



**City of Lake Oswego/City of Tigard Water Supply Partnership
Summary of Oversight Committee Meeting #20
Meeting held December 12, 2011**

Lake Oswego Technical Committee Member Joel Komarek called the meeting of the Lake Oswego/Tigard Water Partnership Oversight Committee to order at 6:05 p.m. on December 20, 2011, in the Oswego 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, Dave Prock, Jane Heisler, Kari Duncan, Laura Barrie

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

-
1. CALL TO ORDER/ROLL CALL
 2. APPROVAL OF MINUTES FROM MEETING #19

Mr. Komarek asked for approval of minutes from the last meeting held on November 14, 2011. **Councilor Buehner** motioned to approve, **Councilor Tierney** seconded the motion. A voice vote was taken, and the motion passed with Lake Oswego **Councilors Tierney** and **Olson**, and Tigard **Mayor Dirksen** and **Councilor Buehner** voting 'aye' (4-0).

3. PUBLIC COMMENT

There were no guests in attendance.

4. DISCUSSION OF PRIOR ACTION ITEMS

There was no discussion of prior action items.

5. RESPONDING TO NEIGHBORHOOD REQUESTS DURING PROJECT DESIGN AND PERMITTING

Mr. Komarek stated that this subject was brought to the Oversight Committee members' attention at a prior meeting and from that direction, staff came up with an approach to evaluate neighborhood requests and determine which items were appropriate to be incorporated into any particular project element. **Ms. Heisler** added that the items included in this Oversight Committee packet are only those related to the water treatment plant because that is the application being submitted in early January.

Ms. Heisler asked if the committee members wanted to provide comments in general or did they want to go through each item individually. **Councilor Tierney** asked what the split would be on the issues that staff has put on the required or the affirmative list. **Ms. Heisler** answered staff has assumed the cost would be shared per the current split because these items are either required or

they are just best management practices. **Councilor Tierney** asked if that is a question for the Oversight Committee. **Ms. Heisler** stated staff would be looking for confirmation from the Oversight Committee. **Mr. Tierney** stated that he would agree it should be split because these issues are fundamental pieces of the project that would not benefit only one City or the other.

Councilor Buehner asked for clarification on the request that during construction the project use ultra low sulfur diesel vehicles. **Ms. Heisler** answered that type of vehicle is all that is currently used.

Ms. Heisler mentioned that items that have been included on the list of not recommended are certainly not required; they are also potentially costly and not really related to the project. **Councilor Olson** asked what was meant in item number 1 where it is stated “fund established to attract matching funds for remodeling Robinwood Station.” **Ms. Heisler** answered she’s not exactly sure; but staff has offered to meet with the Great Neighbor Committee after this meeting with the Oversight Committee and talk about the list and recommendations. **Mr. Komarek** asked if issues from the Great Neighbor Sub-Committee will need to be brought to the West Linn City Council because the Committee is supported or endorsed by the Robinwood Neighborhood Association. **Ms. Heisler** mentioned the issues that staff agrees with will be added to the Good Neighbor Plan (GNP) and then the GNP will be submitted with the application for land use. At the same time, staff is trying to avoid being involved in debates between the City of West Linn and the neighborhood relating to competing community objectives. If the City wants to target tree replanting to Cedar Island, that needs to be worked out without Partnership staff in the middle.

Councilor Buehner asked about item number 5 on the recommended list referring to landscaping being set prior to the construction phase. She voiced concern because during construction it is very easy to disturb roots of plants, shrubs and trees. **Ms. Heisler** answered that item is only referring to the budget for landscaping items, not the actual planting. Staff plans on keeping the language in the notes section that states “ensure landscape is well maintained where visible to neighbors.” **Mayor Dirksen** stated he guesses Lake Oswego parks are similar to Tigard parks in that they range all the way from extremely groomed areas to others that are natural areas where little to nothing is done. **Ms. Heisler** stated the open meadow is going to be natural meadow grass so there will not be much upkeep, but the public areas will be well maintained.

