



Tualatin Hills Park & Recreation District Minutes of a Regular Meeting of the Board of Directors

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was held at the HMT Recreation Complex, Dryland Training Center, 15707 SW Walker Road, Beaverton, on Monday, November 7, 2011. Executive Session 6:00 p.m.; Regular Meeting 7:00 p.m.

Present:

Bob Scott	President/Director
Larry Pelatt	Secretary/Director
Joseph Blowers	Secretary Pro-Tempore/Director
William Kanable (<i>via telephone</i>)	Director
John Griffiths	Director
Doug Menke	General Manager

Agenda Item #1 – Executive Session (A) Land

President, Bob Scott, called Executive Session to order for the following purpose:

- To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Executive Session is held pursuant to ORS 192.660(2), which allows the Board to meet in Executive Session to discuss the aforementioned issue.

President, Bob Scott, noted that representatives of the news media and designated staff may attend the Executive Session. All other members of the audience were asked to leave the room. Representatives of the news media were specifically directed not to disclose information discussed during the Executive Session. No final action or final decision may be made in Executive Session. At the end of the Executive Session, the Board will return to open session and welcome the audience back into the room.

Agenda Item #2 – Call Regular Meeting to Order

President, Bob Scott, called the Regular Meeting to order at 7:15 p.m.

Board member, Bill Kanable, was excused from the meeting.

Agenda Item #3 – Action Resulting from Executive Session

Joe Blowers moved the Board of Directors authorize, pursuant to a commitment of the 2008 Bond Measure, staff to acquire an easement in the northwest quadrant of the District to allow for development of a segment of the Waterhouse Trail. Larry Pelatt seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Larry Pelatt	Yes
Joe Blowers	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #4 – Resolution Amending District Compiled Policies Chapter Five to include Contractor Prequalification

A. Open Hearing

President, Bob Scott, opened the public hearing.

B. Staff Report

Keith Hobson, Director of Business & Facilities, provided an overview of the memo included within the Board of Directors information packet, noting that staff is recommending prequalification of general contractors on a pilot basis for 2008 Bond Measure trail projects valued at \$1 million or more. At the March 2011 Regular Board meeting, the Board approved the recommendation to clarify District purchasing rules regarding prequalification by rescinding the mandatory prequalification requirement. The rationale behind rescinding prequalification was due to concern that it could reduce competition for bidding on District projects. Since this time, actual bid results have indicated that the opposite could be true in that several contractors that received bid packets failed to bid on the projects due to the lack of a prequalification requirement. In addition, there was an incident where an apparent low bidder was rejected after the bid due to the determination that they were not a responsible bidder, which caused a delay in the bid award for the project. With conflicting anecdotal evidence both for and against prequalification, staff is requesting the Board amend the purchasing rules to allow for a prequalification pilot project. The specific amendment would provide for the use of a blanket prequalification for all bond funded trail projects valued at \$1 million or more. Four specific projects were chosen for this pilot program since they are all similar in nature and will be going to bid relatively close together. The prequalification process would create a master list of general contractors, ensuring that potential bidders are capable of completing projects of such size and unique characteristics. As a safeguard against diminished competition, staff will review the results of the prequalification process and share these with the Board. If the list is deemed to be too small, the proposed amendment would still allow the District to go to bid without the prequalification requirement. Keith noted that the action requested this evening is that the Board of Directors, acting as the District's Local Contract Review Board, approve the resolution amending District Compiled Policies Chapter 5 to reflect the proposed changes.

C. Public Comment

There was no public comment.

D. Board Discussion

There was no Board discussion.

E. Close Hearing

President, Bob Scott, closed the public hearing.

