



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, December 3, 2012. Executive Session 6:00 p.m.; Regular Meeting 7:00 p.m.

Present:

Joseph Blowers	President/Director
Larry Pelatt	Secretary/Director
Bob Scott	Secretary Pro-Tempore/Director
William Kanable	Director
Doug Menke	General Manager

Absent:

John Griffiths	Director
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Agenda Item #1 – Executive Session (A) Land

President, Joe Blowers, 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)(e), which allows the Board to meet in Executive Session to discuss the aforementioned issue.

President, Joe Blowers, noted that representatives of the news media and designated staff may attend 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 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, Joe Blowers, called the Regular Meeting to order at 7:00 p.m.

Agenda Item #3 – Action Resulting from Executive Session

Bill Kanable moved that, pursuant to a commitment of the 2008 Bond Measure, the Board of Directors authorize staff to acquire a property in the northeast quadrant of the District for a future neighborhood park subject to the General Manager’s determination that all of the terms of the sales agreement between THPRD and the seller are satisfactory. Larry Pelatt seconded the motion. Roll call proceeded as follows:

Bob Scott	Yes
Larry Pelatt	Yes
Bill Kanable	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Bob Scott moved that, pursuant to a commitment of the 2008 Bond Measure, the Board of Directors authorize staff to acquire a property in the southwest quadrant of the District for a future community park or a future community center subject to the General Manager's determination that all terms of a sales agreement between THPRD and the seller are satisfactory. Larry Pelatt seconded the motion. Roll call proceeded as follows:

Bill Kanable Yes
Larry Pelatt Yes
Bob Scott Yes
Joe Blowers Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #4 – Amateur Softball Association (ASA) of America James Farrell Award of Excellence

Scott Brucker, Superintendent of Sports, introduced Mike Wells, State Commissioner for Oregon ASA, to make a presentation to the Board of Directors regarding the 2012 James Farrell Award of Excellence from the National ASA organization recently awarded to the District, City of Hillsboro, and Washington County Visitors Association for the 14A Western National Fast-Pitch Softball Tournament that was held July 30 through August 5, 2012.

Mike presented an overview of Oregon ASA, as well as the National ASA organization, noting that there are over 76 associations under the national umbrella, two of which are in Oregon. He noted that ASA operates over 100 tournaments each year and that each tournament is evaluated by multiple individuals, on local and national levels, on approximately 20 different criteria. In order to qualify for the James Farrell Award of Excellence, the tournament must score 96% or better. The 14A Western National Fast-Pitch Softball Tournament held this past summer scored 98.5%. In addition, this is the first time, nationwide, that ASA has had three organizations work cooperatively toward hosting one tournament. Mike provided a brief overview of future tournaments being explored by Oregon ASA and the District and thanked the District staff involved in the tournament for their efforts.

Agenda Item #5 – Audience Time

Sid Snyder, 7320 SW Canyon Lane, Beaverton, is before the Board of Directors this evening representing the West Slope Neighborhood Association Committee (NAC). Sid referenced a property recently acquired by the District in the West Slope neighborhood, the Wilson property. He explained that the West Slope NAC is pleased with the purchase of this property as the area is underserved by the District; however, there have been problems in the neighborhood due to the rental house on the property, as well as the adjacent vacant lot. Although the District has taken the first steps toward addressing the problem by beginning the process of evicting the current tenants, the West Slope NAC believes that the interest of the neighborhood would be best served by accelerating the development of the land as a park rather than re-renting the house. Since removal of the house is expected to be part of the creation of the park, funds spent on improvements to the house and on managing the property as a short-term rental is money ill-spent. In addition, because the vacant lot is well-hidden from most streets and homes, it attracts undesirable situations, such as illegal camping, trash accumulation, dumping of stolen cars, and suspicious activities. In conclusion, Sid stated that the West Slope NAC is eager to continue working with the District in bringing a much-needed park to the neighborhood and is confident that the District will be good stewards of the land in the short-term, responsive to the needs of the neighborhood in the design of the park, and pragmatic in its decisions regarding the timetable for bringing the project to a quick and successful conclusion.

