



## 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, February 11, 2013. Executive Session 6:30 p.m.; Regular Meeting 7:00 p.m.

Present:

Larry Pelatt	Secretary/Director
Bob Scott	Secretary Pro-Tempore/Director
John Griffiths	Director
William Kanable	Director
Doug Menke	General Manager

Absent:

Joseph Blowers	President/Director
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### **Agenda Item #1 – Executive Session (A) Legal (B) Land**

Secretary, Larry Pelatt, called Executive Session to order for the following purposes:

- To conduct deliberations with persons designated by the governing body to negotiate real property transactions, and
- To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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

Secretary, Larry Pelatt, 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**

Secretary, Larry Pelatt, called the Regular Meeting to order at 7:05 p.m.

Board member, John Griffiths, was excused from the meeting.

### **Agenda Item #3 – Action Resulting from Executive Session**

There was no action resulting from Executive Session.

### **Agenda Item #4 – Presentations**

#### **A. Audit Report on Park District Financial Statements for Fiscal Year 2011-12**

Cathy Brucker, Finance Manager, introduced Kathleen Leader, Audit Committee member, to make a presentation to the Board of Directors on the Audit Report on the Park District's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2012.

Kathleen noted that the District Audit Committee met on January 23, 2013, and reviewed and approved the Draft Comprehensive Annual Financial Report as presented by staff and Talbot, Korvola and Warwick LLP, the District's auditors. She noted that there was one finding resulting from the audit that required the restatement of the fund balance for recognition of deferred revenue. The restatement involved revenue recognition from summer registrations and resulted in the movement of fees collected from one year to the start of the next on an ongoing basis. District staff has acknowledged concurrence with this new statement. The audit resulted in a clean opinion on the financial statements, which is the highest level of assurance that the auditor can provide. Kathleen and Cathy offered to answer any questions the Board may have.

Larry Pelatt asked for the amount of the restatement.

- ✓ Cathy replied approximately \$1,258,000.

Larry asked for confirmation that this does not change the District's financial condition in any way; it simply shifts the funds from one fiscal year to the next.

- ✓ Cathy confirmed this.
- ✓ Bob Scott, who serves as the Board representative on the Audit Committee, explained the circumstances of the restatement, noting that this requested change was not expressed to the Committee or staff until the end of the audit process, which resulted in an unnecessarily compressed timeline for compliance.

**Bill Kanable moved the Board of Directors accept the Audit Report on the Park District's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2012. Bob Scott seconded the motion. Roll call proceeded as follows:**

**Bob Scott                    Yes**

**Bill Kanable                Yes**

**Larry Pelatt                Yes**

**The motion was UNANIMOUSLY APPROVED.**

## **B.      Natural Resources Advisory Committee**

Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, introduced Mitch Cruzan, Natural Resources Advisory Committee member, to make a presentation to the Board of Directors regarding the activities of the Committee during the past year as well as their goals for the coming year.

Mitch provided an overview of the Natural Resources Advisory Committee's past, current and future focuses via a PowerPoint presentation, a copy of which was entered into the record along with a written copy of his testimony, which included the following topics:

- Mission & Committee Membership
  - Natural areas make up nearly 2/3 of the District's land holdings.
  - Committee membership is comprised of seven District residents with a combination of knowledge and skills in wildlife, education, and science.
- Past & Continual Activities
  - Cedar Mill Park: Committee input on the project led to a new option that reduced the number of trees felled in the park's main grove.
  - Lowami Hart Woods: Participated in discussions of trails and other amenities.
  - Fanno Creek Trail: Participated in citizen groups reviewing the proposal for the Hall Blvd. crossing and for vegetation management in the Garden Home area.
  - Continual engagement in volunteer work parties and the Tualatin Hills Nature Park's park watch.
- Future Focus
  - Development of a Natural Resources Functional Plan is the most important thing that the District needs in order to be able to efficiently care for its natural areas.

- Management strategies should strive to reduce disturbance of natural areas while providing appropriate access.
- The plan would provide a decision-making framework to maximize the environmental value of parks.