F. Board Action

Larry Pelatt moved the Board of Directors approve the resolution to amend District Compiled Policies Chapter 5 to include contractor prequalification as presented in the staff memo. Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Joe Blowers	Yes
Larry Pelatt	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #5 – Audience Time

Larry Christensen, 16952 NW Bernietta Court, Portland, and Craig Cauvel, 5869 NW Samuel Drive, Portland, are before the Board of Directors this evening representing the Graf Meadows 1 Home Owners Association. Larry and Craig presented into the record a letter to the District's Budget Committee dated approximately January of 2001, as well as meeting minutes of the Graf Meadows I Home Owners Association annual meeting of January 25, 2002, regarding a request for park improvements in their area, including the construction of two walking bridges, continuation of paved pathways, play equipment and other recreational facilities. Larry and Craig described that while most of these improvements were completed, one has not been: the requested walking bridge between Phase 1 and Phase 2. With beavers having moved into the area within the last two years and the water tables consequently rising, there is no connectivity from one phase to the other. They request that the Board bring this project back to the forefront and take corrective action to complete the project. The area in its current status presents not only a connectivity challenge, but a safety issue as well.

John Griffiths asked District staff for their input on the situation described.

- ✓ Doug Menke, General Manager, replied that staff would research the issue and return to the Board, but his initial sense is that this project may have been the last phase and was unable to be completed due to a funding shortage.

Larry Pelatt requested mapping and pictures of the area in question and asked whether Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, has any initial input.

- ✓ Bruce replied that staff would need to research what was originally planned for the area, but one complication is that initial research indicates that the beaver dam is not on District property, which will require a creative solution and may involve a structure.

Larry Christensen asked whether there is a timeframe for when they could expect more information in order to ensure that the project does not slip through the cracks.

- ✓ Larry Pelatt replied that although he is not sure about providing a specific timeframe, he confirmed that it would be addressed.
- ✓ Joe Blowers commented that he assumes that the Board would have additional information from staff on this topic by the next Board meeting in December. He invited Larry and Craig to attend that meeting to hear what the proposed next steps may be.

Larry Christensen commented that he understands that these issues take time to address and that he also appreciates the work the District does for the entire community.

Agenda Item #6 – Board Time

Larry Pelatt referenced Agenda Item 7B, Monthly Bills, and asked for additional information regarding the \$5,600 paid to Mersereau & Shannon, LLP, labeled as "bank charges and fees."

- ✓ Keith Hobson, Director of Business & Facilities, replied that this amount represents the fees the District pays for issuing Tax and Revenue Anticipation Notes (TRANS).

Joe Blowers asked whether an opening date has been set for the Fanno Creek Trail Project.

- ✓ Doug Menke, General Manager, replied that an exact date is forthcoming, but is expected to be sometime around the end of December.

President, Bob Scott, asked for additional information regarding the THPRD Leadership Academy referenced within the Management Report included within the Board of Directors information packet.

- ✓ Doug replied that a detailed presentation on this topic is planned for an upcoming Board meeting.

Agenda Item #7 – Consent Agenda

Larry Pelatt moved the Board of Directors approve Consent Agenda items (A) Minutes of October 3, 2011 Regular Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Resolution Appointing Sports Advisory Committee Member, and (E) Resolution for Annexation of Properties per Washington County Ordinance 624 and in Accordance with ORS 198.857(2). Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Joe Blowers	Yes
Larry Pelatt	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #8 – Unfinished Business

A. Bond Program

Hal Bergsma, Director of Planning, provided a detailed overview of the memo included within the Board of Directors information packet regarding recent Bond Program activities, including a City of Beaverton Planning Commission Public Hearing on AM Kennedy Park and a PowerPoint presentation showing pictures of the construction projects at Conestoga Recreation & Aquatic Center and Elsie Stuhr Center. Hal offered to answer any questions the Board may have.

✓ Hearing none, President, Bob Scott, requested the staff report for the next agenda item.

B. Resolution Adopting the Decrease in the Out-of-District Drop-in Surcharge Rate

Ann Mackiernan, Operations Analysis Manager, provided a detailed overview of the memo included within the Board of Directors information packet, noting that staff conducted an update of the 2006 Fee Study market survey and presented the findings to the Board at the September Board meeting. At that meeting, the Board requested additional analysis for the recommendation to decrease the Out-of-District (OD) drop-in surcharge from 200% to 100%.

