

Lake Oswego/City of Tigard Water Supply Partnership
Summary of Oversight Committee Meeting #3
Meeting held June 22, 2009

Attendees: City of Lake Oswego (LO)

Bill Tierney
Kristen Johnson (excused)
Joel Komarek
Kari Duncan

City of Tigard (COT)

Sydney Sherwood
Gretchen Buehner
Dennis Koellermeier
Rob Murchison

Meeting Summary:

Lake Oswego Oversight Committee (OVC) member Johnson was excused. Joel Komarek, LOTC member began the meeting by reviewing the agenda with the TC members and OVC members. Discussions of agenda topics followed and are summarized below:

Review/Approval of March 30, OVC meeting summary

No corrections or amendments to the March 30, 2009 Meeting Summary prepared by TC member Komarek were offered by the OVC or TC members and thus the OVC approved the summary as written. A copy of the approved summary of meeting #2 is attached to this draft summary of meeting #3.

Status of FY 2009-10 Budget Adoption

Mr. Komarek reported that the FY 2009-10 budget for the LO/Tigard Partnership had been adopted by the Lake Oswego City Council on June 16. Mr. Koellermeier reported that the City of Tigard also adopted their FY budget that included expenditures for the initial buy-in and Tigard's share of estimated annual operating costs. Mr. Komarek then reported that on June 19, Tigard remitted a check to the City of Lake Oswego in the amount of \$2,840,668 reflecting the calculated buy-in amount plus interest earned between December 9, 2008 and June 12, 2009. Total interest earned was just over \$20,000.

Update on Formation of Water Team

Mr. Komarek reported that the recruitment process to fill the Deputy Director position for the water team was underway and that the City had received 17 applications. Of those, 3 candidates were being invited to interview. Oral interviews were scheduled for June 29 with the top three candidates. Mr. Komarek reported that the recruitment process for the Associate Planner, and Administrative Support position would begin later this month and continue through August. Mr. Komarek reported that recruitment of the Citizen Information position would start later in the fall to coincide with increased project activity.

Update on Program Delivery Option Analysis and Schedule

LOTC member Joel Komarek prepared a report (see attached) presenting the findings of an analysis of program delivery options conducted by the TC. In summary the Program Manager method of project delivery best met the evaluation criteria developed by the TC and therefore the TC recommended to the OVC the use of a program manager to assist the City in delivering the Initial Expansion. OVC member Buehner expressed her opinion that the preferred delivery method should be flexible and allow opportunities to adapt the delivery approach to future events that, as of now, could not be determined with confidence. OVC members Sherwood and Tierney agreed with member Buehner and accepted the recommendation of the TC. TC member Komarek then reviewed the proposed schedule for selection of a program manager and noted the competitive procurement process for the Program Manager would begin in mid July. He also reported that an evaluation panel would be assembled to include Tigard TC members, Project Director Komarek, the Deputy Director (when filled) and an individual from an outside public agency, yet to be determined. This five member panel would be responsible for developing the procurement documents including evaluation criteria, reviewing and evaluating Qualifications Statements and Proposals, conducting interviews of the two ranked firms and recommending selection of a preferred program manager to the City.

Update on Water Rights Contested Case

Mr. Komarek noted that progress was slow and that no hearing date has yet been identified. A pre-hearing conference is scheduled for June 23 and will be attended by legal counsel representing the parties to the contested case i.e., Water Watch, South Fork Water Board (SFWB) and the Joint Defense Parties ("JDP") - cities of Lake Oswego and Tigard, North Clackamas County Water Commission and Sunrise Water Authority. The objective of the meeting will be to establish an agreed upon list of issues to be argued at hearing, a schedule for discovery and a proposed schedule culminating in a formal hearing. Mr. Komarek noted that the process has become cumbersome and political due to the fact that SFWB has not yet followed through on its promise (as publicly announced in a meeting of elected officials and District Managers on February 2) to withdraw the protests of the Joint Defense Parties' permits and to withdraw the protest of its own permit. Until that occurs, the JDP's and SFWB will be in opposition to each other in the contested case proceedings. As further developments occur, Mr. Komarek will apprise the OVC of such developments.

Future Agenda Items/Next Meeting Date

TC member Koellermeier requested direction from OVC members on how best to keep the partnership healthy. OVC member Sherwood opined that over time members of the two council's would change and that it would be appropriate at that time for the full Council's to meet and discuss transition of OVC roles. Mr. Koellermeier suggested for OVC member consideration that to ensure historical continuity, it would be ideal if with future council turnover only one new OVC member would be introduced to the project. It was agreed this would be ideal, but could not be guaranteed depending upon term limits and the uncertain outcome of the election process. In the event either City would replace current OVC members with two new members it would be important to develop a transition plan to facilitate project understanding of potential new OVC members. The OVC requested it be informed when the Deputy Director for the water team was hired and when other water team positions were filled.

Future Meetings

The next meeting of the OVC and TC is scheduled for Monday September 21, beginning at 3:00 pm and adjourning at 4:00 pm. The location is the Tigard Public Works Building. The address is 8777 SW Burnham Street, Tigard, Oregon 97223.

The above meeting summary is derived from my meeting notes and every attempt has been made to be as accurate as possible. Please contact me with regard to any errors or inaccuracies.

Attachments: Approved meeting summary from Meeting #2

Approved: November 9, 2009

