



**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 on Monday, June 2, 2014, at the HMT Recreation Complex, Dryland Training Center, 15707 SW Walker Road, Beaverton. Executive Session 6 pm; Regular Meeting 7:30 pm

Present:

Joseph Blowers	President/Director
Bob Scott	Secretary/Director
Larry Pelatt	Secretary Pro-Tempore/Director
John Griffiths	Director
Jerry Jones Jr.	Director
Doug Menke	General Manager

Agenda Item #1 – Executive Session (A) Personnel (B) Legal (C) Land

President Joe Blowers called executive session to order for the following purposes:

- To consider the employment of a public officer, employee, staff member or individual agent,
- To consider information or records that are exempt by law from public inspection, and
- 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)(a)(e)&(f), which allows the board to meet in executive session to discuss the aforementioned issues.

President Joe Blowers 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 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 7:40 pm.

Agenda Item #3 – Action Resulting from Executive Session

Larry Pelatt moved that the board of directors accept the general manager’s evaluation as presented and authorize a compensation increase of 2.5% and a bonus amount of 8% of salary. Bob Scott seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Jerry Jones Jr.	Yes
Bob Scott	Yes
Larry Pelatt	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Bob Scott moved that the board of directors fund the bonus pool at the amount specified within District Compiled Policies Chapter 4. Larry Pelatt seconded the motion. Roll call proceeded as follows:

Jerry Jones Jr.	Yes
John Griffiths	Yes
Bob Scott	Yes
Larry Pelatt	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Larry Pelatt move that the board of directors authorize the general manager to continue with and finalize negotiations with Peregrine Sports which will ensure all key negotiation points as those presented during executive session are included in an amendment to the current lease agreement between Peregrine Sports and the district for construction and use of improvements on district property subject to review by the district's legal counsel. Bob Scott seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Jerry Jones Jr.	Yes
Bob Scott	Yes
Larry Pelatt	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Bob Scott moved that, to assist Washington County in implementation of the North Bethany Subarea Plan, the board authorize staff to acquire land for a portion of a future community trail identified on the plan's Park, Trails and Pedestrian Connections Map, with the understanding that 1.) THPRD will not pay more than market value for the site as determined by an appraisal process specified in a purchase and sale agreement between THPRD and the seller, and 2.) the acquisition will be completed subject to the general manager's determination that the terms of the purchase and sale agreement have been met. Larry Pelatt seconded the motion. Roll call proceeded as follows:

Jerry Jones Jr.	Yes
John Griffiths	Yes
Larry Pelatt	Yes
Bob Scott	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Larry Pelatt moved that the board approve the sale of a permanent easement on district-owned land in North Bethany to Clean Water Services for the same price the district paid for that portion of land to be occupied by a regional stormwater facility, minus the cost to Clean Water Services of constructing a planned trail segment around the facility for THPRD. Bob Scott seconded the motion. Roll call proceeded as follows:

Jerry Jones Jr.	Yes
John Griffiths	Yes
Bob Scott	Yes
Larry Pelatt	Yes
Joe Blowers	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #4 – Audience Time

There was no testimony during audience time.

Agenda Item #5 – Board Time

Larry Pelatt referenced the executive session motion pertaining to the general manager’s evaluation and commented that General Manager Doug Menke has done an excellent job, as the board has come to expect, and thanked him for his efforts.

- ✓ The other board members expressed agreement with Larry’s comments.

Jerry Jones Jr. noted that the recent dedication event at Roy Dancer Park was well attended and that the park is a great asset to the community.

- ✓ John Griffiths described Roy Dancer, noting that he was a great man and a lot of people came to the dedication in his honor.

