

As voted by the Board of Trustees and in accordance with the notice of the meeting, the Regular Meeting of the Board of Trustees of the Portland Water District was held remotely via teleconference, on Monday, May 24, 2021. Attending from staff were Messrs. Kane, Crovo, Firmin, Wallace and Mses. Lewis, Katsiaficas, and Walker. The meeting was convened by Trustee Cote at 6:06 p.m.

### **ROLL CALL**

The roll was called by the Clerk. All Trustees were present.

### **CONVENE MEETING**

Trustee Willey made a motion to conduct the meeting remotely, seconded by Trustee Beck. Voted all in favor.

### **ACCEPTANCE OF MINUTES**

It was moved by Trustee Levinsky, seconded by Trustee Beck.

It was voted all in favor to waive the reading and accept the minutes of the Regular Meeting of April 26, 2021 and the minutes of the Workshop Meeting of May 10, 2021.

### **INVITATION FOR PUBLIC COMMENT**

None

### **REPORTS**

#### **Operations Committee**

Trustee Burns provided a summary of the Operations Committee meeting on May 10, 2021. Staff discussed and provided a recommendation to use the Comprehensive Engineering Method for procurement for the upcoming East End Primary Sludge Handling and Primary Sludge Gallery Upgrade project. Staff also discussed and provided a recommendation to use the Phased Engineering Method for procurement for the Westbrook Combined Sewer Overflow Long Term Control Plan Update project. The EPA published revisions to the Lead and Copper Rule in January of 2021. The new administration in Washington has proposed a slight delay in the timelines, with compliance required by September 2024. In some areas of the U.S., a large focus will be on the replacement of lead service lines. While the District is fortunate that lead was not a popular material for service lines in our service area, it will need to update procedures for work around certain service line materials. There is a requirement to publish the service line materials of both public and private service lines. In addition, changes to our current lead and copper sampling program are necessary, including sampling in schools and day care centers. A number of staff are closely following the proposed rule through our associations with AWWA and AMWA.

#### **Planning Committee**

Trustee Siviski provided a summary of the Planning Committee meeting on May 10, 2021. Norm Twaddel, Right of Way Agent reviewed the District's policy for acquiring land in the lower bay and provided a progress report. He described that the policy that was developed in 1994 to protect the water quality of the lower bay of Sebago Lake and noted that the staff's focus over the last 30 years has been on Priority 1 level properties. These are properties that are within 500 feet of the lake within the 2-mile limit and closest to the intakes. He noted over that 30-year period that the District was able to obtain 21 properties – 53 acres – at a cost of \$3.7 million and noted that there are 8 remaining properties in lower bay that have lake frontage

within the 2-mile limit and the District's policy is to wait for them to be on the market and pursue them from a willing seller. He reported that the remaining property owners all know of the District's interest in purchasing their properties. Mike Koza reviewed with the Committee the District's effort to comply with American Water Infrastructure Act (AWIA) which required the District to complete a Risk and Resiliency assessment (formerly known as a vulnerability assessment) by March of 2020 and update our Emergency Response Plan by September of 2020. He reported by the District met the required deadlines and these plans would have to be updated every 5-years.

### **Administration and Finance Committee**

Trustee Cote provided a summary of the Administration and Finance Committee meeting on May 10, 2021. Peter Cutrone, Project Manager, and Gordon Johnson, Engineering Services Manager, provided an update on the Cayenta and EAM/Lucity projects. The project is on scheduled to go live in mid-October. The 2020 audit was completed and the auditors presented their findings at the Board's May 10 Workshop meeting. Bond motions authorizing up to \$1.4 million in bonds to purchase land rights in the watershed and up to \$1.325 million in bonds to finance the construction on water mains in the 407 Zone were reviewed. Additionally, motions declaring those bonds as 'green' were reviewed. Staff attended two meeting discussing two potential sources of federal funds. One fund is to assist delinquent customers in paying balances in arrears. Rules and processes are being developed by the State. A second fund will be administrated by Cumberland County. The District presented a list of potential projects that could be funded.

