee • Maintain a contact list of WIF Board and committees members • Perform cyanotoxin testing at WRWTP (if not conducted by Oregon DEQ) • Begin Phase 2 work on the Willamette River Watershed Protection, Monitoring, and Outreach Plan (Watershed Plan), including stakeholder outreach and engagement, financial opportunities to support the plan, appropriate monitoring technologies to consider, and development of a final, comprehensive Watershed Plan 	<p>4.5</p>	<ul style="list-style-type: none"> • The MA: <ul style="list-style-type: none"> ○ Substantially progressed development of the WIF Curtailment, Operations, and Emergency Response Plans by: <ul style="list-style-type: none"> ▪ Facilitating completion of the Operations Committee’s annual review of the Draft Curtailment Plan ▪ Continuing to work with the Operations Committee to draft sections of the Operations Plan and completing the initial draft ▪ Beginning development of an Emergency Response Plan ▪ Maintaining progress so that all plans are anticipated to come to the Board for review and adoption in 2025 ○ Maintained WIF-related records in TVWD’s records management system and in accordance with public records requirements ○ Maintained a web page on the TVWD website (WIF page) to communicate information about past and upcoming Board meetings, planning documents, and financial statements ○ Provided a legislative update to the Board and Management Committee at each Board meeting ○ Maintained and distributed a contact list of WIF Board and committees members ○ Substantially progressed work on Phase 2 of the Watershed Plan by: <ul style="list-style-type: none"> ▪ Conducting interviews with Commissioners and Agency Partners to assess priorities and identify/prioritize stakeholder lists in preparation for regional stakeholder outreach ▪ Conducting a workshop with the WIF Operations Committee regarding outreach strategy, key messaging to stakeholders, and brand identity for the WIF Commission; creating options for the WIF brand identity; and holding a follow-up workshop with the WIF Operations Committee ▪ Preparing to host five one-hour workshops to educate and engage stakeholders on opportunities for cooperating/collaborating with the WIF for source water protection ▪ Performing and documenting a comprehensive review of opportunities available for funding support of watershed protection plan development and implementation ▪ Preparing a technical memorandum that evaluates source water quality monitoring technology and source water management case studies to assist in development of upstream protection and early warning systems ○ Cyanotoxin testing at the WRWTP was not performed by the MA in FY 23.

Performance Area	Planned Activities and/or Expectations	Performance Rating	Rating Basis
<p>2. Capital Projects Management The MA is responsible for managing any capital improvement projects to WIF facilities undertaken by the WIF Commission.</p>	<ul style="list-style-type: none"> • Monitor and report to the WIF Board activities related to the following projects: <ul style="list-style-type: none"> ○ WWSP RWF_1.0 improvement project ○ Maintenance and improvements projects conducted by Wilsonville on the WIF 	<p>4.0</p>	<ul style="list-style-type: none"> • The MA: <ul style="list-style-type: none"> ○ Monitored the listed projects through the WWSP and regular communication with City of Wilsonville staff ○ Reported progress on the WWSP RWF_1.0 project through the following reports: <ul style="list-style-type: none"> ▪ WIF General Manager’s Reports for each Board Meeting ▪ WWSP Monthly Progress Reports (RWF_1.0 progress in the context of the overall WWSP) ▪ WWSP Monthly Project Reports (detailed RWF_1.0 reporting) ○ In FY23, there were no noteworthy maintenance and improvement projects conducted at the WIF. Only routine maintenance was performed. ○ Supported capital asset administration by preparing legal descriptions for the easements granted in the WIF IGA. The draft easements, which will be brought to the Management Committee and Board for approval, represent as-built conditions and Department of State Lands jurisdiction.
<p>3. Annual Work Plan and Budget Development The MA is responsible for preparing and managing the Annual Work Plan and budget.</p>	<ul style="list-style-type: none"> • Coordinate with the Operations and Finance committees to prepare the draft Annual Work Plan and Budget for FY24 • Prepare and present Management Committee Review Draft • Prepare and present Final FY24 Annual Work Plan and Budget 	<p>3.0</p>	<ul style="list-style-type: none"> • The MA: <ul style="list-style-type: none"> ○ Developed a plan and schedule for preparing the FY24 AWP and Budget and presented it to the Board in January 2023 ○ Prepared a draft AWP and Budget ○ Presented the draft to the Operations and Finance committees, solicited input, and secured support ○ Presented a proposed AWP and Budget to the Management Committee, solicited input, and secured acceptance ○ Presented a proposed AWP and Budget to the Board, which adopted the AWP and Budget on April 24, 2023