Mitch offered to answer any questions the Board may have.

Bob Scott asked when the current Natural Resources Management Plan was drafted.

- ✓ Mitch replied 2001.

Bob asked what the standard timeline is for updating such a document.

- ✓ Doug Menke, General Manager, replied that the Comprehensive Plan update currently in process is triggering multiple reviews of the District's various functional plans, one of which is the Natural Resources Management Plan. The Board will see this reflected in the upcoming budget proposal; however, the challenge is balancing the funding allocation with the desired depth of the plan. The Natural Resources Management Plan would be the second plan to be updated, as the programmatic side will be updated first due to all of the recent survey work that has been completed.

Secretary, Larry Pelatt, asked Mitch whether the Board could provide any specific additional support to assist the Natural Resources Advisory Committee.

- ✓ Mitch replied that serving on the Committee is an enjoyable experience and that it is especially rewarding to see input from the Committee on specific projects implemented.

Secretary, Larry Pelatt, thanked Mitch and the Natural Resources Advisory Committee for the informative presentation.

## **Agenda Item #5 – Resolution Amending District Compiled Policies Chapter 5 (Public Contracting Rules)**

### **A. Open Hearing**

Secretary, Larry Pelatt, opened the Public Hearing.

### **B. Staff Report**

Mark Hokkanen, Risk & Contract Manager, provided a brief overview of the memo included within the Board of Directors information packet, noting that District staff is requesting amendments to the Public Contract Rules contained in Chapter 5 of the District Compiled Policies. The requested amendments would reflect changes to statute made by the 2011 Legislature, as well as other recommendations by staff to create more internal consistency within District purchasing procedures and to clear up ambiguities within the sustainable purchasing requirements. Under state statute, a Local Contract Review Board has the option to implement their own rules, or in the absence of any rules, comply with the Oregon statutes. While the District largely follows the Oregon statute and the Attorney General Model Rules, the District has also adopted its own rules to satisfy exceptions from the Model Rules. Mark referenced the initial presentation to the Board regarding the changes proposed for adoption this evening, which occurred at the December 3, 2012 Regular Board meeting, noting that upon completion of the public hearing, staff is requesting that the Board of Directors, acting as the Local Contract Review Board, approve Resolution 2013-03 amending the Public Contract Rules contained within Chapter 5 of the District Compiled Policies. Mark offered to answer any questions the Board may have.

Bob Scott asked if the District has ever utilized the emergency procurement procedures.

- ✓ Doug Menke, General Manager, recalled many years ago the emergency procurement procedures were used for a situation at one of the pools.

- ✓ Larry described the intent behind emergency procurements, noting that it provides an agency the capacity to bypass solicitation requirements when there is an urgent situation that needs to be addressed as soon as possible.

Secretary, Larry Pelatt, noted that he met with District staff to review the proposed amendments in detail and some minor adjustments were made, as well as suggestions to consider going forward in terms of additional efforts contracting with Oregon State certified minority, women and emerging small businesses. He explained that this is a social contracting thought process that could be brought forward for more discussion at a later date. At this point, in his opinion, the proposed rules are complete and line up well with the Attorney General Model Rules.

**C. Public Comment**

There was no public comment.

**D. Board Discussion**

There was no Board discussion.

**E. Close Hearing**

Secretary, Larry Pelatt, closed the Public Hearing.

**F. Board Action**

**Bob Scott moved that the Board of Directors approve Resolution 2013-03 amending the Public Contracting Rules contained within Chapter 5 of the District Compiled Polices.**

**Bill Kanable seconded the motion. Roll call proceeded as follows:**

<b>Bill Kanable</b>	<b>Yes</b>
<b>Bob Scott</b>	<b>Yes</b>
<b>Larry Pelatt</b>	<b>Yes</b>

**The motion was UNANIMOUSLY APPROVED.**

**Agenda Item #6 – Audience Time**

There was no testimony during audience time.

**Agenda Item #7 – Board Time**

Bill Kanable announced that he would not be seeking reelection to the Board of Directors once his term expires on June 30, 2013.