Agenda Item #6 – Consent Agenda

Bob Scott moved the board of directors approve consent agenda items (A) Minutes of May 5, 2014 Regular Board Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Resolution Authorizing Issuance of Tax and Revenue Anticipation Notes for FY 2014/15, (E) Resolution Appointing Parks Advisory Committee Member, (F) Resolution Approving Recreational Trails Program Application, (G) Roger Tilbury Memorial Park Project, and (H) HMT ADA Parking Improvements Project. Larry Pelatt seconded the motion.

John Griffiths referenced consent agenda item G, Roger Tilbury Memorial Park Project, noting that the bid results were higher than estimated. He asked if there are extra bond funds available in other categories to cover the overage.

- ✓ Doug Menke, general manager, replied that there is over \$500,000 available within the bond administration category and that there will be approximately \$200,000 remaining after taking into consideration recent bid overages. Doug described how the improving market is resulting in higher bids than the last few years.
- ✓ Jerry Jones Jr. expressed agreement, noting that materials costs alone have risen more than 10% over the last six months.

John asked if the district can expect similar results when bidding any remaining bond projects and whether the district will be in danger of running out of excess bond administration funds.

- ✓ Doug replied that although there are not many projects left to bid in the bond program, two of the projects left are quite large. District staff is focusing on the amenities contained within those upcoming projects as well as being more effective regarding cost estimations so that the district can react to any potential cost overages prior to bidding the project.
- ✓ Larry Pelatt noted that the City of Portland is also experiencing an increase in project costs in both engineering and construction.

President Joe Blowers commented that the district’s SDC rates take into consideration construction costs and asked if the SDC rate is expected to increase anytime soon. He noted that if construction costs are increasing this quickly, the district needs to react with an increase in the SDC rates in order to keep pace with providing new parks and facilities.

- ✓ Doug expressed agreement, noting that an increase in SDC rates will likely be before the board for consideration in January 2015.

Roll call proceeded as follows:

John Griffiths Yes
Jerry Jones Jr. Yes
Bob Scott Yes
Larry Pelatt Yes
Joe Blowers Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #7 – Unfinished Business

A. General Manager's Report

Doug Menke, general manager, provided an overview of his General Manager's Report included within the board of directors' information packet:

- Portland State University's Inclusive Outreach and Diversity Development Project
- English as a Second Language Outreach
- Board of Directors Meeting Schedule

Doug offered to answer any questions the board may have.

- ✓ Hearing none, President Blowers continued to the next agenda item.

Agenda Item #8 – New Business

A. Amending District Compiled Policies Chapter Five to Change Public Contract Rules to include Social Equity Contracting

Keith Hobson, director of Business & Facilities, provided an overview of the memo included within the board of directors information packet regarding proposed changes to THPRD's Public Contract Rules contained in Chapter 5 of the District Compiled Policies (DCP). The proposed changes reflect ORS 200.090, which encourages public agencies to pursue a policy of providing opportunities to Minority, Women and Emerging Small Businesses (MWESB), and would include the following:

- Establish solicitation requirements to advance equity in contracting for MWESB based on dollar thresholds and procurement category.
- Implement a corporate responsibility evaluation criterion into the request for proposal evaluation process for Architectural and Engineering (A&E) and Personal Services to include both MWESB and sustainability.

Keith noted that based on board review and direction, staff will prepare an amendment to the DCP and schedule a public hearing on the changes at a future board meeting.

John Griffiths inquired whether the state is responsible for certifying businesses as MWESB.

- ✓ Keith confirmed this.
- ✓ Larry Pelatt explained the process, noting that a business interested in qualifying as an MWESB would look at the criteria on the state website and apply to become certified. Once the state verifies the information and certifies the firm, the business would be included in the state database.

John asked for confirmation that the changes being proposed would require the district to reach out to MWESB, but not necessarily award the bid to an MWESB.

- ✓ Larry confirmed this, noting that the idea is to increase the visibility and opportunities for certified firms, not to hand out contracts.

Jerry Jones Jr. inquired as to the outreach methods to MWESB.