Councilor Tierney mentioned he concurred with staff choices for the recommended and the not recommended list. **Mr. Komarek** asked if other Oversight Committee members concurred with that statement. **Councilor Buehner** mentioned she thinks the lists are very reasonable. **Mayor Dirksen** mentioned the issues all fall very easily into two obvious categories, the ones that are reasonable and the ones that are unreasonable. **Mr. Komarek** stated staff will continue with the same approach as more requests are forthcoming through the various land use processes whether it is in Lake Oswego, Gladstone or West Linn.

Councilor Buehner asked if the Robinwood meetings are getting any friendlier. **Ms. Heisler** answered she thinks the neighbors are very hopeful about the list and want to get a conversation started. The feedback from the Oversight Committee is going to be very helpful in forwarding that conversation. **Ms. Duncan** added sometimes there are very vocal people at the neighborhood association meetings, but when she speaks with neighbors while walking around the neighborhood or fielding phone calls there are a lot with positive comments; they just may not be

outspoken at the meetings. **Ms. Heisler** mentioned project staff recently received a positive email from the on-line comment area.

6. OREGONIAN ARTICLES

Mr. Komarek mentioned some of the committee members may have already seen these articles in the Oregonian, but staff thought it was important to keep the Oversight Committee informed. One article is about the treatment decision in Portland that was just received from the EPA. The other article is about a dispute in Clackamas County between Clackamas County and Oregon City regarding the possibility of one public entity charging franchise fees to another public entity. He wondered whether or not another jurisdiction might attempt to impose this on the Partnership. After talking with the City Attorney, David Powell, that possibility seems unlikely. The unique aspect of the Clackamas County/Oregon City issue is the fact that a service is being provided that could be provided by a private franchise as opposed to a public water service.

Mr. Prock stated he thought the Bull Run article was very interesting because this has been a long standing war between EPA, State Health and the City of Portland staff. Many in the water-providing business never thought that State Health and the EPA would roll over. **Councilor Buehner** asked if the EPA has the ability to appeal this ruling. **Mr. Prock** answered the EPA has promulgated that authority down to the Oregon Health Administration (OHA). He would have to believe that the OHA staff talked with the EPA extensively before the ruling, because this has some ramifications on the east coast particularly with the city of New York who is going through a similar battle with the EPA directly. **Councilor Buehner** mentioned Portland is still going to have a big expense covering all the reservoirs. **Mr. Koellermeier** added that the testing protocols that are now being used in Portland are extremely expensive. While they might be getting out of one expense they are succumbing to another one. **Mr. Komarek** reiterated that as Councilor Buehner pointed out, Portland still has the expense of covering reservoirs because there is a very real threat to those in an urban environment. The threat to the water supply is still not eliminated with respect to erosion events that could raise turbidity levels above a certain threshold which he believes is 5 NTUs. If that threshold is reached, the system has to be shut down and water has to be taken from the well field. **Mayor Dirksen** asked if the water that comes from the well field needs to go through a different treatment system than Bull Run water. **Mr. Prock** answered it should not have to be treated differently. **Mr. Komarek** added it is just ground water that is pumped and he believes it is chloraminated. **Mr. Koellermeier** stated that there is a considerable water quality change that happens when water comes from the well field and a lot of Portland's commercial customers and industrial customers have trouble with that; plus it is very expensive. **Mayor Dirksen** stated that he suspects this is just an expense postponed, not avoided.

7. PROGRAM UPDATE BY MAJOR TASKS

Mr. Prock handed out a memorandum which provided an update that highlighted the key activities across all the various projects that are comprised within the Program:

RIPS

- Staff is preparing for a meeting that is coming up on Wednesday with National Marine Fisheries Services (NMFS) and Oregon Department of Fish and Wildlife (ODFW) to discuss screen selection, channelization and how the Program is going to handle bank erosion should it occur.