Performance Area	Planned Activities and/or Expectations	Performance Rating	Rating Basis
<p>4. Finance Committee Administration The Finance Committee provides recommendations to the Management Committee on the proposed annual budget, capital improvement plan including resource availability and timing, and other financial policies. The MA is responsible for financial planning and management for the WIF Commission.</p>	<ul style="list-style-type: none"> • Administer committee meetings by providing scheduling and meeting reminders, coordinating logistics, preparing draft agendas, and preparing meeting notes • Coordinate with the Finance Committee to retain consultants for the development of financial procedures to replace the interim procedures outlined in the IGA and in conjunction with the Willamette Water Supply System IGA. Specific coordination tasks include: concluding development of the Scope of Work and Request for Proposals and consultant evaluation and selection, reviewing and approving the financial procedures, presenting the procedures to the WIF Board for consideration and approval • Prepare quarterly operating invoices and financial reports as well as monthly capital invoices • Provide routine accounting and financial management including payment of accounts payable for expenses incurred on behalf of the WIF Commission • Prepare and invoice dues for each WIF Party quarterly • Provide insurance, pursuant to IGA Article 10, for the WIF facilities • Facilitate an independent financial review of the WIF Commission’s activities up to the time of the audit. Assumed activities entail: contracting with TVWD’s auditor; overseeing execution of the review, including providing access to accounting records and WIF Commission-related transactions and reports; distributing and facilitating communication of the review findings; and preparing and submitting required regulatory findings, if any, with the State of Oregon 	<p>4.0</p>	<ul style="list-style-type: none"> • The Finance Committee held five meetings during FY23, most of them related to the financial procedures project • The MA: <ul style="list-style-type: none"> ○ Effectively administered committee meetings by: <ul style="list-style-type: none"> ▪ Coordinating scheduling and logistics for each meeting ▪ Preparing a draft agenda for each meeting ▪ Providing the Finance Committee members with advance information to promote informed discourse on complex meeting agenda topics ▪ Preparing and presenting briefing materials for numerous agenda topics to promote understanding and support decision-making ▪ Facilitating and preparing meeting notes for each meeting ○ Secured the consultant for the financial procedures project and initiated the work ○ Prepared quarterly invoices and financial reports and monthly capital invoices; and delivered a Quarterly Financial Report to the Board with the WIF General Manager’s Report ○ Performed routine accounting and financial management and handled accounts payable in accordance with current WIF financial procedures, applicable legal requirements, and industry practices ○ Maintained appropriate insurance for the WIF; and completed an annual renewal of WIF property and casualty insurance, with a premium that was within budget ○ Engaged and supported an independent financial audit of the WIF Commission’s financial statements for the fiscal year ended June 30, 2022, which resulted in an unmodified opinion or “clean audit”; and filed the audit with the State of Oregon
<p>5. Operations Committee Administration The Operations Committee considers issues as directed by the Management Committee as stipulated in the WIF IGA. The MA is responsible for administering the Operations Committee meetings.</p>	<ul style="list-style-type: none"> • Administer approximately nine committee meetings per year, including quarterly meetings with the Finance Committee, by providing scheduling and meeting reminders, coordinating logistics, preparing draft agendas, and preparing meeting notes 	<p>4.0</p>	<ul style="list-style-type: none"> • The Operations Committee held five meetings during FY23 • The MA effectively administered committee meetings by: <ul style="list-style-type: none"> ○ Coordinating scheduling and logistics for each meeting ○ Preparing a draft agenda for each meeting ○ Providing the Operations Committee members with advance information to promote informed discourse on complex meeting agenda topics ○ Preparing and presenting briefing materials for numerous agenda topics to promote understanding and support decision-making ○ Facilitating and preparing meeting notes for each meeting

Performance Area	Planned Activities and/or Expectations	Performance Rating	Rating Basis
<p>6. Management Committee Administration The Management Committee provides input and recommendations to the MA on policies, planning, operations, capital projects, contract awards, etc. with the goal of achieving consensus recommendations within the Management Committee. The MA is responsible for administering the Management Committee meetings.</p>	<ul style="list-style-type: none"> Administer committee meetings by providing scheduling and meeting reminders, coordinating logistics, preparing draft agendas, and preparing meeting notes 	4.0	<ul style="list-style-type: none"> The Management Committee held three meetings during FY23 The MA effectively administered committee meetings by: <ul style="list-style-type: none"> Coordinating scheduling and logistics for each meeting Preparing a draft agenda for each meeting Providing the Management Committee members with advance information to promote informed discourse on complex meeting agenda topics Preparing and presenting briefing materials for numerous agenda topics to promote understanding and support decision-making Facilitating and preparing meeting notes for each meeting
<p>7. Administer WIF Board of Commissioners Meetings The Board manages the business affairs of the Commission for the mutual benefit of all Parties. The MA is responsible for conducting the Board meetings as described herein.</p>	<ul style="list-style-type: none"> Administer quarterly WIF Board meetings to occur in July 2022, October 2022, January 2023, and April 2023. Provide scheduling, meeting reminders, coordinate logistics, prepare draft agendas in coordination with the Management Committee and WIF Commission Board Chair, post public notices, prepare meeting agenda packets, draft speaking points for Board Chair, make an audio recording of Board meetings, prepare and distribute draft meeting minutes, post meeting minutes to the WIF Commission web page 	4.0	<ul style="list-style-type: none"> The Board held three meetings during FY23, the Board cancelled the July 2022 meeting The MA: <ul style="list-style-type: none"> Coordinated scheduling and logistics, and provided reminders, for each meeting Prepared a draft agenda for each meeting in coordination with the Management Committee and Board Chair Prepared and posted a public notice for each meeting Provided the Board members with advance information to promote informed discourse on complex meeting agenda topics Prepared draft speaking points for the Board Chair Prepared and presented briefing materials for numerous agenda topics to promote understanding and support decision-making Facilitated each meeting and made an audio recording Prepared and distributed draft meeting minutes for each meeting Posted meeting minutes to the WIF Commission web page
<p>8. Contingency The AWP provides an allowance of approximately 10 percent of the total annual budget to provide funds for WIF Commission related work that was not identified at the time when the AWP and Budget were prepared.</p>	<ul style="list-style-type: none"> If access to the budgeted contingency is required, the MA will present a request to the Management Committee to use contingency funds, including the purpose and amount of funds requested. Following approval by the Management Committee, approval will also be obtained from the Board. 	5.0	<ul style="list-style-type: none"> The MA fulfilled all its duties throughout FY23, as indicated by this performance review, within its FY23 AWP budget without requiring access to the contingency budget (refer to Performance Area 9)
<p>9. AWP Budget The FY23 AWP contains a budget for the MA's fee, which is based on the assumed scope of services and staffing plan as outlined within the AWP. The MA should operate within the approved budget.</p>	<ul style="list-style-type: none"> Deliver the scope of work described in the FY23 AWP within the budgeted fee of \$791,900, which includes a contingency amount of \$72,000 	4.0	<ul style="list-style-type: none"> The MA fulfilled all its duties throughout FY23, as indicated by this performance review, within its FY23 AWP budget Exclusive of capital outlay and contingency, the actual FY23 fee for the MA's services was \$306,407, which was \$485,493 (or 61 percent) below the budgeted fee. Capital outlay and contingency were also both significantly below the approved budget for FY23.