- ✓ Larry explained that the district will go to the state certified list for MWESB and target the firms in the category being sought to ensure that a Request for Proposals (RFP) is distributed to those firms. Whether or not the firms respond, or respond with a qualified proposal, is the responsibility of the MWESB.
- ✓ Keith reiterated Larry's comments.

Jerry asked for confirmation that if a business is a MWESB they would receive notice of an RFP while other non-MWESB firms would read about it in the *Daily Journal of Commerce*.

- ✓ Keith described that there are no special notification requirements within the RFP rules. However, the district will have corporate responsibility criteria and a certified MWESB would be able to receive maximum credit under that category. If the firm is not MWESB, there are other ways to get credit, such as sustainable practices. Under regular quoting work, the district would make sure to get the quote to the appropriate MWESB.

Bob Scott asked if the district would have the flexibility to use an uncertified business if no responses were received from MWESB.

- ✓ Keith confirmed this, noting that the district only needs to document its outreach attempt.
- ✓ Larry described how City of Portland operates under the same principles.
- ✓ Keith noted that there is also an opt-out if there are no certified firms within the goods or services category that the district is attempting to procure.

Hearing no further questions, Keith noted that a public hearing would be scheduled on this topic for the August board meeting.

B. Motion of Support for Proposed Amendments to the Park, Trails and Pedestrian Connections Map for the North Bethany Subarea

Hal Bergsma, director of Planning, provided an overview of the memo included within the board of directors' information packet regarding a recent request by West Hills Development Company (West Hills) that changes be considered to the North Bethany Subarea plan in two locations that would affect the planned streets, parks and trails. The proposed changes would be considered through two land use ordinances that must be filed by Washington County by July 1, 2014, after which a series of public hearings would be held by Washington County. Hal noted that the action requested of the board this evening is a motion in support of the proposed changes.

Hal provided a detailed overview of the changes requested by West Hills via a PowerPoint presentation of the site plans included within the board of directors' information packet, which included the following:

- Remove and realign streets in the vicinity of the west community park, changing the size, configuration and nature of the park due to the realization that part of the park as presently planned is within a large wetland area.
- Realign primary street P2 (Rossetta Street) so it is routed to connect with Brugger Road west of Kaiser Road rather than connecting directly with Kaiser Road. The planned community trail along P2 would be routed so that it crosses Kaiser Road at its intersection with Brugger Road rather than at a midblock crossing about 200 feet south of the Kaiser/Brugger intersection.
- THPRD staff proposes removal of a small, planned fixed park from the map, as it would have limited usefulness for district patrons given its size and configuration while costing the district a significant amount of money for land acquisition.

Hal offered to answer any questions the board may have.

Bob Scott asked for confirmation that if the board approves the requested changes, the next step would be Washington County's consideration of the ordinances.

- ✓ Hal confirmed this, noting that ultimately it is county staff that determines what is contained within the proposed ordinances put before the council for consideration and that it is possible that county staff may submit changes that are different from what is under discussion this evening. In addition, further changes could be considered through the public hearings process.

Larry Pelatt referenced the proposed trail realignment and asked if the district would then be responsible for half-street improvements for the portion of trail running parallel to Kaiser Road.

- ✓ Hal replied that district staff does not believe that this should be the responsibility of the district, noting that the district proposed an ordinance to Washington County last year that would have enabled the district to avoid paying for such half-street improvements. He described the debate that has occurred in recent years regarding the district being responsible for half-street improvements for land such as a linear park that has no other park use other than accommodating a trail, similar to what is reflected in the current

design for the Rosetta Street alignment. The ordinance went as far as receiving unanimous approval from the county planning commission, but was tabled by the board of commissioners.

President Joe Blowers asked what the estimated cost is for half-street improvements in general.

- ✓ Hal replied that a current project proposal recently received noted \$200,000 for approximately 700 feet of half-street improvements.

Larry referenced the original west community park plan that shows a street running through the middle of the wetland. He asked if this plan is approved.