- As is the case with most technical projects, there are a lot of technical memoranda being generated which will form the basis of many of the design decisions.
- **Councilor Buehner** asked since Lake Oswego has been taking the water out for 40 + years, isn't it the same process, just bigger? **Mr. Prock** answered that staff is looking at correcting what are viewed as some deficiencies. One issue is how to handle algae when it coats the screens. How can staff effectively remove the algae safely without incurring expensive maintenance costs? Currently the screens are at the bottom of the structure. They are fixed, so somebody has to dive down with the proper support equipment. He asked Ms. Duncan if it was possible to get to the screens from the outside. **Ms. Duncan** answered you cannot really access the equipment from land because it is such a steep cliff and the location of the intake is out in the water. **Mr. Prock** stated that staff is looking at using a tee screen which is a round cylinder drum that can be lifted up and down so it can be cleaned. The drum spins and has wipers on the inside and outside to remove debris and if that fails to work, it can be brought up to the top level of the structure where staff can get to it without actually getting down, inside the structure. Staff is looking at determining how to minimize silt build up within the wet well itself and then improving accessibility in general for how the whole system works.
- **Councilor Tierney** asked what authority the agencies mentioned above have at this stage. Is this prior to a permit so this discussion is in preparation for an application? Do they have a lot of power? **Mr. Prock** answered yes they have power; both jurisdictions have to be in agreement with the screen design. **Councilor Tierney** asked if the agencies actually have a significant role so the Program needs to convince them this choice is good. **Mr. Prock** answered they do play a significant role; the agencies have not only the fish biologists that are participating in this process, but they have engineers on staff who do fish screen design and review the applications. **Councilor Buehner** asked if the agencies thought something would be better would they recommend it instead. **Mr. Prock** answered they probably would. Program staff had a meeting with them last summer and they made some suggestions that were found to have merit. These suggestions have been incorporated into what will be presented on Wednesday.

RWP

- Staff has been looking at different crossings of the Willamette. Kennedy/Jenks and the Program Management Team are working together to finalize that corridor study and it looks like the best option is going from Meldrum Bar across to Mary S. Young park, HDD under the river. This is the route being proposed in the application to the City of West Linn along with an open cut through Mary S. Young Park up onto public right of way.
- The pre-app for West Linn is scheduled for January 5th. That will include not only the RWP but the FWP portion that lies within West Linn. Kennedy/Jenks is focusing on providing the required materials to support the environmental permitting for the river crossing and going through the park.

WTP

- The pilot plant is still running but the Actiflo trailer is gone.
- Pilot testing including the ozone system and the filter columns will be going on until sometime in March. So far the results are favorable.
- The West Linn conditional use permit for the treatment plant is scheduled to be submitted on the 12th of January.

- MWH has prepared a pre-design report. Staff is getting comments back to them so the report can be finalized. MWH is getting ready to move into the 30% design of the facility.
- MWH is working on the water age modeling that is of particular interest to the City of Tigard's system. There are no concrete results yet. It is an important element to determine whether or not there will be some kind of re-chlorination required. **Mayor Dirksen** asked if the water gets too old. The answer was yes.

FWP

- Additional geotechnical investigations are occurring along the preferred route. Lake Oswego citizens have received emails and postcards.
- The conditional use permit for the pipeline in Lake Oswego is scheduled to be submitted on December 15. **Ms. Heisler** mentioned it is not a conditional use permit, it is a minor development.
- **Councilor Olson** stated she has heard from a couple of citizens that have some concerns. One is the possibility that there is an above-ground option in Springbrook Creek. **Mr. Komarek** stated the program is not looking at any above ground options at that location. Staff met with that gentleman and Mike Buck last week. Staff just completed borings on either side of the creek last week. Those borings will be evaluated to see whether or not it makes sense to consider a jack and bore or a trenchless crossing of the creek to minimize disturbance. That would not eliminate disturbance altogether but it is certainly a preferred approach to an open cut through the creek. This gentleman's property takes access right off a little extension of Brookside Road. He is very concerned about having access impeded and he is also concerned about the sensitive lands and RC areas. Staff has had that delineated and it will be part of the application that is being submitted. **Ms. Heisler** mentioned that it is an interesting spot where many lots come together along with Iron Mountain Park. The City's bridge is actually on this gentleman's property. The City has easements to maintain the bridge and he has easements to cross the bridge. Staff will continue to work with him to make sure he is informed and that he will have access to his property.
- **Ms. Heisler** stated she may have misspoken about the finished water pipeline, she was thinking of the part in Lake Oswego. A conditional use permit will be required in West Linn. **Mr. Prock** stated he would go back and check because he thought he had seen information pertaining to Lake Oswego. **Mr. Komarek** stated he thinks in Lake Oswego there is some question as to whether it is a ministerial or minor development, but it is not a conditional use.
- **Councilor Olson** asked if the preferred finished water pipeline route to the Waluga Reservoir has been determined. **Mr. Komarek** answered staff is moving into the phase where survey and geotechnical work is being conducted along that preferred route. Next week there will be some work near the Lake Grove Elementary School, so staff has been in touch with school district officials.
- **Councilor Tierney** asked where easements stand for the HDD where it is going under the lake and adjoining properties. **Ms. Heisler** answered those easements are all being worked on. **Mr. Komarek** stated that letters went out last week to those property owners whom the City will need to get easements from. It was an introductory letter letting owners know in the near future an appraiser will be contacting them to set a time to conduct the appraisal. Staff has made some preliminary contact with Lake Corp officials letting them know that there needs to be dialogue about the easement under the lake. **Councilor**