Performance Area	Planned Activities and/or Expectations	Performance Rating	Rating Basis
<p>10. WIF Commission Values The WIF Commission, through its Strategic Framework, identified values that represent the Commission’s foundational character including how it conducts business and how it is perceived. The MA should model and promote the WIF Commission’s values.</p>	<ul style="list-style-type: none"> • The MA should conduct business in a manner that models and promotes the Commission’s values, which are as follows: <ul style="list-style-type: none"> ○ Unified: We are devoted to creating cooperative and inclusive decision-making environments where WIF Commission partners input is respected ○ Responsible: We are dedicated to cost-effective and responsible water management. ○ Reliable: We are committed to data-driven and science-based decision making. 	<p>4.5</p>	<ul style="list-style-type: none"> • The MA demonstrated a consistent commitment to the WIF Commission Values; the following are some examples: • Unified <ul style="list-style-type: none"> ○ The MA secured unanimous support among the Management, Operations, and Finance Committees and Board for the proposed FY24 AWP and Budget ○ The MA’s leadership of the Phase 2 of the Watershed Plan includes a substantial focus on input from WIF Commission partners and stakeholder engagement ○ The MA is advancing development of the WIF Curtailment, Operations, and Emergency Response Plans through extensive involvement with the Operations Committee • Responsible <ul style="list-style-type: none"> ○ The MA’s regular consideration and communication of alternatives (refer to Reliable below) promotes cost-effective and responsible actions by the Board, committees, and the MA ○ The MA’s sustained progress on Phase 2 of the Watershed Plan, included a comprehensive review of opportunities available for funding support of watershed protection plan development and implementation; such funding would reduce WIF partner costs or expand the WIF Commission’s impact without increasing partner costs ○ The “clean audit” for the WIF Commission’s Financial Statement is indicative of responsible management by the MA • Reliable <ul style="list-style-type: none"> ○ The MA routinely communicates the advantages and disadvantages of alternative courses of action and offers the Board and committees recommendations founded on cogent analyses ○ The MA operates in a transparent manner (e.g., highlighting changes from the FY23 AWP and Budget to promote informed decision-making on the FY24 AWP and Budget) ○ The MA facilitated maintenance of the Board’s transparency by recommending a policy on camera and microphone use during hybrid Board meetings

Summary and Recommendations:

The WIF Management Committee completed this annual performance review of the MA for FY23 as required by Section 5.4 of the IGA. Based on its review, the Management Committee finds that the MA is fulfilling its duties under the WIF IGA, operating in alignment with the Strategic Framework, and doing so within the confines of the specific scope and budget established through the AWP adopted for FY23.

The MA's performance met or exceeded expectations in all ten performance areas as indicated above. We appreciate the professionalism of the MA and its staff.

Appendix A – Managing Agency Duties Pursuant to the WIF IGA

The following are excerpts from the WIF IGA that define the MA's duties.

2. Definitions

As used in this Agreement, the following terms when capitalized shall have the following meanings:

2.17. Managing Agency means the Party designated under Section 5 to manage the business affairs of the Commission and act in accordance with Section 5 and other provisions of this Agreement.

5. Managing Agency

5.6 Powers and Duties of Managing Agency

TVWD's initial management of the Intake Facilities and Capacity Expansion projects are described in Exhibit 7 and those terms are only applicable during TVWD's Initial Term. With respect to all other roles and responsibilities of the Managing Agency, the Board may delegate powers to the Managing Agency to provide the management functions required to administer the Commission. The Managing Agency is responsible for administering the business affairs of the Commission. This Section does not prevent the Board, upon a finding that it is in the best interest of the Commission, from modifying the duties of the Managing Agency. The Managing Agency shall act for the mutual benefit of all Parties at all times in the performance of all Managing Agency duties. The Managing Agency duties shall include but are not necessarily limited to the following:

- 5.6.1. Prepare an annual work plan in conjunction with the annual budget.
- 5.6.2. Perform such duties as established in an annual work plan and any other duties as directed by the Board.
- 5.6.3. Provide administration of the Board meetings and required public meeting notices and duties.
- 5.6.4. Maintain records consistent with public records laws.
- 5.6.5. Provide administration of the infrastructure operations and maintenance of the Intake Facilities and associated contract approvals.
- 5.6.6. Perform financial planning and management including payment of invoices, accounting, reporting, and budgeting in accordance with Oregon law.
- 5.6.7. Develop and coordinate capital improvements plans, including the timing of any improvements or expansions as relate to the Intake Facilities. Each Party will participate in planning projects, such as a Master Plan or facilities plan, and will provide good-faith estimates for future Demand.
- 5.6.8. Provide capital project management, unless otherwise directed by the Board.
- 5.6.9. Provide administration and staffing for the Board and committees such as the Management Committee, Operations Committee, and Finance Committee.
- 5.6.10. Prepare an Operations Plan in coordination with the Parties. The Operations Plan must be approved by the Operations Committee prior to submitting it to the Board for adoption.
- 5.6.11. Coordinate with WRWTP and WWSS to support and facilitate the orderly and effective operations, maintenance, and construction activities of the Intake Facilities, WRWTP and WWSS.
- 5.6.12. Take prompt action, as necessary, in response to a Curtailment Plan or an Emergency Response Plan and report to the Parties and the Board as soon as reasonably possible. In the case of an emergency, an after-action report including the nature of the emergency, the effect(s) on the

Intake Facilities, and the steps taken by the Managing Agency in response will be provided to the Board.

- 5.6.13. Procure and manage appropriate insurance coverages and fidelity coverages, in accordance with the insurance requirements set forth in Section 27.3, or as the Board may otherwise direct.
- 5.6.14. Approve and execute contracts, subject to the contracting rules and direction of the Board.
- 5.6.15. Other duties as may be assigned by the Board.

7. Financial Management

7.5 Capital Improvement Plan Budget

The Managing Agency shall maintain capital improvement plan budget projections for at least the subsequent four Fiscal Years following the fiscal year budgeted, which shall be updated annually and submitted with the initial draft budget and the proposed budget. The Operations and Finance Committees will review the proposed capital improvement plan, and will provide a recommendation to the Management Committee for review or provide requested revision(s) to the Managing Agency for incorporation. The Management Committee will review the proposed capital improvement plan, as may have been revised by the two committees, and will provide a recommendation to the Board for adoption or provide requested revision(s) to the Managing Agency for incorporation. The Managing Agency will include the capital improvement plan budget, as reviewed and revised by the Management Committee, in the proposed budget and submit it to the Board. The Board will consider the capital improvement plan for adoption on an annual basis on the same timeline as the annual budget. The capital outlay category includes routine purchases as well as major improvements or expansions as may be outlined under the provisions of Section 17.