- ✓ Hal confirmed that while the street map is approved, there is some dispute between the county and West Hills regarding whether that particular wetland is developable.

Larry commented that although he can understand West Hill's desire to reroute the street outside of the wetland due to cost impacts, the new design includes two midblock crossings for the district, which are an added expense as well.

Larry inquired whether the appropriate district advisory committees have been consulted regarding these proposed changes.

- ✓ Hal replied that unfortunately due to the deadline established by the county pertaining to the ordinances, the district has been unable to present this topic to its advisory committees. Hal provided a brief overview of the county's ordinance timeline.

Jerry Jones Jr. commented that these requested changes seem significant and inquired what the county's feedback has been thus far.

- ✓ Hal replied that although the county has expressed concern regarding whether the wetland is developable, in general, he believes they are open to considering the street realignments. The main concern is how much parkland should be provided in this area and whether some of West Hills' housing units need to be removed from the plan in order to provide more acreage for the west community park.

Larry commented that the district would be losing approximately one acre of parkland through the requested changes to the west community park, which is significant. He does not consider powerline corridors as true parkland due to the usage restrictions on such property.

- ✓ Doug Menke, general manager, commented that the district can expect many similar discussions and negotiations to occur as the North Bethany area is developed. The challenges are not without the need for caution. He noted that while powerline corridors should not be used as a substitute for parkland, they can be a nice complement. Doug noted that Citizen Participation Organization (CPO) #7 has submitted written testimony on this matter to the board, a copy of which is at their places this evening, as well as in the record. District staff has also provided a second motion for the board's consideration this evening that would reflect a neutral stance on the changes requested by West Hills rather than a motion of support, taking into consideration the district's opportunity to provide testimony via the ordinance process and to allow more time for the district to finalize its position, including securing input from the district's advisory committees.

John Griffiths stated that, while he supports taking development out of the wetland, he questions why the district is losing almost an acre of parkland through the new proposal, noting that there seems to be a larger housing development proposed with more units in the new layout.

- ✓ Larry expressed agreement with John's comment.
- ✓ Hal replied that West Hills lost a significant number of units due to the wetland discovered.
- ✓ Doug noted that there is still more discussion to occur regarding whether or not the wetland can be developed.

John theorized that although the county believes that development could occur within the wetland, West Hills is reluctant to take the chance and risk their investment. However, they are making room for the houses that would have gone into the area where the wetland is, only on property that the district would otherwise use as a park. He questioned why he would support this proposal in the best interests of the district without first hearing from the CPO and public.

- ✓ Larry expressed agreement, noting that the district typically has a much more involved public process for these types of proposals and he is reluctant to move without first having heard from the district's public.

John noted that he is having difficulty understanding why a communication breakdown between the county and West Hills is resulting in an acreage reduction to the west community park.

Jerry expressed agreement with Doug's comment that this type of issue is going to come up more often as the North Bethany area is developed. He described how, in a typical development situation, the developer has a lot more flexibility to use the land to accommodate their development; however, the fact that the North Bethany Area has had such extensive and descriptive public planning makes for a more constrictive development process. He encouraged the district to have some degree of flexibility with the developers. He continued that although he does not want to deny West Hills' request, he is uncomfortable approving it this evening, especially without hearing from the district's advisory committees.

Discussion occurred regarding the designation of the west community park as a community park rather than a neighborhood park, and how the total park acreage when taking into account the west community park, east community park, and parkland in between totals about 25 acres.

John asked if the wetland would be deeded to the district.

- ✓ Hal replied that, although that has not been committed to by West Hills, the wetland would be owned by either a homeowners association or the district.

John questioned whether a smaller portion of active use parkland would be an appropriate compromise for the wetland coming into the district's ownership, noting that the west end of the community park could be more nature-based, while the east end could be more active use-based.

