



**City of Lake Oswego/City of Tigard Water Supply Partnership  
Summary of Oversight Committee Meeting #16  
Meeting held August 8, 2011**

Lake Oswego Technical Committee Member Joel Komarek called the meeting of the Lake Oswego/Tigard Water Partnership Oversight Committee to order at 6:00 p.m. on August 8, 2011, in the Santiam Conference Room of the West End Building; 4101 Kruse Way, Lake Oswego.

**Present:**

**City of Lake Oswego Oversight Committee:** Councilors Bill Tierney, Mary Olson  
**Staff:** Joel Komarek, Jane Heisler, Laura Barrie

**City of Tigard Oversight Committee:** Mayor Craig Dirksen, Councilor Gretchen Buehner  
**Staff:** Dennis Koellermeier

- 
1. CALL TO ORDER/ROLL CALL
  2. APPROVAL OF MINUTES FROM MEETING #15

Mr. Komarek asked for approval of minutes from the last meeting held on July 18, 2011. Councilor Buehner motioned to approve, Councilor Tierney seconded the motion. A voice vote was taken, and the motion passed with Lake Oswego Councilor Tierney and Tigard Mayor Dirksen and Councilor Buehner voting 'aye', Lake Oswego Councilor Olson abstained (3-0).

3. PUBLIC COMMENT

There were no guests in the audience.

4. WTP PROCESS PILOT PLANT

The Pilot Plant discussion was switched with the Review of Draft Administrative Plan for Delay Mitigation so the guest speakers could present and then leave.

Peter Kreft from MWA America's, Inc. and Lynn Williams from Brown and Caldwell were introduced. Ms. Williams led the discussion of the pilot plant stating that it is a miniature, small-scale version of the full-scale system that will be implemented at the Water Treatment Plant. The Pilot Plant will allow the partnership to validate the water quality expectations. The operators can test drive the pilot processes and see how they perform with Clackamas River water.

Since the BCE, it has been found that high rate clarification actually will have a reduced life cycle cost when compared to conventional flocculation sedimentation. High rate clarification allows for a much smaller footprint, which increases site layout flexibility. Councilor Buehner asked how much smaller the footprint would be. Mr. Kreft answered it is 40% to 50% smaller, a significant difference. Councilor Olson asked if high rate clarification changed the need for other processes, i.e., ozone. The answer was no.

The process flow schematic is as follows:

1. Clackamas River water, which is the raw water, enters the pilot plant.
2. High Rate Clarification.
3. Ozonation.
4. Filtration. There will be four filter trains that will be operating to test different configurations. They will test both what the existing plant is using plus some proposed processes. This information can then be compared. Biological filtration will be tested to see what the benefit is.

The schedule for pilot plant equipment is as follows:

- High rate clarification will be rented from Kruger Actiflo; it will be on-site for 5 weeks during the fall season.
- Ozonation will be rented from Intuitech for a seven-month period.
- Filtration will also be rented from Intuitech for a seven-month period.

There will be on-line records of the data which will help give the operators feedback as to how the full-scale system will be run. Councilor Buehner asked if the standards that the state will require for permitting will be met by this pilot program. Ms. Williams answered yes. Mr. Kreft mentioned that MWH is in the process of setting up a meeting with the state to start talking about some of those details. Councilor Olson asked why the high rate clarification was only going to be a part of the pilot program for five weeks. Ms. Williams answered the cost of the high rate clarification is \$9,250.00 per week and the partnership wants to test the ozone unit specifically during the different seasonal characteristics because the organics will affect the ozone process.

The pilot plant will be located in two trailers just south of the existing filters. Approximate size of these trailers is 53 ft. by 8 ft.

The pilot study will begin at the end of August and will last through March. The reason for this timing is to capture the seasonal variation of water quality. Councilor Buehner asked if any of the suspected chemicals that might spike will be added into the test water. Ms. Williams stated that if the taste and odor compounds are not present, spiking the water with these compounds will be considered.

Councilor Tierney asked what happens to the water that goes through the pilot plant. Ms. Williams answered the filtered water from the ozone and filtration systems will be about 8 gpm; it will go to the sewer. The smallest unit for the high rate clarification process is 200 gpm. The 8 gpm for the ozone filtration unit will be taken from there and the remaining 192 gpm will go to the sludge lagoons along with the sludge that is produced; then it will be recycled through the existing plant and treated again. Councilor Tierney asked if the Partnership did not do the pilot plant, what would be required. Mr. Kreft answered if the Partnership was not trying to save space or cost, the pilot study could be avoided entirely. Because of the high rate process, the state will require proof that it will actually work. Councilor Tierney asked if the state requires proof on ozone as well. Mr. Kreft stated that because there are enough facilities in the country using ozone it is not considered new technology any more. Mayor Dirksen mentioned this is a good opportunity to give staff up front data on our exact system before we go to the full scale.

Ms. Williams stated the estimated cost of the pilot unit including sampling will be approximately \$500,000. This is going to be far less than the savings the partnership will realize. Mr. Kreft mentioned capital cost savings in the order of \$1 to \$1.5 million. Total present worth is estimated at \$3 to \$4 million. The high rate filtration system will save a couple of million dollars in physical concrete alone and has the added benefit of taking up much less space.