7.6. Accounting

The Managing Agency shall comply with government accounting standards, maintain independent budget and accounting control procedures, and provide budget financial status reports at least quarterly to the Board and to each of the Parties not later than 30 days after the end of each quarter. The report shall show expenditures and receipts consistent with the requirements of the financial procedures described in Section 7.9. The Managing Agency shall maintain all fiscal records relating to the Intake Facilities and associated capital improvement projects in accordance with generally accepted accounting principles. In addition, the Managing Agency shall maintain any other records pertinent to the Intake Facilities and associated capital improvement projects in such a manner as to clearly document the Managing Agency's performance hereunder. All such fiscal records, books, documents, papers, plans, and writings shall be retained by the Managing Agency and kept accessible as required by law. The Managing Agency agrees that the other Parties and their authorized representatives shall have access to all books, documents, papers and records of the Managing Agency which are directly related to the Intake Facilities and associated capital improvement projects for the purpose of making any audit, examination, copies, excerpts and transcripts.

7.7 Audit

The Board shall cause an independent audit of the financial affairs of the Commission to be performed by a certified public accountant licensed and certified to do municipal auditing in the State of Oregon. The audit shall be performed in accordance with the provisions of the Oregon Municipal Audit Law, ORS Section 297.405 – 297.555. The audit shall be completed annually within six months following the end of

each Fiscal Year. The Board shall review, accept the annual audit, and direct the Managing Agency to complete correction actions as needed. A copy of the annual audit shall be provided to each Party upon acceptance by the Board.

7.9 Financial Procedures

Interim financial procedures are included as Exhibit 9, and will be used until the long-term financial procedures are developed and approved by the Board. The Managing Agency shall propose financial procedures consistent with the requirements of this Section. The Finance Committee will review the proposed financial procedures, and will provide a recommendation to the Management Committee for review or provide requested revision(s) to the Managing Agency to incorporate and forward to the Management Committee. The Management Committee will review the proposed financial procedures, and will provide a recommendation to the Board for adoption or provide requested revision(s) to the Managing Agency to incorporate and forward to the Board. The Board will consider the recommended financial procedures for adoption or send back to the Management Committee for modification. The financial procedures will be reviewed and updated on at least a ten-year basis or as requested by the Finance Committee, Managing Agency, or the Board. The Board approved long-term financial procedures will be included as an amended Exhibit 9 to this Agreement subsequent to the effective date of this Agreement.

Appendix B – Summary of the WIF Strategic Framework: Mission, Vision, Values & Goals

The following is a summary of the WIF Strategic Framework

Mission: To responsibly secure a safe and reliable Willamette River drinking water supply for our communities.

Vision: To become a trusted steward of the Willamette River watershed.

We apply science, innovation and advocacy for resilient and clean water stewardship.	We improve awareness, provide education and build support for watershed protection.	We advocate at all levels for investment and policy to protect drinking water source quality.
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Values: To conduct business in a manner that is unified, responsible and reliable.

Unified: We are devoted to creating cooperative and inclusive decision-making environments where WIF Commission partners input is respected.	Responsible: We are dedicated to cost-effective and responsible water management.	Reliable: We are committed to data-driven and science-based decision making.
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Strategic Pillars: The strategic pillars hold up the Mission and Vision and give focus to the goals.

Water Quality Protection: We engage in addressing existing, emerging and potential risks that may impact water quality at the intake facility ahead of treatment.	Water Supply Stewardship: We pursue access to reliable water supply to meet the needs of the region and participating agencies.	Effective WIF Operations: We are dedicated to effective utility management to deliver consistent operations and quality service to our communities
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Goals: Three to six goals are identified for each of the strategic pillars. The goals are the Commission’s prioritized areas of focus that will drive strategies and actions to achieve our Mission, Vision, and Values

Appendix C – Fiscal Year 2022-23 Annual Work Plan

[copy attached]

INTRODUCTION

The Willamette Intake Facilities (WIF) are located at the Willamette River Water Treatment Plant (WRWTP) in Wilsonville, OR. The WIF consists of a screened intake in the Willamette River, an intake pipeline, a concrete caisson and building located on the bank, and air burst equipment housed in the building. The WIF is owned by six parties, including the cities of Wilsonville, Sherwood, Tigard, Beaverton, and Hillsboro, and the Tualatin Valley Water District (TVWD).

The WIF Intergovernmental Agreement (IGA) establishes the general operating procedures for the WIF Commission, including designating TVWD as its managing agency (MA). Wilsonville will remain the Operating Agency until 2026.

The WIF houses the raw water pumps that safely and reliably draw water from the Willamette River. The existing raw water pumps currently provide water to the WRWTP. The Willamette Water Supply Program (WWSP), which is a partnership between the cities of Hillsboro and Beaverton and TVWD, is designing improvements to the WIF that will expand its capacity, improve its seismic reliability, and enable it to deliver water to the future Willamette Water Supply System (WWSS). The name of that WWSP project is RWF_1.0.

This document is the scope of work (SOW) and budget for the MA for the 2022-23 fiscal year (FY23, July 1, 2022 – June 30, 2023). The primary activities described in this SOW are facilitation of committee and Board meetings, administration of the WIF affairs pursuant to the IGA, development of draft operations and emergency response plans, draft financial procedures, and continued development of a draft source water protection and watershed monitoring plan based on the *Mission, Vision, Values, Goals* work completed in FY21.

The primary objectives of this effort include:

- Administering routine business of the WIF Commission, including financial accounting, reporting and quarterly meetings of the Commission Board.
- Prepare an annual work plan and budget for FY24.
- Develop final financial procedures for adoption by the WIF Commission.
- Implement routine processes for the Management Committee and Operations Committee as established in the WIF IGA.
- Develop a draft version of the Operations Plan and provide revisions to the draft Curtailment Plan. Draft an outline of the Emergency Response Plan.
- Begin developing a source water protection and watershed monitoring plan in a phased approach using the *Mission, Vision, Values, Goals* established and adopted in FY21.