- ✓ Joe replied that this would be a hypothetical question as the land for the east community park has not yet been secured or determined if it, too, is a wetland.
- ✓ Hal noted that the district has acquired a few of the properties comprising the east community park and that staff does not believe there is a wetland issue in that area.

John described the types of amenities that could be provided in the west and east community parks where the west would be focused on passive use and the east on active use.

- ✓ Larry expressed agreement with Jerry's statement that the district have some flexibility with developers, noting that the district wants to maintain its good relationship with the development community while still maintaining its standards. He expressed support for John's description of the passive/active use concept for the west and east community parks. He noted that when this concept is taken into consideration along with how the powerline corridor could complement the parkland, he is more supportive of the concept; however, he, too, is uncomfortable approving any changes this evening without first hearing from the district's public.

Jerry asked if West Hills would come back to the board at a future date with a more detailed plan and exact layout/acreage for the west community park if the board were to vote in support of the proposed changes this evening.

- ✓ Hal offered clarification regarding the North Bethany Subarea plan relative to parks, noting that while the neighborhood parks proposed are identified by general areas, the west and east community parks are fixed locations and should be configured exactly as what is shown in the plan. The configuration shown this evening is what would go forward.

Bob stated that he supports the elimination of the streets as reflected in the new proposal, as he is concerned with the costs associated with half-street improvements. Although he does not like the fact that the district would be losing an acre of parkland with the new proposal, he does support moving the powerline corridor contiguous with the active use parkland and the possibility of adding the wetland because the continuity of the parkland would be greatly increased through these proposed changes.

Discussion occurred regarding Washington County's ordinance timelines and process.

President Joe Blowers opened the floor for public testimony.

Kevin O'Donnell, 4804 NW Bethany Blvd., Portland, is before the board of directors this evening representing CPO #7. He expressed concern with the lack of public process thus far regarding the changes proposed by West Hills. He commented that the changes have not yet been properly vetted through the district's advisory committees or through the public at-large and requested that the board reject the proposed changes this evening. He noted that the proposal appears to be that the district would lose parkland acreage in order for the developer to build more houses due to the loss of the land that was determined to be a wetland. He reminded the board that any land that the district gives up for development will never be recovered. In addition, the powerline corridor should not be considered as active-use parkland and has multiple large powerline towers to negotiate around. He also asks that the board reject the proposed trail realignment that would bring the trail to an intersection for crossing Kaiser Road, noting that this layout would mirror the problematic Fanno Creek Trail crossing at Hall Boulevard. In closing, he encouraged the board to reject the proposed changes before them for consideration this evening.

Mary Manseau, 5230 NW 137th Ave., Portland, is before the board of directors this evening in opposition to the changes to the North Bethany Subarea plan being requested by West Hills. She explained that she served on the North Bethany stakeholders advisory committee, as did a representative of West Hills and Larry Pelatt, and described that the current North Bethany Subarea plan already represents a compromise. She encouraged the board to delay a decision on the requested changes until a transparent public process has taken place, noting that there is still plenty of time for the district to provide input to the county. She commented that the changes being proposed by West Hills were not known to the community until the district's board meeting agenda was published last week. She described how the changes being proposed are significant and will alter the road grid system negatively without regard for the reasons the road layout was originally agreed upon. In addition, the original size for the west community park had already been reduced through the North Bethany Subarea plan process from the optimum five to six acres to the current 2.72 acres, and the changes proposed this evening would further reduce the size. She expressed agreement with Kevin's comments regarding the proposed trail alignment change. In closing, she encouraged the board to delay a decision on the proposed changes before them for consideration this evening until additional information and public outreach can be procured.

Larry asked if this topic could be facilitated on the board's June 16, 2014, meeting agenda in order to allow for more public outreach and still make the county's deadline of June 17, 2014.

- ✓ Hal noted that although the county was hoping to have a final draft ready by June 17, he believes district staff could relay the discussion to county staff that morning.
- ✓ Doug commented that if the board is able to accommodate additional public outreach, he believes a clearer opinion could be given to the county. The district could also follow up with testimony via the ordinance process.