Ann provided a detailed overview of the results of the additional analysis, noting that the District earns a significant portion of its user fee revenue from OD patrons and that this source of revenue has been eroding consistently since fiscal year 2008-09. Although it is impossible to conclude with certainty the household locations of OD drop-in patrons, and whether those patrons may qualify to participate in the District's Voluntary Annexation Program, GIS mapping does show a diverse area from which OD patrons travel to use District facilities. Since the adoption of the 2006 Fee Study fee increases, both OD drop-in participation/revenue and the number of OD assessments sold have decreased. In addition, the 2011 market survey update of comparable Northwest park & recreation agencies clearly shows that the 200% drop-in fee surcharge charged by the District is by far the highest surcharge level in the region. In addition, it is important to keep in mind that increased utilization of District facilities by OD patrons will not negatively impact in-District patrons since they are given priority access to drop-in programs.

Ann summarized that, based on the results of the additional analysis, staff is requesting approval of the resolution to decrease the OD premium surcharge rate on drop-in fees from 200% to 100% effective January 2012, and offered to answer any questions the Board may have.

President, Bob Scott, asked what the drop-in fee would be for OD patrons if the proposal is approved by the Board.

✓ Ann replied that the rate would be decreased from \$12 to \$8, which is approximately the rate when the OD drop-in revenue began falling.

John Griffiths asked whether consideration was given to reducing the surcharge even further.

- ✓ Ann described that staff is attempting to strike a balance between incentivizing the lost OD participants to return, while also maximizing that revenue source.
 - ✓ Keith Hobson, Director of Business Services, replied that it would also be beneficial to first see if this reduction has any impact and to retain the ability to reduce it further if not.
- Larry Pelatt expressed agreement, noting that the proposed reduction is a sufficient decrease and that the Board would not be limiting themselves to making further decreases, if necessary.

John commented that this proposal is in-line with an article in *Parks & Recreation* magazine that he referenced during the October Board meeting about how increasing participation can have a greater impact on revenues than by raising fees. He noted that it seems that the District may have overshot the line with the current OD drop-in surcharge rate and that hopefully by pulling it back the District will see more attendance and more revenue.

John Griffiths moved the Board of Directors approve Resolution 2011-32 adopting the decrease in the Out-of-District drop-in surcharge rate per the staff recommendation.

Larry Pelatt seconded the motion. Roll call proceeded as follows:

Joe Blowers	Yes
John Griffiths	Yes
Larry Pelatt	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

C. Sustainability Program

Keith Hobson, Director of Business & Facilities, and Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, provided a detailed overview of the memo included within the Board of Directors information packet regarding the District's sustainability efforts over the past year, noting that one of the most important efforts being the selection of greenhouse gasses as a key measure of sustainability success. Using this measure will allow staff to target specific areas based on logical and measurable criteria. In addition, the development of a Sustainable Purchasing Policy has been underway for several months and a draft of the Policy is under final review. Once completed, the plan will be brought to the Board of Directors for review and approval. Keith and Bruce offered to answer any questions the Board may have.

Larry Pelatt asked whether the District has explored a mass transit option for staff in order to encourage the use of public transportation to get to work versus personal vehicles.

- ✓ Keith Hobson, Director of Business & Facilities, replied that the District participates in the Tri-Met Passport Program, which is available for sites with a specific number of employees (currently only the HMT Recreation Complex) and is working with Tri-Met to see if the 112th facility will be eligible as well.

Joe Blowers commended staff on the large steps forward in the District's sustainability efforts over the past few years, noting that he is happy to see that the program is not only reaping benefits environmentally, but financially as well.

D. General Manager's Report

Doug Menke, General Manager, provided a detailed overview of the General Manager's Report included within the Board of Directors information packet, which included the following topics:

- 112th Facility Update
 - Keith Hobson, Director of Business & Facilities, provided a PowerPoint presentation showing pictures of the construction project at the 112th facility.
- The Intertwine Testimony
- Veterans Day Event

- Fanno Creek Trail Project Update
- Board of Directors Meeting Schedule

Doug offered to answer any questions the Board may have regarding the General Manager's Report.