SCOPE OF WORK

1. General Administration

The MA is responsible for managing the business affairs of the Commission. The MA shall perform the general administrative activities as described below:

- a. Administration of Infrastructure Operations and Maintenance

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ANNUAL WORK PLAN – SCOPE OF WORK AND BUDGET**

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- i. Plans Development - The WIF IGA identifies three WIF plans to be drafted by the MA: 1) Operations Plan, 2) Curtailment Plan, and 3) Emergency Response Plan. During FY20 and FY21, the MA led the development of drafts of the Curtailment Plan and outline for the Operations Plan. During FY22 the MA led the development of the draft Operations Plan and revised the Curtailment Plan. An Emergency Response Plan will be prepared in future years to allow for the agencies to complete their current risk and resiliency assessments and prepare new emergency response plans as required by the recently enacted America's Water Infrastructure Act of 2018. FY23 activity will include developing a draft outline of the Emergency Response Plan as well as revising/updating the draft Operations Plan and draft Curtailment Plan.
- b. Records Management – Maintain on the TVWD information technology (IT) infrastructure a location for all relevant WIF-related records. Follow Oregon statutes regarding records maintenance, management, and disposal.
- c. Responding to Requests – When requests for WIF-related information are made by the public or the media, coordinate a response with the other WIF member agencies as appropriate. Requests for public records will be responded to in keeping with TVWD's established public information request policy. The MA will notify the WIF Operations Committee members when a public information request is fulfilled.
- d. Communications and Public Outreach
 - i. Website creation and management - Maintain a web page on the TVWD website for housing public-facing WIF information including public meeting announcements, agendas, and meeting notes.
 - ii. Establishing or maintaining social media accounts for the WIF Commission is specifically excluded from the MA scope for FY23.
 - iii. General communications and public outreach efforts related to the construction work at the WRWTP will be delivered through the WWSS.
- e. Legislative Updates - Provide quarterly updates on legislative activities relevant to water within the Willamette basin to the Management Committee.
- f. General - Maintain a current contact list of the WIF Board and alternates, the Operations Committee, the Finance Committee, and the Management Committee.
- g. Water Quality Monitoring
 - i. If Oregon Department of Environmental Quality (DEQ) funding to cover cyanotoxin testing for public water suppliers is not renewed during the 2022 Legislative Session, the WIF Commission would perform the required testing from the Willamette River Water Treatment Plant on behalf of the City of Wilsonville. The budget assumes 12 bi-weekly samples will be taken from July 1, 2022 through October 31, 2022 and May 1, 2023 through June 30, 2023, in accordance with the seasonal monitoring required by the Oregon Health Authority. Testing costs are based on the IGA with Clackamas River Water's lab which is accredited to perform the testing using DEQ approved methods. The budget also includes an allowance for the additional levels of triggered sampling and analysis required following a cyanotoxin detection. If more monitoring is required, funds for such testing can be made available from Task 8 – Contingency. Partners will only be billed for sampling support and testing that actually occurs.
- h. Willamette River Watershed Protection, Monitoring, and Outreach Plan (Watershed Plan) Development

**WILLAMETTE INTAKE FACILITIES
ANNUAL WORK PLAN – SCOPE OF WORK AND BUDGET**

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- i. Based on the Mission, Vision, Values, and Goals (MVVG) adopted in FY 21 and Phase 1 Watershed Plan work completed in FY22, the WIF Commission will continue utilizing consulting services to support this activity through phased development and implementation. Phase 2 work builds upon data analysis, trends, and risks identified from Phase 1. Key elements in Phase 2 include stakeholder outreach and engagement, financial opportunities to support the Watershed Plan, appropriate monitoring technologies to consider, and development of a final, comprehensive Watershed Plan. The work considers watershed protection basin-wide but with a specific focus on the Mid-Willamette, which encompasses the area upstream of the WIF Commission intake. Phase 2 project tasks may be completed in subsequent fiscal years based on further scope refinement, but the final, adopted Watershed Plan is expected to be implemented by 2026 when the majority of WIF Commission members will be actively utilizing the Willamette River.

2. Capital Projects Management

The MA is responsible for managing any capital improvement projects to WIF facilities undertaken by the WIF Commission. During FY23, the WIF Commission is not envisioned to take on any independent projects. Rather, the MA will monitor and report on other activities at the WIF facilities.

- a. Monitor and report to the WIF Board activities related to the following projects:
 - i. WWSP RWF_1.0 improvement project.
 - ii. Maintenance and improvements projects conducted by Wilsonville on the WIF.

3. Annual Work Plan and Budget Development

The MA is responsible for preparing and managing the Annual Work Plan and budget.

- a. Coordinate with the Operations and Finance committees to prepare the draft Annual Work Plan and Budget for FY24.
- b. Prepare Management Committee Review Draft and present at a regularly scheduled meeting.
- c. Prepare Final FY24 Annual Work Plan and Budget for Presentation to WIF Board.

4. Finance Committee Administration

The Finance Committee provides recommendations to the Management Committee on the proposed annual budget, capital improvement plan including resource availability and timing, and other financial policies. The MA, which is responsible for financial planning and management for the WIF Commission, will conduct the following tasks:

- a. Administer Committee Meetings – Conduct quarterly or as needed meetings with the Finance Committee. The MA will provide the following support for these meetings, all of which are assumed to occur at the TVWD Board Room:
 - i. Schedule each meeting with the attendees via email. Provide email reminders for each meeting.
 - ii. Coordinate meeting logistics including meeting room set up, breakdown and clean up.
 - iii. Prepare draft agendas for each meeting and submit to attendees for review one week prior to each meeting.
 - iv. Prepare brief meeting notes capturing only decisions and action items.