Don Hanson, 808 SW 3rd, Portland, is before the board of directors this evening representing Otak, the consultant for West Hills. He provided background information regarding West Hills' engagement in the North Bethany Subarea planning process, noting that the proposed changes before the board this evening are considered refinements to the plan, not compromises or major changes. He described in detail the difficulties any potential development within the wetland near the west community park would face and doubted that any development would ever be authorized. He also described the great expense that comes with building roads, noting that the changes proposed this evening reduce this expense as well as provide greater continuity between the parks. Regarding the proposed trail realignment, he described the concerns West Hills has with the intersection of Brugger and Kaiser Roads being so close to the intersection of Rosetta and Kaiser Roads as well as grading and drainage concerns. The proposed traffic changes have been evaluated and do not create any functional issues. He acknowledged that the trail is now proposed to run out of direction north to the intersection of Brugger and Kaiser Roads, and provided a detailed overview for this recommendation, including the concern with a midblock crossing due to an inability to accommodate a pedestrian refuge in that area. He noted that the changes proposed are efficient, permit-able, and do not represent a compromise. In conclusion, he stated that while West Hills is agreeable to coming back to the board on June 16 to continue this dialogue, they would like to keep pace with the county's process and accommodate the ordinance timelines as West Hills' desire is to construct these projects next year.

Dan Grimberg, 7441 SW Hunt Club Drive, Portland, is before the board of directors this evening as director of land development for West Hills. He noted that he has been involved in the North Bethany Subarea planning process since 2002 and that a lot of time and money has gone into these projects. He disagrees with the perception that this has been a rushed process. He described the challenges West Hills has had in getting acknowledgement from the county regarding the development difficulties presented by the wetland near the west community park. He described how the wetland area, which was slated for development in the original proposal, will now stay as a natural area and that even with the reduction in the west community park acreage, the district would be receiving much more parkland than originally anticipated. He stated that West Hills needs the district's support in order to move forward with their development as it cannot be built as it was originally designed.

President Joe Blowers noted that although he is relatively neutral regarding the proposed changes to the west community park since the inclusion of the wetland would likely result in a net gain rather than loss, he does have concerns regarding the trail realignment that would result in an out of direction crossing similar to the Fanno Creek Trail crossing of Hall Boulevard. In addition, he does not want to set the precedent for trails running parallel to major roads, which is essentially a glorified sidewalk. Joe asked that further consideration be given to other alternatives for the trail alignment and crossing of Kaiser Road.

Discussion occurred regarding the proposed grading of Kaiser Road and the consideration of an underpass for the proposed trail.

Don Hanson with Otak agreed to reexamine whether a pedestrian refuge could be accommodated on Kaiser Road for a midblock crossing.

- ✓ Larry requested that the concept of an underpass also be considered.

Don replied that the cost of an underpass would likely greatly surpass that of a midblock crossing.

President Joe Blowers inquired of the board whether a motion on this topic is feasible this evening.

- ✓ Larry reiterated his suggestion to table this topic until the board's June 16, 2014, meeting in order to allow for more public input and review by the district's advisory committees. He

noted that although the district does not have time to facilitate its typical full-fledged public process, at least this would allow for some additional public input opportunities.

- ✓ Doug noted that district staff could reach out to the Trails, Natural Resources, and Parks Advisory Committees as well as to county staff for clarity regarding their opinions of the proposed changes. In addition, CPO #7 has a meeting scheduled next week.
- ✓ The remainder of the board members expressed agreement with tabling the discussion to the June 16, 2014, board meeting.

Agenda Item #9 – Adjourn

There being no further business, the meeting was adjourned at 9:15 p.m.

Joe Blowers, President

Bob Scott, Secretary

Recording Secretary,
Jessica Collins