Larry Pelatt commended Gery Keck, Bond Planning Manager, for his efforts on the 112th facility project, noting that it is impressive for such a large project to be on time and under budget.

Joe Blowers asked about the seismic status of the 112th facility.

- ✓ Keith replied that due to its basic function and design, it is not in that bad of shape, but could probably use some structural upgrades in the future when there are funds available for such work.
- ✓ Dave Chrisman, Superintendent of Maintenance Operations, noted that all of the improvements that have occurred within the building have been done to code, which provides some amount of protection.

Joe asked for an update regarding leasing out the remaining space at the 112th facility.

- ✓ Doug replied that before addressing the remainder of space available for lease, more progress is needed on the Timber's construction project indoors. He estimates the District will begin pursuing negotiations for the additional lease space more aggressively within the next few months.

Larry Pelatt asked what type of material is being used for the sections of boardwalk for the Fanno Creek Trail.

- ✓ Steve Gulgren, Superintendent of Planning & Development, replied recycled plastic boards on top of steel I-beams.

Larry noted that this type of product is highly durable once it's installed.

- ✓ John Griffiths agreed, noting that this is the same product installed by the National Park Service on the trail to the Old Faithful geyser in Yellowstone National Park.

Agenda Item #9 – New Business

A. Resolution Amending Comprehensive and Trails Plans Pertaining to North Bethany

Hal Bergsma, Director of Planning, provided a detailed overview of the memo included within the Board of Directors information packet, noting that with the Washington County Board of Commissioners' adoption of A-Engrossed Ordinance No. 739 on October 25, 2011, the County completed a long public process allowing development to begin in the North Bethany area. However, Section 501-12.2 of the Washington County Community Development Code states, in part, that:

"...an application for development approval within the North Bethany Subarea Plan shall be denied unless the applicant demonstrates that:

- B. Master plans for the following service districts, including a financing plan that substantially implements the master plan, have been adopted by the applicable service district.*

(1) Tualatin Hills Park & Recreation District (THPRD): parks and trails..."

Hal stated that as a result of this code language, proposed developments in North Bethany cannot be approved by Washington County until all service districts for the area, including THPRD, have added to or amended their relevant plans so as to recognize and implement elements of the North Bethany Subarea Plan that pertain to them. For THPRD, that means adding the plan for parks and trails in North Bethany adopted by Washington County to the

Comprehensive Plan and the Trails Plan, adding a finance plan for acquisition and development of parks and trails planned in North Bethany to the Comprehensive Plan, and amending maps in both the Comprehensive Plan and the Trails Plan to reflect the County's plan for parks and trails in North Bethany.

Hal noted that a few key points need to be taken into consideration in terms of the finance plan in particular. The total estimated cost of acquisition and development of the parks and trails in North Bethany is \$30 million in today's dollars. Most of the funding for acquisition and development will be provided by the System Development Charges (SDCs) coming out of the area. A key thing to recognize is that if development densities are near the maximum allowed, there should be sufficient SDC funds to cover these costs. However, if development densities are near the minimum requirement, the District would receive sufficient SDC funds for the estimated land acquisition costs, but probably would not have enough SDC revenues to cover all of the development costs. The finance plan gives the highest priority to acquiring land for parks and trails first, followed by development, and acquisitions would take place in the areas and order identified within the adopted Subarea Plan. In order to assist in advancing acquisitions in these areas, some of the District's current undesignated SDC revenues will be needed to acquire land for the east community park and at least one neighborhood park to the south. It is anticipated that the County will also provide some funds to assist in land acquisition for the east community park, but after those funds are spent, no additional funds will be advanced for land acquisition. If the District is unable to acquire planned park sites for a reasonable price, the District may be in a position where condemnation would need to be considered with a preference for the County to take the lead in such actions.