Doug Menke, General Manager, explained that the Wilson property is a future park site and that funding has not yet been identified for its development. He noted that the District also does not have any current plans to put funds into the rental house.

Larry Pelatt commented that he is hopeful that the District's property management company will be more particular in choosing new tenants since the previous tenants were already in the home when the District purchased the property. He understands that the neighborhood is anxious for a park to be developed at the site, but the process for development of any park site can be lengthy. If the District needs to put funds into the house in the future in order to keep it rentable, those funds most likely would not be significant.

President, Joe Blowers, asked whether the property management company could place restrictions on how much junk the tenants may accumulate in the yard.

- ✓ Keith Hobson, Director of Business & Facilities, replied that the property management company would follow city code; however, District staff works cooperatively with the property management company and follows a good neighbor policy.

Joe suggested the property management company express to the new tenants the sensitivity of the neighborhood to such issues. He described the amount of broken cars and junk that was in the current tenant's yard and thinks it may be helpful that future tenants know that the neighborhood takes issue with this type of activity.

- ✓ Keith agreed and confirmed that District staff would work with the property management company on this issue.

Larry agreed that, from what he had seen, the vacant lot needs to be cleaned up.

- ✓ Dave Chrisman, Superintendent of Maintenance Operations, noted that the District did conduct a preliminary cleanup of the property and that additional such work is planned.

Bill Kanable commented that the District spent a lot of time looking for a property in that underserved area, but that it is going to take some time to develop it. Acquiring the property alone was a big step forward for the area.

Agenda Item #6 – Board Time

President, Joe Blowers, described a trail at Commonwealth Lake Park that has been rerouted away from the shoreline of the lake. He asked whether this is the first phase of a more significant project. He also noticed that the lake seems to be a few feet lower than normal.

- ✓ Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, replied that the path was moved farther away from the lake for erosion purposes and habitat restoration. This was a standalone project. Traditionally, during the winter, the weir at the dam is lowered due to the desire of the neighborhood for flood control efforts.

Agenda Item #7 – Consent Agenda

Bill Kanable moved the Board of Directors approve Consent Agenda items (A) Minutes of November 5, 2012 Regular Board Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Resolution Approving System Development Charge Annual Cost Adjustment, (E) Resolution Authorizing Recreational Trails Program Grant Application for North Bethany Trail #2, and (F) Amended Retirement Plan Investment Policy. Bob Scott seconded the motion. Roll call proceeded as follows:

Larry Pelatt	Yes
Bob Scott	Yes
Bill Kanable	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #8 – Unfinished Business

A. Tualatin Valley Water District Proposed Reservoir Project

Steve Gulgren, Superintendent of Planning & Development, provided an overview of the memo included within the Board of Directors information packet, noting that Tualatin Valley Water District (TVWD) is returning to the Board this evening regarding a proposed project to build a new reservoir and pump station in the vicinity of Ridgewood View Park in order to replace two reservoirs that have been closed due to structural failure: one at the north end of Ridgewood View Park and the other at Reservoir Park. TVWD initially presented this project to the Board at the April 2, 2012 Regular meeting, at which time the Board approved the request to explore the possibility of locating a new reservoir and pump station at Ridgewood View Park. This evening, TVWD is returning to present the results of the exploration process. Steve introduced Mike Britch, Senior Engineer with TVWD, and Todd Perimon, Senior Project Manager with AECOM, to present an overview of the current design options and next steps for the project.

Mike and Todd provided background information regarding the two sites impacted and a detailed overview of the three design options currently under consideration, including the geotechnical analysis of the options, noting that their preferred design option is Option 2 (a new, irregular shaped reservoir at the current Ridgewood View Park reservoir location) via a PowerPoint presentation of the informational materials included within the Board of Directors information packet and offered to answer any questions the Board may have.