**Agenda Item #8 – Consent Agenda**

**Bill Kanable moved the Board of Directors approve Consent Agenda items (A) Minutes of January 14, 2013 Regular Board Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Collective Bargaining Agreement, (E) Resolution Appointing Natural Resources Advisory Committee Members, (F) Resolution Adopting the Supplemental Budget for the Fiscal Year Commencing July 1, 2012, (G) Resolution Authorizing Annexation of Properties During 2013, (H) Resolution Authorizing the Execution and Delivery of a Financing Agreement for the Energy Savings Performance Contract Phase II Projects, and (I) Resolution Acknowledging Recent Property Acquisitions and Describing Funding Source(s) and Purpose. Bob Scott seconded the motion. Roll call proceeded as follows:**

<b>Bob Scott</b>	<b>Yes</b>
<b>Bill Kanable</b>	<b>Yes</b>
<b>Larry Pelatt</b>	<b>Yes</b>

**The motion was UNANIMOUSLY APPROVED.**

## **Agenda Item #9 – 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 property acquisitions, a capital projects construction update, and recent neighborhood meetings. Hal offered to answer any questions the Board may have.

Secretary, Larry Pelatt, commented that he is pleased with all of the progress the District has been making in fulfilling its 2008 Bond Measure commitments.

### **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:

- Fanno Creek Trail / Hall Boulevard Crossing Update
  - Hal Bergsma, Director of Planning, provided an update regarding the at-grade, signalized mid-block crossing planned for the Fanno Creek Trail at Hall Blvd., noting that the project is anticipated to be completed by the end of the year 2013.
- Doggie Paddle Event at Aloha Swim Center
- Bond Oversight Committee Applications
- Board of Directors Meeting Schedule

Doug offered to answer any questions the Board may have regarding the report.

Bob Scott referenced the recent *Oregonian* article regarding the doggie paddle, noting that he has received many comments and questions from patrons in anticipation of the event.

## **Agenda Item #10 – New Business**

### **A. Westside Trail Segment #18 Master Plan**

Gery Keck, Bond Planning Manager, provided an overview of the memo included within the Board of Directors information packet, noting that, in 2009, the District was awarded approximately \$2.4 million from Metro for the design and construction of a section of Segment #18 of the Westside Trail. The section is 3/4-miles long and includes links to the Rock Creek Trail and the planned route of the Bronson Creek Trail. Gery introduced Brad Hauschild, Park Planner, and Adrian Esteban of David Evans & Associates (DEA), the project consultant, to present an overview of the proposed Westside Trail Segment #18 Master Plan.

Brad provided a detailed overview of the master plan development process, noting that meetings were held with the following agencies involved in the project: Clean Water Services, Washington County, Oregon Department of Transportation, Department of State Lands, Oregon Department of Fish & Wildlife, and Bonneville Power Administration. Once master plan options were developed, the public outreach process began and included a neighborhood meeting, as well as meetings with the Trails and Natural Resources Advisory Committees. Although attendees were generally supportive of the project, some concern was expressed regarding the potential impact to the floodplain and wetlands as the trail crosses Bronson Creek, as well as the trail's proximity to residences in a few locations. Staff worked with DEA to incorporate this input and further refine the preferred trail alignment. Brad described the next steps in the project should the Board approve the master plan this evening, noting that construction is anticipated to begin in fall of 2014, or potentially spring of 2015.

Adrian provided a detailed overview of the proposed Westside Trail Segment #18 Master Plan via a PowerPoint presentation of the informational materials included within the Board of Directors information packet. He described the various topography challenges of the site at the north and south ends in particular. At the south end, environmentally sensitive wetland areas

require a 60'-long bridge over Bronson Creek, as well as 360' of boardwalk through the 100-year floodplain and associated wetlands. A boardwalk was initially considered for the entire stretch of trail proposed through the wetlands at Hansen Ridge Park, but it caused the project to go over budget; however, additional boardwalk will be pursued as a bid alternate. At the north end, topography presents a challenge just south of Wendy Lane where existing slopes are greater than 20%, requiring the use of switchbacks, landings, and retaining walls to comply with the ADA requirements of a federally funded project. The proposed slope of the trail in this area is anticipated to be 8.33% with some retaining walls as high as 9'. Adrian offered to answer any questions the Board may have.