Finally, Hal related an email exchange he had with Fred Meyer, who is active in the North Bethany area and is a former member of the District's Budget Committee. Fred asked for additional information regarding the footnote on page 4 of the finance plan, "Does not include the cost of a community center in the western portion of the East Community Park." Hal explained that the community center is a request by Washington County and is not a typical feature of a THPRD community park site and therefore was not something that was anticipated in the development of the budget for park and trail improvements in the area. Funding from Washington County would be necessary in order to facilitate this amenity.

Larry Pelatt asked how specific the development directive is within the North Bethany Subarea Plan in terms of the community center area.

- ✓ Hal replied that the County identified sites for community facilities and a conceptual location for a community center.

Larry asked whether there are further details regarding the community center in particular, noting that past discussion had ranged from a gazebo-type gathering place to a building.

- ✓ Hal replied that the concept is an approximate 9,000-squarefoot building with a parking area and space for a small library.

Hal noted that the action requested this evening is Board approval of Resolution 2011-33 Adding to and Directing Amendment of the Comprehensive Plan and the Trails Plan pertaining to the North Bethany Area, and offered to answer any questions the Board may have.

President, Bob Scott, referenced the statement made earlier that if development densities for North Bethany are near the minimum requirement, the District would receive sufficient SDC funds for the estimated land acquisition costs, but not enough to cover all development costs. He asked whether the County has assigned a timeline for development of these sites.

- ✓ Hal replied that there is no timeline for development and that the key goal for the District is land acquisition since the County has tied approval for development to the District's acquisition of the park sites.

Larry asked whether there is a timeline for the acquisitions.

- ✓ Hal replied that there has been some discussion of a timeline in that some of the developers in the area have expressed a desire that the District acquire all of the sites within a certain timeframe, such as by a specific number of years or by the time a certain percentage of development has occurred. This may be considered by the County once their next ordinance season begins in the spring. District staff will work with County staff and developer representatives on this topic, but at this point there is no acquisition timeline.

Larry noted that many of the areas under consideration in North Bethany are either large properties or areas of smaller properties with multiple owners and various property lines. He asked whether the County has had any discussion regarding potential legal action to begin putting together a framework for adjusting all of the various lot lines.

- ✓ Hal replied that although there has been discussion on this topic, it needs to be further addressed. For example, since the neighborhood parks will be 1.5 to 2-acres in size, these may be partitioned off from larger parcels, which would require a lot line adjustment. The County's present requirements for partitions are very onerous and the County recognizes that this needs to be changed, at least for parks, and will be considered next spring. In the interim, if the District were to acquire such a property, there would need to be some discussion on how to acquire an interest in the property without having to create a separate lot. The Beaverton School District has acquired a few sites in the area for schools by getting an undivided interest in a property with a separate purchase and sale agreement that describes exactly what it is they are acquiring. Although there is some potential for problems with this method, a clear record of what is being acquired can be assisted by recording the purchase and sale agreement. This will probably be the method used in the near term until the County can formally address the issue.

Larry Pelatt moved the Board of Directors adopt the resolution amending the Comprehensive and Trails Plans pertaining to North Bethany as presented in the staff memo 9A of the November 7, 2011 agenda. Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Joe Blowers	Yes
Larry Pelatt	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

B. Garden Home Recreation Center Project List Funded by City of Portland's Bureau of Environmental Services

Eric Owens, Superintendent of Recreation, provided a detailed overview of the memo included within the Board of Directors information packet, noting that a list of improvement projects has been developed for the Garden Home Recreation Center and a portion of the Fanno Creek Trail funded by fees in the amount of \$325,000 paid by the City of Portland's Bureau of Environmental Services as a result of a sewer replacement project that crossed the Center's property as well as a portion of the Fanno Creek Trail. Eric described the public outreach process that occurred for the list of projects, which included a public informational meeting and presentations to the Trails and Recreation Advisory Committees. Eric provided a detailed overview of the proposed project list, which includes the following:

- Fanno Creek Trail Exercise Equipment
- New Fitness Room
- New Gymnastics Room
- Improvements to the Dance and Exercise Room
- Improvements to the After School Program Room
- 15% Contingency

Eric noted that the action requested this evening is approval of the project list as submitted and direction to staff to proceed with the implementation of the projects, and offered to answer any questions the Board may have.