#### 5. REVIEW OF DRAFT ADMINISTRATIVE PLAN FOR DELAY MITIGATION

Mr. Komarek mentioned that the Oversight Committee members asked for a discussion of the existing intergovernmental agreement with Tigard and what authorities that agreement grants. Some proposed best practices were laid out for the Oversight Committee's consideration in a memo titled, Administrative Plan for Project Delay Management. If favorable, the next step would be to recommend to the managing agency that the practices are incorporated into the plan for delayed mitigation.

Councilor Tierney asked about the authority of the City Councils. If an expense is in the Supply Facilities Capital Improvement Program (SFCIP) then it does not have to go to the Councils but if it is a capital expenditure and is not in the SFCIP, then it has to go back to both Councils. Mr. Komarek answered that was correct. Councilor Tierney asked if the pilot program is in the SFCIP. Mr. Komarek answered the pilot is not in the SFCIP; however, it is in the currently-approved budget.

Councilor Buehner asked if the dollar amounts mentioned in the document will give the managing agency enough authority to move quickly as issues arise. Mr. Komarek responded that he used the LOIS project as a basis. The individual contracts for LOIS were valued at approximately \$26 to \$27 million. The City Council raised the City Manager's authority to \$250,000; a little less than one percent of the total contract amount. The estimated construction cost of the two largest aspects of the Lake Oswego Tigard Water Partnership is approximately \$43 million for the finished water pipeline and approximately \$65 million for the water treatment plant. One percent of either of those projects is \$430,000 to \$650,000; \$500,000 seemed reasonable. Raising the authority is a way to avoid what could be a potential delay because of the way the intergovernmental agreement is written; currently if an event occurs during construction and the cost of that event exceeds the contracting authority of our City Manager then it has to go to both Councils for verification.

Councilor Tierney mentioned that if an event occurs, written notice should be given to the Councils and/or the Oversight Committee. He would like to see that point spelled out in the Administrative Plan for Project Delay Management.

Councilor Tierney asked about the creation of the working group for disputes. Previously, there was discussion about the potential legal issue surrounding the Oversight Committee going to Executive Session. Mr. Komarek mentioned that he spoke with David Powell, Lake Oswego's City Attorney, about the notion of Executive Sessions with this body and yes under statute it could meet in Executive Session subject to the rules just like it were a Council. In the discussion, Mr. Powell brought up an interesting operational issue in that typically after an Executive Session the group would direct staff with a specific task; in this case, after Executive Session this body will report back to their respective Councils leading to a recommendation to the managing agency. Councilor Tierney reiterated his believe that the managing partner has the responsibility but there

needs to be shared between the managing partner and Tigard so there is equal participation. Mr. Koellermeier mentioned he would like to talk to the Tigard City attorney about the issue.

Mr. Komarek stated the only reason for proposing a working group which did not consist of all four members of the Oversight Committee is the issue of quorum. When this group is together even for an Executive Session, the meeting has to be noticed and the City Attorney has to be present to read the admonitions. Councilor Buehner and Mayor Dirksen mentioned the City Manager can also read them. Mayor Dirksen stated the rest of Tigard's Council would be more comfortable with the Oversight Committee acting as the working group rather than having a working group that did not include anyone from Tigard. Mr. Komarek mentioned he would go through the logistics again with David Powell and report back to the Oversight Committee.

Mr. Komarek restated that Councilor Tierney asked that the plan have a clearly-defined reporting element; whether the meeting is held in Executive Session or otherwise. The consensus is to keep the four Oversight Committee members and work in Executive Session rather than create a working body made up of only Lake Oswego City Councilors, this body will report back to respective Councils.

## 6. COMMUNICATIONS UPDATE

Ms. Heisler mentioned she was at the BBQ at the Bryant Road Pump Station. Mayor Hoffman is presenting the neighbors with a proclamation.

Ms. Heisler asked if the Oversight Committee would like to visit the pilot project. Councilor Olson stated she would like to visit during the five-week period that the high rate clarification is in use. Ms. Heisler will have Ms. Barrie send out a few dates.

**RIPS and Raw Water** – The Lake Oswego, Tigard and Gladstone Mayors met on July 20. The goal was to show Mayor Beyers the RIPS renderings and talk about outreach. Mayor Dirksen stated the meeting was very positive. Gladstone city staff had a lot of ideas for ways to mitigate potential problems and recommendations about how to deal with talking to neighborhoods about the impacts during construction. Ms. Heisler mentioned that all communication with the City Manager, the Parks Supervisor, the Public Works Supervisor has been supportive and helpful. Ms. Heisler mentioned that Jeff Selby, Citizen Information Coordinator, spent a couple of days at the Chautauqua Festival. The Partnership had a booth which had 14 people visit. The Partnership will be scheduling a BBQ in Ames Park which is right next to the RIPS facility to talk with immediate neighbors, Mayor Beyer being one of them.