Olson asked if there are other areas along the route that will require easements. **Ms. Heisler** answered in Lake Oswego there is Hunt Club, Springbrook, Lake Grove School and the Cabanna Properties where the garages are located. It sounds like some cleanup is necessary for the deed; some people have left the Cabana Corp but their name is still listed and some people have joined and their name is not included. There are also some Gladstone properties on either side of McGloughlin, Mary S. Young Park and Meldrum Bar.

- **Councilor Olson** asked if staff has heard of any issues or questions from citizens. **Ms. Heisler** answered just the Iron Mountain issue mentioned earlier. Mike Buck had mentioned that he felt that the mitigation for the wetlands in the Hunt Club should be somewhere else in Iron Mountain Park rather than the area that was selected in conjunction with the Parks and Recreation Department. The area that was selected was the most degraded part of the stream. The Parks and Recreation Department is working on a grant from the National Park Service which will include a management plan for the whole park.

WR2

- Black & Veatch has been focused on other higher-priority areas. They will be back to working on preliminary design for the Waluga Reservoir in January.
- Staff members are working with the neighbors in the Waluga area to develop a Good Neighbor Plan (GNP). There is a meeting on Wednesday night. There will be two or three more meetings with the neighbors to finalize the GNP.
- The landscape planning has actually started to determine how best to conceal the reservoir. That effort is underway in conjunction with the Good Neighbor Plan. **Councilor Buehner** asked if there was still discussion of painting the sides to look like trees. **Mr. Prock** responded that it was more likely to be some other kind of a more uniform coloring, something that will blend in and work with plantings.

BPS

- The site acquisition process is started and Mr. Koellermeier indicated they would be going before Tigard City Council on December 20th with a resolution of necessity for that property. **Mr. Koellermeier** mentioned that Tigard staff has met with the property owner and discussions have started.
- Water age modeling is underway. This will help determine the best way to handle the age of the water, determine how much disinfectant is left at the far extremes of the system and what needs to be done to boost it up to the minimum. Councilor Buehner stated she knows that Tigard is going to have two different pumping systems; one for the 410 and one to send it up to the reservoir at 125th and Bull Mountain. She asked if the length of distribution is different between both. **Mr. Koellermeier** answered it is; one zone will have a longer water age than the other and so staff needs to be able to manage both of those independently at the pump station. **Councilor Olson** asked if the problem is that in the older water the residuals come down. **Mr. Prock** answered yes the chlorine gets consumed.

SCADA

- Portland Engineering (PEI) is currently meeting with the water treatment plant staff to work on the HMI or the Human/Machine Interface screen so that people can talk to the

computer and the electronics behind it. **Ms. Duncan** mentioned they had their first meeting last Friday.

- PEI is looking at and coordinating with the instrumentation plans that are being produced for the treatment plant work.

Councilor Buehner asked if the Program needed to have the 30% design before applying for all of the federal permits. **Mr. Prock** answered that is correct.