Larry Pelatt asked how high the exposed wall space will be of the new reservoir for the preferred option.

- ✓ Mike replied that it would be the same height as the current reservoir.
- ✓ Todd noted that it would be approximately 15 feet above existing grade.
- ✓ Mike commented that creating a berm would help offset this and would be part of the discussion in terms of the park improvements.

Larry asked what the plans are for the tank at Reservoir Park.

- ✓ Mike replied that the tank would most likely be mothballed; however, it may be brought online in the future as the need for more capacity arises or for emergency needs. He described some of the geotechnical challenges at Reservoir Park and acknowledged that there has not been a definitive discussion regarding what is going to happen to that reservoir.

Steve provided a brief overview of the potential park amenities that could be provided by TVWD at Ridgewood View Park as part of the reservoir project, noting that this question was also posed at the neighborhood meeting. However, a preferred design needs to be chosen before the master planning process for the site can begin.

- ✓ Mike noted that TVWD is open to considering some type of sports surfacing on top of the preferred option reservoir.

Larry commented that if a sports surface is being considered for the top of the reservoir, this will need to be determined prior to construction in order to ensure that the reservoir is built appropriately for such use.

Larry expressed support for the preferred option, Option 2 (a new, irregular shaped reservoir at the current Ridgewood View Park reservoir location).

- ✓ Bill Kanable expressed agreement, as well.

Hal Bergsma, Director of Planning, explained that if there is a Board consensus that the preferred design is Option 2, formal approval for the project could be sought at the January Regular Board meeting via the Consent Agenda.

- ✓ President, Joe Blowers, agreed with this, unless there are substantial changes to the design between now and then.
- ✓ Larry expressed agreement with this proposal.
- ✓ Bob Scott expressed agreement as well and thanked TVWD for listening to their concerns at the first presentation.
- ✓ Bill agreed, noting that the geotechnical work completed clearly helped determine which option was the most feasible.

B. 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:

- Comprehensive Plan/GreenPlay Workshops Update
 - Keith Hobson, Director of Business & Facilities, provided a brief overview of the current status of the Comprehensive Plan Update, including upcoming public work sessions with GreenPlay and District staff.
- Fanno Creek Trail Enhancements
- Board of Directors Meeting Schedule

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

President, Joe Blowers, commented that concern has been expressed in the past by neighbors in regards to the size of the plants used by City of Portland's Bureau of Environmental Services (BES) for the restoration of Fanno Creek Trail after their construction project. He asked whether any thought was given to this issue for the current enhancement project.

- ✓ Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, replied that staff researched plant growth patterns before deciding which types of plants to use in order to achieve a density that was attractive, but would not result in plants growing over the trail. This is the first round of plantings and staff is open to filling in the area with more, as needed. He noted that some of the more involved community members assisted with the planting process so hopefully they are satisfied; however, sometimes it takes time for such an assessment. The plantings that were originally installed by BES are showing some growth progress and with a little more care and additional plantings, it is anticipated that the community will be pleased with the progress.

Agenda Item #9 – New Business

A. Amending District Compiled Policies Chapter Five to Change Public Contract Rules

Keith Hobson, Director of Business & Facilities, provided a detailed overview of the memo included within the Board of Directors information packet, noting that staff is requesting that the Board review some proposed changes to the District's Public Contract Rules contained in Chapter 5 of the District Compiled Policies. He noted that the proposed changes reflect changes to statute made by the 2011 Legislature, but also include other recommended changes proposed by staff, and provided an overview as follows:

- Increases the approval authority for the General Manager on Sole Source Agreements to \$150,000 to be consistent with general purchasing approval authority.
- Implements substantive rule changes in Oregon Administrative Rules - Division 48 relating to the use of Qualifications Based Selection (QBS) for services defined in statute.
- Increases dollar thresholds for Personal Services Contracts and Related A&E Services for levels of procurement. The increases in A&E Services are per the model rules, but other Personal Services Contracts were increased to remain consistent with A&E.