WILLAMETTE INTAKE FACILITIES

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- b. Coordinate with the Finance Committee to retain consultants for the development of financial procedures to replace the interim procedures outlined in the IGA and in conjunction with the Willamette Water Supply System IGA. Specific tasks requiring coordination will include:
 - i. Conclude development of the Scope of Work and Request for Proposals and consultant evaluation and selection
 - ii. Review and approval of the financial procedures
 - iii. Presentation to the WIF Board for their consideration and approval
- c. Prepare quarterly operating invoices and financial reports as well as monthly capital invoices. Financial reports will be provided to the WIF Board as part of the Board packet for each of its meetings.
- d. Provide routine accounting and financial management including payment of accounts payable for expenses incurred on behalf of the WIF Commission.
- e. Prepare and invoice dues for each WIF Party quarterly.
- f. Provide insurance, pursuant to IGA Article 10, for the WIF facilities.
- g. Annual Audit - the MA will facilitate an independent financial review of the WIF Commission's activities up to the time of the audit. Facilitation of this audit is assumed to entail the following:
 - i. Contract with TVWD's auditor for purposes of conducting the independent financial review.
 - ii. Oversee execution of the review, including providing access to accounting records and WIF Commission-related transactions and reports.
 - iii. Distribute and facilitate communication of the financial review findings.
 - iv. Prepare and submit required regulatory findings, if any, with the State of Oregon.

5. Operations Committee Administration

The Operations Committee considers issues as directed by the Management Committee as stipulated in the WIF IGA. The MA shall be responsible for administering the Operations Committee meetings.

- a. Administer Committee Meetings – Conduct approximately nine meetings per year, including quarterly meetings with the Finance Committee. The MA will provide the following support for these meetings, all of which are assumed to occur at the TVWD Board Room:
 - i. Schedule each meeting with the attendees via email. Provide email reminders for each meeting.
 - ii. Coordinate meeting logistics including meeting room set up, breakdown and clean up.
 - iii. Prepare draft agendas for each meeting and submit to attendees for review one week prior to each meeting.
 - iv. Prepare brief meeting notes capturing only decisions and action items.

6. Management Committee Administration

The Management Committee provides input and recommendations to the MA on policies, planning, operations, capital projects, contract awards, etc. with the goal of achieving consensus recommendations within the Management Committee. The Management Committee members will also serve as the liaison to each of their governing bodies and shall be charged with authority to act on behalf of the governing body as stipulated within

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the WIF IGA. The MA shall be responsible for administering the Management Committee meetings.

- a. Administer Committee Meetings – Conduct quarterly meetings of the Management Committee. The MA will provide the following support for these meetings, all of which are assumed to occur at the TVWD Board Room:
 - i. Schedule each meeting with the attendees via email. Provide email reminders for each meeting.
 - ii. Coordinate meeting logistics including meeting room set up, breakdown, and clean up.
 - iii. Prepare draft agendas for each meeting and submit to attendees for review one week prior to each meeting.
 - iv. Prepare brief meeting notes capturing only decisions and action items.

7. Administer WIF Board of Commissioners Meetings

The Board shall manage the business and affairs of the Commission for the mutual benefit of all Parties. The powers and duties of the Board are as described in the WIF IGA. The MA shall be responsible for conducting the Board meetings as described herein:

- a. Administration of Commission Meetings
 - i. Schedule quarterly WIF Board meetings to occur in July 2022, October 2022, January 2023, and April 2023. All meetings are assumed to be held at the TVWD Board room.
 - ii. In coordination with the Management Committee and the WIF Commission Board Chair, draft agendas for each meeting.
 - iii. Post public notice of meetings and agendas on the Commission web page and make a public notice available to each party for posting at the party's offices.
 - iv. Email calendar invites and reminders of upcoming meetings one week prior to the meeting.
 - v. Prepare and electronically distribute meeting agenda packets to the Board and Finance Committee two weeks prior to meetings.
 - vi. Host four Board meetings, including coordinating meeting room set up, breakdown, and clean up.
 - vii. Arrange for a boxed meal to be provided during meetings.
 - viii. Draft speaking points for Board Chair.
 - ix. Make an audio recording of all Board meetings.
 - x. Prepare and distribute draft meeting minutes as part of the Board meeting packets.
 - xi. Post meeting minutes to the WIF Commission web page.

8. Contingency

This task provides an allowance of approximately 10 percent of the total annual budget to provide funds for WIF Commission related work that was not identified at the time when the Annual Work Plan and Budget were prepared. In such situations, the MA will present a request to the MC to use contingency funds, including the purpose and amount of funds requested. Following approval by the MC, approval will also be obtained from the Board.

STAFFING PLAN

The proposed staffing plan for the FY23 services is reflected in the proposed budget. This staffing plan includes five categories of labor. Specific staffing categories and representative staff positions include:

General Manager: this category is limited to TVWD’s Willamette Water Supply Program Director.

Department Manager: this category includes TVWD’s Chief Financial Officer, General Counsel, Chief Engineer, WWSP Assistant Program Director, and WWSP Permitting and Outreach Manager.

Professional: this category includes senior professional staff such as WWSP Financial Manager, TVWD’s Financial Operations Manager, Senior Engineer, Risk Management Coordinator, Senior Management Analyst, Water Resources Division Manager, Water Treatment Plan Manager and WWSP Communications Supervisor.

Technician: this category includes a wide variety of technical and para-professional staff including Communications Coordinators, District Recorder, Engineering Associates, Management Analyst, Water Quality Specialists, and Accountants.

Administrative Support: this category consists of administrative support and includes the District’s Executive Assistant and Administrative Assistant positions.

Not all staffing categories or positions are used for all tasks or assignments. Instead, specific staff will be engaged, as needed, based on the demands of the given task and the expertise of available staff. As such, TVWD’s staffing resources represent a deep pool from which the Commission can efficiently draw. TVWD’s diverse range of knowledge, skills and abilities represented by these five categories is intended to allow assignments to be completed at the lowest cost and provide the highest value for the WIF Commission.

ASSUMPTIONS

This proposal for the MA’s FY23 work plan will be presented for consideration and adoption at the April 2022 WIF Commission Board meeting. Any changes to the work plan requested by the Board may result in changes in the proposed scope, schedule, and/or budget for the proposed services.