Councilor Tierney asked if there was anything keeping Program staff members awake at night. **Mr. Prock** answered probably West Linn in general. **Councilor Tierney** asked if there was anything that the Oversight Committee needs to be made aware of. **Mr. Prock** answered on the engineering side, things are moving along fairly well. The biggest surprise to him is the liquefaction potential at the plant site. That issue is still being investigated by the geotechnical staff and Program staff is waiting for the draft report indicating what the options actually are. **Ms. Heisler** asked if that report will be ready for the next meeting in January. **Mr. Prock** answered it should be ready. **Mr. Komarek** added there will be some decisions to make at the staff level based upon this information including weighing the costs of performance relative to the risk to the facility. On one end of the spectrum is no interruption at all which could be very costly. On the other end of the spectrum is the willingness to accept some level of damage to a building or buildings. Life safety is of course not on the table.

Councilor Tierney was excused to another meeting.

8. COMMUNICATIONS UPDATE

Ms. Heisler mentioned another article that ran in the Lake Oswego Review as well as the West Linn Tidings about how Lake Oswego is not getting any special treatment from West Linn. The West Linn City Manager and Assistant City Manager have been mentioning that West Linn has something to gain with the 6 mgd which could save the City a lot of money. **Councilor Olson** asked if Ms. Heisler knew what prompted the timing of this article. **Ms. Heisler** answered she did not know, but when Lori Hall wrote the last article there was a conversation about how it could have been a little more balanced. Whether that influenced the writer or not is unclear.

At the end of November, staff wrapped up the legislative visits. **Ms. Heisler** offered a copy of the packets to anyone who had not seen one yet. Recent legislative meetings included Carl Hosticka and Carlotta Collette of Metro, Chris Garrett the Representative in Lake Oswego, Clackamas County Commissioners and Dave Hunt in Gladstone. The IWB had a tour of the pilot plant.

Staff is going to submit the finished water pipeline application in Lake Oswego later this week. There have been numerous mailings because of the drilling that is occurring. The email list has grown and the committee members were encouraged to sign up to receive them as well.

The communications team has noticed that while Clackamas River Water Providers have been well informed, there are others in the region that could be provided with more information. Because of this, staff is trying to get on the agenda at the Regional Water Providers meeting.

There is a 2nd meeting scheduled with the Sunset neighborhood on January 24. At the last meeting, a Mapleton property owner asked the Sunset neighbors to sign a declaration of opposition. The neighbors responded that they did not feel like they had enough information yet.

Councilor Olson mentioned the Lake Oswego City Council is not meeting on January 3. **Ms. Heisler** mentioned she would check with the City Manager on when the Partnership should give its quarterly update.

Ms. Heisler handed out renderings of the Water Treatment Plant that were shown at the required neighborhood meeting in West Linn. A Mapleton property owner signed a waiver based on what he saw at that meeting.

A list of both Lake Oswego and Tigard videos was handed out. Some of them need to be retired and others will be kept in the library. **Councilor Buehner** mentioned the Beat the Peak video was still running. **Ms. Heisler** stated it should not be shown anymore.

Councilor Olson asked if Program staff was going to West Linn on December 19. **Ms. Heisler** answered yes and stated that Mayor Dirksen would be there too. Mr. Komarek and Mr. Koellermeier will be going to the Utility Advisory Board in West Linn. Some Program staff were meeting with a staff member from Senator Schrader's office on December 15. It was decided that the Mayors did not need to attend this meeting.

9. FUTURE AGENDA ITEMS

Mr. Komarek mentioned that Councilor Olson had asked about the 20 mgd to Tigard. The internal team was reviewing that information and it will be presented to the Oversight Committee on January 9.

Councilor Buehner asked if the 30% design information would be available at the January meeting. **Mr. Prock** answered it would not be available until the end of March.

Mr. Komarek stated that the cost estimate including where the project started and where things stand now will be available at the April Oversight Committee meeting. The draft budget for FY 2012/2013 will be presented at the March meeting.

10. NEXT MEETING DATE

The next Oversight Committee meeting will be Monday, January 9, 2012, from 6:00 p.m. to 7:00 p.m. in the Oswego Conference Room at the West End Building in Lake Oswego.

11. ADJOURN

Mr. Komarek adjourned the meeting at 6:53 p.m.

Attachments: None

Approved: January 9, 2012