President, Bob Scott, asked what the contingency funds would be used for if not needed.

- ✓ Eric replied that they would be used for additional projects, including additional exercise equipment, flooring improvements, improved access to the Center for those with disabilities, additional playground equipment and other program related equipment.

Larry Pelatt asked whether there are any concerns regarding vandalism of the outdoor exercise equipment.

- ✓ Doug Menke, General Manager, replied that it is no different than outdoor play equipment and would be made of similar materials.
- ✓ Eric noted that there is outdoor exercise equipment at Greenway Park and that no vandalism problems have been experienced.

Joe Blowers moved the Board of Directors approve the project list as submitted and direct staff to proceed with the implementation of the projects. Larry Pelatt seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Larry Pelatt	Yes
Joe Blowers	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

C. Resolution Acknowledging Recent Property Acquisitions and Describing Funding Sources and Purpose

Doug Menke, General Manager, noted that this topic arose from a discussion by the Parks Bond Oversight Committee members that he believes will become a beneficial tool for the future and introduced Hal Bergsma, Director of Planning, to provide an overview of the memo included within the Board of Directors information packet.

Hal noted that the District has recently completed several property acquisitions for a variety of purposes using multiple funding sources. Although the Board always approves of land acquisitions at a public meeting prior to its closing, the details are not disclosed in order to retain confidentiality until the acquisition is completed. To increase public knowledge and establish a record of the details and purpose of each completed acquisition, it is proposed that the Board regularly provide such information through approval of a resolution, starting with a resolution acknowledging completed acquisitions for the last fiscal year. It should be noted that not all acquisitions “closed” in the last fiscal year are “completed” acquisitions. In at least one case, a property was purchased, but an additional property needs to be acquired in order to have a site that will function as intended. Since that property closing was not part of a completed acquisition, it is not listed in the resolution. Hal noted that the action requested this evening is approval of the resolution acknowledging recent property acquisitions and describing funding sources and purpose, and offered to answer any questions the Board may have.

Larry Pelatt asked for confirmation that only properties that are fully completed transactions would be listed.

- ✓ Hal confirmed this and described how some land purchases that may be tied to multiple property purchases would not be listed on the resolution until completion of the other property transactions has occurred as well.

Doug noted that this process could also be viewed under the aspect of public relations in that it further promotes to the public how bond funds are being allocated and the progress made.

- ✓ President, Bob Scott, noted that this will be a useful tool to assist the Parks Bond Citizen Oversight Committee as well.

Doug confirmed this, noting that although the resolution is not limited to properties purchased by bond funds, it will establish a clear record of exactly what types of funds were used for each purchase.

Larry commented that although this is a good step forward, the District should have been keeping this type of record prior to now and that it should not have taken a lot of research to identify this type of information.

Larry Pelatt moved the Board of Directors approve Resolution 2011-34, Acknowledging Recent Property Acquisitions and Describing Funding Sources and Purpose, as presented in the staff memo 9C from the November 7, 2011 Board meeting. Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Joe Blowers	Yes
Larry Pelatt	Yes
Bob Scott	Yes

The motion was UNANIMOUSLY APPROVED.

Joe Blowers asked for clarification regarding the boundaries reflected on the map included for this agenda item versus maps shown earlier this evening, particularly in the area around the Teufel Property, noting that it appears there may be a discrepancy.

- ✓ Keith Hobson, Director of Business & Facilities, replied that the confusion may be stemming from the fact that there is a portion of the Beaverton School District that extends into Multnomah County.

Agenda Item #10 - Adjourn

There being no further business, the meeting was adjourned at 8:30 p.m.

Bob Scott, President

Larry Pelatt, Secretary

Recording Secretary,
Jessica Collins