Additional services by the MA and special projects beyond the above scope and proposed budget will be specifically directed, authorized, and funded by the WIF Commission Board.

The proposed scope of services and budget are limited to services provided in FY23 and do not establish a baseline, cap, or precedent for services and funding requirements for future years. Future funding requirements will be based on Board-approved work plans and scopes of work.

TVWD does not propose establishing a separate website or URL for the WIF Commission at this time. Meeting notices, agendas and meeting summaries will be provided as a designated web page on the TVWD website. Securing URL(s) and establishing a WIF Commission website would be undertaken as a special project subject to authorization and funding by the Commission Board.

All meetings may be held online as deemed appropriate by the MA. If in-person meetings are convened, including but not limited to Commission Board meetings, Management Committee meetings, Finance Committee meetings, and Operations Committee meetings, they will be held at TVWD’s office in Beaverton. Committee meetings shall be considered technical meetings, and Commission Board meetings shall be considered public meetings.

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TVWD will provide logistical support, as needed, such as meeting room set-up, audio visual equipment, and meeting room clean up.

Each quarterly Board meeting is assumed to last no more than two hours. Board meeting attendance is assumed to include: four meetings per year, six partner agencies, and up to four attendees per agency (i.e., a Board member, a Board alternate and two staff). For in-person meetings, a boxed meal shall be provided for each of the four attendees per agency, and for up to four other attendees from the MA.

The MA shall manage the use of budgeted labor hours and expenses as the MA deems necessary to fulfill the scope of work. The MA will control the scope of work in coordination with the Finance and Operations Committees. Any significant anticipated changes to the scope of work will first be vetted by the MA with the Finance and Operations committees. In the event the level of effort significantly exceeds the anticipated budget, the MA will coordinate with the Management Committee to identify appropriate response strategies, including supplemental budget requests or use of contingency funds (Task 8), for consideration by the Board and MA staff.

BUDGET

The following proposed budget is based on the assumed scope of services and staffing plan as outlined above. Hours in the proposed budget include only those hours that are anticipated to be in addition to TVWD's participation in the Commission as a partner. Labor rates, by category, are based on TVWD's direct salary plus burden, direct overhead, and indirect overhead.

Willamette Intake Facilities Commission

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WIF COMMISSION STAFF REPORT

To: Board of Commissioners
From: David Kraska, P.E., General Manager
Date: October 23, 2023
Subject: FY 2025 Annual Work Plan Development Preview

Key Concepts:

- Exhibit 8 of the Willamette Intake Facilities (WIF) Intergovernmental Agreement (IGA) establishes the WIF Budget Calendar.
- TVWD, as the Managing Agency, will be working with the WIF Operations Committee members over the next few months to prepare a draft annual work plan (AWP) and budget.
- The AWP will provide the scope of work to be performed by the Managing Agency for the 2024-2025 fiscal year (FY 2025), in accordance with the WIF IGA.
- This agenda topic is being shared with the WIF Commission Board for awareness and to solicit feedback.

Background:

Preparing an AWP and budget are the responsibility of the Managing Agency (TVWD) as stated in Article 5.6 of the WIF IGA. Exhibit 8, Budget Calendar, specifies that the preliminary budget must be submitted to the Operations and Finance Committees by January 15. As done in prior years, this schedule enables us to provide the WIF Commission Board a preview of the draft AWP and budget at the January 2024 Board meeting.

For the October WIF Commission Board meeting, staff will share with the Board the anticipated elements of the FY 2025 AWP for consideration and feedback.

The elements that we anticipate continuing similar to previous AWPs are:

1. Administering routine business of the WIF Commission (administering Board and committee meetings, communications and record keeping, finance and accounting)
2. Preparation of plans for normal operations, emergency response, and curtailment
3. Water quality monitoring as needed to supplement monitoring provided by Oregon Department of Environmental Quality

Two other projects that are underway and will wrap up in the current fiscal year are:

- The Financial Procedures project, which will conclude with methods the Managing Agency will use to perform finance-related activities for the WIF Commission.
- The Watershed Protection, Monitoring & Outreach Plan development project, which will conclude with recommendations for future activities that further the mission of the WIF Commission, “to responsibly secure a safe and reliable Willamette River drinking water supply for our communities.”

Over the next few months, the Managing Agency will work with the WIF Operations Committee to prepare a scope and budget for next fiscal year that furthers our mission. Specific watershed-focused tasks could include additional stakeholder outreach and education, river water quality monitoring, collaboration with other interested agencies, identification of potential source water protection projects, and identification of funding sources for our activities. We anticipate the budget for these activities to be in line with similar work in previous years.

Budget Impact:

The budget for preparing this staff report and developing the FY 2025 AWP and budget are included in the current fiscal year budget. The future work contemplated in this staff report, would be included in the proposed budget for FY 2025, which will be on the Business Agenda of the April 22, 2024 WIF Commission Board meeting.

Staff Contact Information:

David Kraska, P.E.; General Manager; 503-941-4561; david.kraska@tvwd.org

Attachments: None

5. INFORMATIONAL ITEMS

5B. FY 2025 Annual Work Plan Development Preview
– *Dave Kraska*

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FY 2025 WIF ANNUAL WORK PLAN (AWP) DEVELOPMENT PREVIEW



2

OUTLINE

- Schedule for AWP development
- Potential modifications to the current AWP for next year

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AWP AND BUDGET PREPARATION

WIF IGA Exhibit 8 Budget Calendar

Budget Deliverable	Annual Submission Date (on or around)	Party Receiving Budget
Preliminary capital improvement project list	January 15	Operations Committee
Preliminary budget	January 15	Operations and Finance Committees
Draft budget	March 15	Management Committee
Proposed budget	March 31	Board

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ANNUAL WORK PLAN AND BUDGET PREPARATION



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FY 2023–24 ANNUAL WORK PLAN

- WIF Commission Administration Task List:
 - General Administration
 - Capital Projects Management
 - Annual Work Plan and Budget Development
 - Finance Administration
 - Administering Committees and Commission Board Meetings
- Capital Projects Task List:
 - Air burst system valve replacement
- Other Projects:
 - Financial Procedures development
 - Watershed Protection, Monitoring and Outreach Plan
 - (summary to be provided at the January 2024 WIF Commission Board meeting)