### **General Manager's Report**

Ms. Lewis reported legislative activity is high. PWD provided testimony recently on two bills; one involving a potential study of a rail to trail, a portion of which would be on PWD land. The other bill was related to limits on solid waste disposal that could limit our options with respect to biosolids disposal and raise cost of disposal. She also provided a COVID update for the Board and advised the Board of changes that had been made with respect to masking and distancing requirements. Preparation of the 2022 budget is underway. The Annual Water Quality report has been issued - thank you to Michelle Clements and all who assisted. The lake monitoring buoy will be deployed soon. PWD hosted a successful Drinking Water Week with a virtual tour of the Lake Facility, where more than 120 people participated; more than 700 rain barrels have been sold. And lastly, Ms. Lewis highlighted the story which aired on channel 6 that highlighted the purity of Sebago Lake water and its significance to the beer industry.

Trustee Willey left the meeting at 6:35 p.m.

### **NEW BUSINESS**

**Public Hearing**, to authorize issuance of water bonds.

President Douglas opened the public hearing, no members of the public wished to speak. President Douglas closed the public hearing.

**Resolution 21-005**, authorizing issuance of water bonds to finance the installation and renewal of water mains and related infrastructure in the 407 Zone Area.

The approved 2020 Capital Improvement Plan includes \$9,075,000 of water distribution system upgrade projects being financed through the issuance of a \$7,000,000 bond and a \$2,075,000 withdrawal from the water renewal/replacement fund. Of the \$7,000,000, \$1,000,000 is to

construct water mains related to the 407 Zone Transmission Improvements. At the Board's February 24, 2020 meeting, the Board authorized issuing a bond for up to \$1,000,000 for the project (Resolution 20-003). Subsequently, at the Board's December 21, 2020 Board meeting, the Board authorized an amendment to the project of up to \$1,325,000 (Order 20-036). The proposed motion authorizes a bond at the higher amount.

It was moved by Trustee Cote and seconded by Trustee Burns.

It was Voted, 10-0 (Willey absent),

RESOLVED, the issuance of up to \$1,325,000 in water bonds to finance the installation and renewal of water mains and related infrastructure in the 407 Zone Area is hereby authorized. The full form of the Resolution attached hereto is hereby approved and shall be attached to and incorporated as part of the minutes of this meeting.

**Order 21-014**, authorizing the issuance of "Green Bonds".

The bonds will provide funds to finance the installation and renewal of water main improvements. These are environmentally beneficial projects designed to ensure safe drinking water for the public in the State in accordance with State, Federal and local standards. Therefore, the bonds can be designated as "Green Bonds".

It was moved by Trustee Cote and seconded by Trustee Beck.

It was Voted, 10-0 (Willey absent),

ORDERED, that the \$1,325,000 water bonds authorized on May 24, 2021 for the 407 Zone Area water mains are designated as "green bonds", with the proceeds used for "green" purposes.

**Resolution 21-006**, authorizing issuance of water bonds to finance the purchase of land rights on properties within the District's Watershed area.

The District was recently awarded an \$8 million grant to fund efforts to protect the watershed. The grant is expected to fund \$4.8 million for the purchase of conservation easements over the next 5 years. Additionally, land trusts estimate that an additional \$1 million of fee purchases will be made for which they would request the District's participation. The Board has adopted a policy, Portland Water District Policy for Watershed Land Conservation Outside the Two-mile Limit, stating the District will contribute between 0% and 25% of the conservation value of each transaction. Staff estimates the District's share over the next 5 years will be \$1,400,000. At the January 25, 2021 Board meeting, the Board approved an intent to borrow motion (Resolution 21-003). The proposed motion authorizes the issuance of a bonds up \$1,400,000 to cover the District's share of the projects.

It was moved by Trustee Cote and seconded by Trustee Rich.

It was Voted, 10-0 (Willey absent),

RESOLVED, the issuance of up to \$1,400,000 in water bonds to finance the purchase of land rights on properties within the District's Watershed area is hereby authorized. The

full form of the Resolution attached hereto is hereby approved and shall be attached to and incorporated as part of the minutes of this meeting.