Bill Kanable referenced the proposed trail through the wetlands just north of the boardwalk near Bronson Creek and Hansen Ridge Park. He asked how high this trail would need to be built.

- ✓ Adrian replied up to approximately eight feet.

Larry Pelatt asked for the total footprint of that portion of raised trail.

- ✓ Adrian replied 16' on each side. Mitigation requirements would be based on the total footprint.

Bob Scott asked whether the trail through the other wetlands on the site would need to be built as high.

- ✓ Adrian replied no, the grade for those crossings is close to the existing grade.

Bill asked for confirmation that one of the next steps in the project would be to identify the amount of mitigation work needed in another area in order to offset the impacts to this wetland.

- ✓ Gery confirmed this.

Larry asked for confirmation that Clean Water Services (CWS) approves of the District using their maintenance road as a portion of the trail.

- ✓ Doug Menke, General Manager, confirmed this, noting that it is a maintenance access road that is utilized nominally.
- ✓ Adrian confirmed that the road is only used by CWS approximately once per year.

Larry asked when there would be more information regarding the pedestrian crossing of Laidlaw Road. He referenced past experience with Washington County where they seem open to the idea of a mid-block crossing, only to change their stance later. He commented that the crossing is going to be an important component to the success of this project.

- ✓ Doug Menke, General Manager, replied that the District's most recent dealings with Washington County on this topic have been much more successful, as is evidenced by the mid-block crossings of the Rock Creek Trail at NW 185<sup>th</sup> Ave. and the Waterhouse Trail at Walker Road. In addition, Washington County has added a Bicycle & Pedestrian Coordinator, which has served as an additional contact point and advocate.
- ✓ Gery noted that District staff would prefer to begin discussing these issues with Washington County as early as possible, but the County tends to prefer to see more detailed drawings. Staff did meet with County staff early in the process to let them know that this would be an issue for future discussion.

Secretary, Larry Pelatt, opened the floor for public testimony.

Kevin O'Donnell, a resident of the Bethany area, is before the Board of Directors this evening in support of the proposed Westside Trail Segment #18 Master Plan. In addition to his service on the Trails Advisory Committee and Citizen Participation Organization (CPO) #7, he also serves on the board of the Bethany Terrace Homeowners Association, which had the opportunity to review this project. He noted that the HOA has communicated to its residents regarding this project and has not received any negative comments. He commented that although the south side of the project site is going to result in a lot of mitigation work, once the trail segment is

complete, it will connect a neighborhood that is otherwise isolated, as well as serve as a safe route to school for children in that area. He noted that this trail connection is also important as it will eventually lead to North Bethany. He encouraged the District to further explore a pedestrian crossing at Laidlaw Road, noting that there is already a school crossing approximately 100 yards east for Jacob Wismer Elementary/Stoller Middle Schools. He encouraged District staff to work closely with Washington County staff to make this a safe crossing, and suggested working with Beaverton School District regarding the possibility of moving their school crossing to align with the pedestrian crossing.

- ✓ Doug Menke, General Manager, expressed the importance of community support for mid-block crossings and invited Kevin to participate in that public process.
- ✓ Secretary, Larry Pelatt, agreed with Doug's comment, noting that it is critical to have community support and that Washington County is very receptive to this.

Kevin noted that he would be happy to offer his support via a CPO #7 forum as well as THPRD forums.

**Bill Kanable moved the Board of Directors approve the Westside Trail Segment #18 Master Plan. Bob Scott seconded the motion. Roll call proceeded as follows:**

**Bob Scott                    Yes**

**Bill Kanable                Yes**

**Larry Pelatt                Yes**

**The motion was UNANIMOUSLY APPROVED.**

**Agenda Item #11 - Adjourn**

There being no further business, the meeting was adjourned at 8:00 p.m.

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Joe Blowers, President

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Larry Pelatt, Secretary

Recording Secretary,  
Jessica Collins