October 23, 2023

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ANTICIPATED ELEMENTS OF THE FY 2025 AWP

- WIF Commission Administration Task List:
 - No changes anticipated
- Capital Projects Task List:
 - None anticipated
- Other Projects – subject to discussion among the Operations Committee and Finance Committee members:
 - Activities related to additional watershed protection efforts:
 - Identification of outside funding sources
 - Stakeholder outreach and education
 - River water quality monitoring
 - Collaboration with other agencies with similar interests
 - Identification of potential source water protection projects

WIF STRATEGIC FRAMEWORK WILL GUIDE AWP DEVELOPMENT

Water Quality Protection

We engage in addressing existing, emerging and potential risks that may impact water quality at the intake facility ahead of treatment.

Goals

- 1 Develop and maintain a state and regionally supported source water protection plan.
- 2 Acquire grants, loans, and funding in support of source water protection plan implementation.
- 3 Promote information exchange amongst stakeholders, tracking relevant data on emerging issues such as contaminants, natural hazards, and regulatory changes.
- 4 Lead outreach and education on the Willamette River Basin history and current and future needs for protection.
- 5 Give members of the WIF Commission resources to enable them to serve as water quality experts and representatives of WIF Commission interests.
- 6 Invest in monitoring technology and communication networks with upstream and downstream agencies and private partners to detect and provide early incident notifications.

Water Supply Stewardship

We pursue access to reliable water supply to meet the needs of the region and participating agencies.

Goals

- 1 Engage proactively with regulatory agencies on water supply needs and future demands.
- 2 Foster relationships with the State and Federal agencies to proactively address water supply shortage scenarios and develop cooperative agreements.
- 3 Periodically collect water demand forecasting information from partner agencies to support operational planning and decision making.
- 4 Engage proactively with dissenting or potentially opposing stakeholders.
- 5 Develop curtailment plans that enhance preparedness for water scarcity scenarios and are adopted by the Board.

Effective WIF Operations

We are dedicated to effective utility management to deliver consistent operations and quality service to our communities.

Goals

- 1 Develop and maintain Operations, Curtailment, and Emergency Response Plans and guide shared ownership with priority stakeholders.
- 2 Ease decision making on prioritized investments using strategic asset management and Capital Improvement Program best practices.
- 3 Preserve a cooperative team dynamic among WIF members through regular knowledge exchange workshops and retreats.

WIF Commission Mission
To responsibly secure a safe and reliable Willamette River drinking water supply for our communities.



WIF COMMISSION STAFF REPORT

To: Board of Commissioners
From: Joel Cary, TVWD Water Resources Division Manager
Date: October 23, 2023
Subject: Legislative Update

Key Concepts:

- Oregon Legislative Days are currently underway where information is being shared with Legislators about the increasing costs of water infrastructure projects.
- The 2024 Oregon Legislature will begin January, which is a short session year.
- Of note nationally are two PFAS class action lawsuits. Water utilities must decide to stay in or opt out by early December.

Staff from WIF Commission member agencies continue to be engaged legislatively in a variety of ways, including direct conversations with legislators and through industry coalitions such as the Oregon Water Utility Council (OWUC), League of Oregon Cities (LOC), and Special Districts Association of Oregon (SDAO). Key highlights are outlined below.

Oregon Legislative Days – Infrastructure Costs

SDAO and LOC representatives have been providing examples of inflationary impacts to regional water infrastructure projects to members of the Legislature during this year’s Legislative Days. Legislative Days is the time period preceding the start of the next session where communication and engagement occurs regarding areas of concern or interest between legislators and coalitions, like SDAO and LOC. The focus on inflationary impacts to water and wastewater projects has been an ongoing topic, and one that took center stage during the 2023 Session. Project examples – such as the inflationary cost impacts to the new Willamette Water Supply System – were shared again during Legislative Days with the intent of making sure this issue, and overall water infrastructure needs, are not forgotten for the 2024 and eventual 2025 Sessions.

2024 Oregon “Short” Session

The 2024 Oregon Legislative Session will begin January 5, 2024. As a reminder, this is a short session year, which means the session can only last for a maximum of 35 days. As noted above, engagement efforts are already underway regarding water and wastewater industry concerns and priorities. Information about introduced bills and key legislative activity will be shared at the next WIF Commission meeting on January 22, when the 2024 Session is underway.

National PFAS (Per- and Polyfluoroalkyl Substances) Class Action Lawsuits

PFAS contamination of drinking water has been an increasing public health issue for many states and communities across the country. As a result, multiple cases against PFAS manufacturers were consolidated in 2018 with proposed water provider settlements reached in June 2023. These cases have now formed the basis for two separate class action lawsuits against 3M and DuPont, two of the largest manufacturers of PFAS compounds associated with aqueous film forming foams (i.e., firefighting foams). All public water systems must decide to stay in or ‘opt out’ of both class action lawsuits by early December. The exact dates have been provided in the official notices shared with each system’s point of contact listed with the Oregon Health

Authority. WIF Commission members are encouraged to discuss this issue with their legal counsel and management staff based on their individual circumstances.

For brief summary of regulatory information, the US Environmental Protection Agency (EPA) is planning to designate PFAS as hazardous substance next year and drinking water regulations are expected to be finalized later this year. All WIF Commission members tested for PFAS during the 2013-2015 time period and will be testing for an expanded list of PFAS compounds from 2023-2025 under the EPA's Unregulated Contaminant Monitoring Program (UCMR). To date, no detections have occurred for any WIF Commission member under UCMR testing.

Budget Impact:

Informational item. No Board action required. The budget for preparing this staff report is included in the current fiscal year budget.

Staff Contact Information:

David Kraska, P.E.; General Manager; 503-941-4561; david.kraska@tvwd.org

Joel Cary; TVWD Water Resources Division Manager; 503-848-3019; joel.cary@tvwd.org

Attachment:

None