- Clarification within the Sustainability section that it does not apply to services other than Personal Services.

Keith noted that, based on the Board's review and direction this evening, staff will prepare an amendment to the policy and schedule a public hearing on the changes at a future Board meeting and offered to answer any questions the Board may have.

Bob Scott asked why the District follows the Attorney General Model Rules in some instances, but not in others.

- ✓ Keith replied that, generally, the District does follow the Attorney General Model Rules except for in sustainable purchasing, which is not addressed by the Attorney General, and non-A&E personal service contracts, as the model rules do not provide guidance, but leave it up to individual agencies to establish their own rules.

Larry Pelatt commented that, in general, he is not supportive of raising limits. This is not due to a distrust of District staff, but rather because of setting policy for moving limits that are direct appointments and informal competition; where projects are not advertised. In his opinion, the more limits are raised; the more agencies get the reputation of being closed, colloquial, and of using the same contractors. Whereas, the lower the limit; the greater the opportunity for public participation. Although he understands the justifications, he does not support raising the limits.

- ✓ President, Joe Blowers, asked for clarification that Larry believes that raising the Personal Services Contract limit from \$50,000 to \$100,000 would result in an agency tending to repeatedly use only the company with whom they are familiar.

Larry explained that, when such a limit is raised, it gives the authority to the designated staff person to award the contract to whomever they choose. It can become more of a question of perception than reality. He does not distrust District staff, but questions the perception of raising the limit and the thought process that goes with competitive procurement on the part of governmental agencies in that the District is spending public dollars and, for the most part, he likes seeing public money being open to public competition.

- ✓ Bill Kanable asked Larry whether he believes that the Attorney General Model Rules are guided more toward the State of Oregon's purchasing levels and need to reduce their overhead as compared to smaller agencies. He agreed that the Board does not have a distrust of District staff, and although the Board wants to make the process flexible, the question is how to deliver this flexibility in the most appropriate manner.

Larry explained that the State of Oregon had been pushed toward QBS by a small number of very large companies for over 10 years. It was finally approved by the legislature and, in his opinion, it is one more thing that ends up making it harder for smaller firms to compete in the market place. He described how the State has very large contracts, but only four contracting agencies, so the administrative timeframe is a significant matter for them.

- ✓ Keith acknowledged that there is an inclination with QBS to drive business to the larger firms that have a higher level of qualifications. However, having the higher dollar threshold would provide the District the opportunity to avoid having all of the work consolidated to the larger firms as the District could place it with firms that might not be able to compete strictly under QBS. He understands Larry's comments and agrees with the intent, although the means of getting there may be a little different. District staff wants the ability to be able to place work with firms that might not win under the QBS scoring practice for projects between \$50,000 and \$100,000 in order to avoid having all of the work consolidated to those larger firms.

Larry stated that, if this is the intent of the District, which he applauds, he would like to see it followed with some administrative rules that would drive the District to placing this type of business with firms that may have done well for us, but may not traditionally score well in the QBS environment.

- ✓ Keith agreed that this could be done. Additionally, just because the District is not following the QBS process, the District can direct that, where direct placement is not warranted, that the District quote the work and use price as a consideration, which is not allowed under QBS.

Larry agreed, noting that there is specific language in the statute regarding which services can be quoted, whether they are related services or not, etc.

- ✓ Keith commented that it was District staff's intent to bring our administrative procedures forward at the public hearing to adopt the rules; not for the Board to adopt, but for the Board's review. He suggests instead that these procedures be sent out to the Board in advance of the meeting materials for the public hearing in order to give the Board ample time for review to ensure that there are no concerns before the public hearing is scheduled.

Larry agreed with this approach.