**Order 21-015**, authorizing the issuance of “Green Bonds”.

The bonds will provide funds to finance the purchase of land rights to protect land within the watershed. These are environmentally beneficial projects designed to ensure safe drinking water for the public in the State in accordance with State, Federal and local standards. Therefore, the bonds can be designated as “Green Bonds”.

It was moved by Trustee Cote and seconded by Trustee Beck.

It was Voted, 10-0 (Willey absent),

ORDERED, that the \$1,400,000 water bonds authorized on May 24, 2021 for Watershed Land Rights purchases are designated as “green bonds”, with the proceeds used for “green” purposes.

**Resolution 21-007**, authorizing the 2020 audit report.

On May 10, 2020, Wipfli LLC presented the results of the 2020 audit to the Administrative and Finance Committee. The items presented were:

- Auditor’s Communication to the Board of Trustees;
- Financial Report for the year ending December 31, 2020

It was moved by Trustee Cote and seconded by Trustee Rich.

It was Voted, 10-0 (Willey absent),

WHEREAS, the Bylaws of the District require that an annual audit report on the financial affairs of the District be presented to the Board of Trustees for acceptance, and

WHEREAS, the Board of Trustees previously appointed the accounting firm of Wipfli LLC to conduct the audit of 2020 financial affairs, and

WHEREAS, Wipfli LLC has conducted the audit of 2020 and presented their unqualified opinion to the Board of Trustees,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees accepts the Audit Report for 2020 and authorizes its distribution as required by Section 21 of the Charter of the District.

**Order 21-016**, authorizing the Comprehensive Method for the procurement of engineering services for the East End WWTF Primary Sludge Handling and Primary Gallery Upgrades Project.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services for the design, bidding and construction administration (Comprehensive Method) for the Project (CIP #2021-21/3152).

The Project involves upgrades to Gravity Thickener #1 and associated piping and valves, as well as the primary sludge handling and plant water equipment in the primary sludge handling area and associated instrumentation and control. The Project also includes upgrades to electrical equipment and the Primary Gallery. It is expected that construction phase effort related to the Project will be part of the recommended 2022 CIP. Please note that Gravity Thickener #2 and associated piping are part of a future recommendation (CIP #3019).

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the September meetings for engineering services procurement.

It was moved by Trustee Burns and seconded by Trustee Siviski.

It was Voted, 10-0 (Willey absent),

**ORDERED**, that the Comprehensive Method is authorized for the procurement of engineering services for the East End WWTF Primary Sludge Handling and Primary Gallery Upgrades Project, (the "Project"), pursuant to the District's Purchasing Policy, and that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

**Order 21-017**, authorizing the Phased Engineering Method for the procurement of engineering services for the Westbrook Combined Sewer Long Term Control Plan Update Project.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services for the development of the Westbrook Combined Sewer Long Term Control Plan Update. Normally updated every 5 years, this effort will evaluate the work completed by the City of Westbrook in their collection system and work completed by PWD on interceptors and interceptor pump stations during the last phase of the plan. The phased method for engineering will limit the scope of services of this contract to the conceptual development of interceptor storage, calibration of the existing system model, immediate flow monitoring, and the development of a detailed scope for determining the source of wet weather flows and the ultimate mitigation of these flows.

The budget for this effort includes \$75,000 for the plan update, \$25,000 for model calibration, and \$50,000 for flow monitoring. The evaluation will help to identify future efforts to further mitigate wet weather flows and combined sewer overflows.

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the July meeting.

It was moved by Trustee Burns and seconded by Trustee Siviski.

It was Voted, 10-0 (Willey absent),

ORDERED, that the Phased Engineering Method is authorized for the procurement of engineering services for the Westbrook Combined Sewer Long Term Control Plan Update Project, pursuant to the District's Purchasing Policy, and that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

None

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Meeting adjourned at 6:57 p.m.

Submitted by,

Donna M. Katsiaticas  
Clerk