**Water Treatment Plant** – There was a meeting with Robinwood neighbors on July 12 and it was reported that there would be some tree cutting on-site in November. An arborist has decided 14 trees are going to have to come down. The partnership told the neighbors that the pre-app is scheduled for the first week of September and the application would be submitted in December. The backyard visits have been going very well; people are saying the plant has been a good neighbor. If there has been any issue, neighbors talk to staff at the plant and the issue is taken care of right away.

Councilor Olson asked if the backyard meetings included Mapleton property owners and did they go well? Ms. Heisler answered some people are concerned about property values. The backyard

visits were a great opportunity to talk to the neighbors and hear what their fears and issues are. There will be a design workshop at the plant in September or October where the ideas can be incorporated in a couple of different concepts.

Councilor Tierney asked about the status of the covenant issue? Mr. Komarek mentioned staff is doing a final draft of the appraisal and anticipate mailing out offer letters to residents along with a copy of the appraisal. That starts a 40-day time clock within which the neighbors need to either accept or reject the offer. Mr. Komarek stated the neighbors will likely reject the offer and then are obligated to come up with their own appraisal. After the 40 days, it will be up to the Council to decide whether or not to file in court for the condemnation and until the hearing date, negotiations can continue.

It was mentioned in the paper that the Robinwood neighborhood has visited West Linn Council a couple of times and has asked for a planner to help them come up with the value-added ideas. The West Linn Council has said it will pay a couple thousand dollars and get an outside planning consultant. So far there has been no mention of a meeting on the website. Mr. Koellermeier asked if the pre-app is already scheduled. Ms. Heisler stated staff will submit materials next week.

**Finished Water Pipeline** – The communications team has contacted two neighborhoods McVey/South Shore and Hallinan both are at the southern corridor of the HDD. No word back from McVey/South Shore, but Hallinan is interested in having the partnership speak at a neighborhood meeting in September or October.

**Tools and Materials** –

- The Treatment Decision video is posted. Councilor Tierney asked if the video that was shown at the last Oversight Committee meeting has been modified. Mr. Komarek stated it might be a month or two before that is ready for a preview again.
- The ICMA video shoot is on August 16<sup>th</sup> and that will go on all day. Mr. Koellermeier asked if interviewees would be getting some bullet points. Ms. Heisler stated yes, she sent out some questions but has not had any response.
- Information in the packets:
  - A construction brochure which focuses on what to expect with trenching methods and a little bit about HDD. Staff will be doing something more detailed about HDD as we get a little bit closer to construction.
  - The before and after rendering of the RIPS.
  - The news release that was sent out regarding the system showing its age.
  - A postcard was sent out asking for more comments on the good neighbor plan and the comments that have been received to date were handed out.

Councilor Buehner asked if there were any comments in response to the press release about the age of the system. Ms. Heisler stated that there were not many, but it has been picked up by the Oregonian and The Review.

## 7. UPCOMING ISSUES

Mr. Komarek stated that he and Ms. Heisler would be meeting with senior officials from Oregon State Parks and Recreation Department on Monday. The state wants a presentation on the raw water pipeline and the options being reviewed to get across the river. One of those options would

land on property owned by the state. Geotechnical work needs to be completed but the state is not allowing that until after this presentation.

Councilor Tierney asked if staff has the other geotech work in the river. Mr. Komarek stated staff made a decision after getting some preliminary geotechnical information from the east side in the Meldrum Bar Park area that there were really only two options that needed to be explored further. It looks like the option from Meldrum Bar to the state-owned properties is potentially problematic. Staff is focusing on the northerly route that starts on the east side on a street called Hull Street and comes straight across the river to Mapleton Drive. Because the entire pipeline would be in public right of way the whole issue of mitigation and land use almost goes away completely. One issue that remains is that the pipeline is still going under property that has these environmental overlays.

Mr. Komarek stated staff is going to do the full geotechnical work on both options both in river and upland. Councilor Tierney asked what the delta in cost is going to be. Mr. Komarek stated the HDD is already included in the estimate. The additional geotechnical is approximately half a million dollars. There is an additional cost in going north before crossing the river, but that may be offset by reduced mitigation costs for the environmental impacts, reduced tree cutting and reduced land use issues.

Councilor Tierney asked if there was anything new on permits. Mr. Komarek mentioned there were a couple of e-mails from outside counsel that the record was still not certified. There was a motion by the state to consolidate the record for filing purposes. That motion is before the court but the court has not ruled on it yet. Councilor Tierney asked if there were objections to consolidation. Mr. Komarek answered there were no objections from either the Partnership or WaterWatch.

#### 8. FUTURE AGENDA ITEMS

Mr. Komarek mentioned that there were a few topics raised at the last meeting that staff needs to bring back before the Oversight Committee. These may not be ready for discussion by the September meeting, but they will be ready soon.

#### 9. NEXT MEETING DATE

The next Oversight Committee meeting will be Monday, September 12, 2011, from 6:00 p.m. to 7:00 p.m. at the West End Building in Lake Oswego.

#### 10. ADJOURN

Mr. Komarek adjourned the meeting at 7:10 p.m.

Attachments: None

Approved: \_\_\_\_\_ September 12, 2011