Bob noted that, while he agrees with Larry's comments, he also sees the efficiency in having the limit raised. Seeing the administrative procedures first would make him feel more comfortable with the higher limits.

Keith asked for confirmation that the District should move forward with scheduling the January 14, 2013 public hearing, but distribute the administrative procedures early enough so that if the Board is not comfortable, the agenda item could be pulled so that staff has the opportunity to correct the item of concern.

- ✓ The Board members expressed agreement with this plan.

B. Roger Tilbury Memorial Park Master Plan

Steve Gulgren, Superintendent of Planning & Development, provided an overview of the memo included within the Board of Directors information packet, noting that Roger Tilbury Memorial Park is a new neighborhood park development project funded via the 2008 Bond Measure. Staff is requesting Board approval of the master plan in order to proceed with the detailed design, construction documents and permitting for the project. Steve noted that the neighborhood park components of the project would be constructed as Phase One, while the additional components, which are over and above the park improvements originally intended for the site under the bond measure, would be constructed at a later date, unless a favorable bid enables the District to do more. Steve introduced Dave Walters, Park Planner, and Ben Johnson of GreenWorks, the project consultant, to present an overview of the proposed Roger Tilbury Memorial Park Master Plan.

Dave provided an overview of the topography of Roger Tilbury Memorial Park, noting that the site is a unique neighborhood park due to its larger size, significant natural features, and wildlife habitat. The public outreach process used in the development of the master plan included two neighborhood meetings, as well as meetings with the Trails, Natural Resources, and Parks Advisory Committees. Input focused on providing connectivity in a sensitive manner, locating a play area and open space in the northwest part of the park, and providing a sanctuary for wildlife in the eastern half of the site and along the stream corridor. There was a strong consensus at the last neighborhood meeting in support of the preferred master plan being presented this evening.

Ben provided a detailed overview of the proposed Roger Tilbury Memorial Park Master Plan, noting that the overall goal was to provide a neighborhood park as well as a trail system to link neighborhoods that do not otherwise have access, via a PowerPoint presentation of the informational materials included within the Board of Directors information packet and offered to answer any questions the Board may have.

Larry Pelatt asked if there would be ADA access to the site coming from the west.

- ✓ Dave replied that the sidewalk extension from the south side of the lawn area is providing that accessibility.

Joe Blowers, President, asked whether the sewer easement is in good condition or filled with invasive species.

- ✓ Ben replied that the easement that goes through the park is unnoticeable except for a few manholes.
- ✓ Dave noted that the easement in Area 2 is like a driveway. In addition, there is a pedestrian access easement between the park boundary to the Trillium Hollow development.
- ✓ Ben noted that the Trillium Hollow residents were happy with the decision not to pave their access easement and were pleased with the master plan in general.

Larry asked for additional information regarding the wetlands in the southern portion of the property.

- ✓ Ben replied that the area is a delineated, forested wetland in good condition so the intent is not to disturb it. It is essentially storm water outfall from the surrounding development.

Larry asked for confirmation that the District is not going to provide access to the wetland.

- ✓ Ben replied that it is densely vegetated with a lot of surrounding trees and grasses and the design team felt that it would be better served staying away from such a sensitive area, while still addressing all of the other goals of the project in terms of neighborhood park amenities and connectivity.
- ✓ Dave noted that the area is somewhat visible from the main pathway.

Joe asked for confirmation that this is a phased master plan.

- ✓ Doug Menke, General Manager, confirmed that the project would be bid as such that the District would construct as much of the master plan as it can afford.

Larry Pelatt moved the Board of Directors approve the master plan for the Roger Tilbury Memorial Park as presented. Bill Kanable seconded the motion. Roll call proceeded as follows:

Bob Scott	Yes
Bill Kanable	Yes
Larry Pelatt	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #10 - Adjourn

There being no further business, the meeting was adjourned at 8:25 p.m.

Joe Blowers, President

Larry Pelatt, Secretary

Recording Secretary,
Jessica Collins