



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 6, 2012. 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	Director
John Griffiths	Director
Doug Menke	General Manager

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

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

- 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, 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), which allows the Board to meet in Executive Session to discuss the aforementioned issues.

President, Bob Scott, 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 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, Bob Scott, called the Regular Meeting to order at 7:10 p.m.

Agenda Item #3 – Action Resulting from Executive Session

There was no action resulting from Executive Session.

Agenda Item #4 – Parks Advisory Committee

Mike Janin, Superintendent of Security Operations, introduced Miles Glowacki, Chair of the Parks Advisory Committee, and Greg Cody, Parks 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.

Miles provided an overview of the Parks Advisory Committee's past and current focuses via a PowerPoint presentation, a copy of which was entered into the record, and which included the following topics:

- Mission Statement & Committee Membership
- Past, Current & Continual Focus Areas
 - Review of park development design plans
 - Attendance of Board and Budget meetings, as well as park dedications
 - Purchased GIS data collection equipment with Challenge Grant funds
 - Support Park Patrol security efforts
 - Analysis/review of smoking on District property
 - Currently completing a comprehensive analysis of comparable communities' smoking policies
 - Will formulate a recommendation for consideration by the Board
 - Support efforts for art in parks
 - Cooperative relationship with the Beaverton Arts Commission
 - Supports 1% budget for art in new park bond projects
 - Considering practicality of functional artwork

Miles and Greg offered to answer any questions the Board may have.

- ✓ Hearing none, President, Bob Scott, thanked Miles and Greg on behalf of the Board of Directors for the informative presentation.

Agenda Item #5 – Resolution Amending District Compiled Policies Chapter Five to include Sustainable Purchasing

A. Open Hearing

President, Bob Scott, opened the public hearing.

B. Staff Report

Keith Hobson, Director of Business & Facilities, provided a detailed overview of the memo included within the Board of Directors information packet requesting that the Board, acting as the Local Contact Review Board, amend the District Public Contract Rules contained in Chapter 5 of the District Compiled Policies to include requirements that establish a Sustainable Purchasing Policy. Keith noted that staff presented a draft of the proposed policy for review and discussion at the January 9, 2012 Regular Board meeting, as well as operational procedures that will continue to be refined until ready for implementation on July 1, 2012. The proposed Sustainable Purchasing Policy is a long-standing District goal and continues the District's commitment to sustainable practices as specified in Comprehensive Plan goals and objectives. The basic proposed requirements for the policy remain unchanged from those presented at the January Regular Board meeting:

- All product purchases will be made using appropriate sustainable product standards.
- When appropriate product standards do not exist, the policy requires staff to maintain a list of acceptable products based on sustainable attributes.
- Larger purchases must be made using the sustainable costing model.
- Service contracts will include provisions promoting sustainable operations and request for proposals will include criteria related to sustainable activities.

Keith noted that there are exemptions and safeguards built into the policy to insure that it does not significantly negatively impact operations and costs. Upon completion of this evening's public hearing, staff requests that the Board approve Resolution 2012-03 amending the District Compiled Policies Chapter 5 to include sustainable purchasing requirements.

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

Joe Blowers moved the Board of Directors, acting as the Local Contract Review Board, approve Resolution 2012-03 amending the District Compiled Polices Chapter 5 to include sustainable purchasing requirements. Bill Kanable seconded the motion. Roll call proceeded as follows:

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

The motion was UNANIMOUSLY APPROVED.

Agenda Item #6 – Audience Time

Paul Blackmore, 17813 SW Washington Drive, Aloha, is before the Board of Directors this evening representing Aloha United Soccer Club (AUSC). Paul stated that there has been some confusion as to the status of AUSC in regard to the District in that AUSC is both a recreational and competitive club; however, the District has no authority over AUSC as to what type of soccer is offered to their membership. He stated that what the District offers to one club must be offered to all and that Scott Brucker, Superintendent of Sports, and Bill Kanable, current Board member and President of Westside Warriors and Tualatin Hills Junior Soccer League (THJSL), have told AUSC that the competitive side of their club is not recognized by the District. He stated that the District has no authority to delegate its responsibilities to allocate fields to another entity, such as THJSL, and that since the District is the provider of fields to all taxpayers of the community, the District should be responsible for the allocation of those fields. He questions delegating such authority to someone who is the president of a club within a league, as well as the president of the league itself, and serves on the Board of Directors, as well as being the head of a fields committee. The District's stance that this person or organization is better at assigning fields than the District itself is without merit and AUSC asks that this practice be reviewed immediately. He stated that the method by which the District is implementing field assignments to the local soccer clubs is not legal and will be challenged and that the District has no authority to commit long-term legal contracts for public land paid for by taxpayers to selected clubs while excluding others. In conclusion, AUSC is a legal entity that has been playing in the community since 1974 and would like field allocations immediately on an equal opportunity basis dependent on club size and membership.

Kevin Fraczek, 11063 NW Montreux Lane, Portland, is before the Board of Directors this evening representing Milltown United Soccer Club (MUSC). Kevin stated that MUSC requests complete transparency in the distribution and allocation of fields to all soccer clubs and that a committee is formed to handle such allocations instead of an individual. He stated that MUSC has tried to work with Scott Brucker, Superintendent of Sports, to understand the field allocation process, but were told that it is too complex. They would like to be offered the opportunity to try and understand the process as it has become a critical issue. MUSC has grown to approximately 75 teams and 1,500 participants, but have received the same amount of fields over the past three years. In conclusion, MUSC requests transparency in the field allocation process and establishment of a committee, rather than an individual, responsible for assigning fields to all of the clubs.

Lara Bourn, 3880 SW 188th Avenue, Aloha, is before the Board of Directors this evening as a parent of a participant in Aloha United Soccer Club (AUSC). Lara stated that although she pays

taxes to the District, she has been repeatedly told that AUSC does not have adequate access to fields, yet she notices that the fields at the HMT Recreation Complex are continually in use by other clubs. She questions why there is not a fair and balanced way to allocate fields by a committee instead of an individual person. She also asks why no one is questioning the current situation of an individual being in charge of allocating fields who is also the president of a soccer club, and that it is this individual's club's teams on the fields. In conclusion, there needs to be a more fair and balanced way of allocating fields.

Eric Ufer, 8450 NW Ash Street, Portland, is before the Board of Directors this evening representing Milltown United Soccer Club (MUSC). Eric stated that as the former President of MUSC, it has been wonderful for him to witness the expansion and growth of the club. He believes that there is room for a middle ground between classic and recreational soccer, which MUSC and others are working to create. He described how three proposed new fields that MUSC was excited about seeing developed, including those that were planned for the Teufel Property and William Walker Elementary School, are no longer being pursued. He would like to hear why those fields are no longer being considered and whether there are any plans for those fields in the future. In addition, he asks how the District determines where to build new fields, noting that the new field being built in partnership with The Timbers is in the Westside Warriors/Westside Metros area and has heard that there is an additional field being considered for that area as well. MUSC asks for equality and a level playing field. They have gone from having one team to a field, to two teams to a field, to four teams to a field, because of the growth and expansion of their club. In conclusion, the goal of MUSC is to get kids playing soccer and they would like to receive some recognition from the District for helping it with its mission statement.

President, Bob Scott, requested an overview from staff of the situation being described, noting that the Board does not directly set the field usage.

- ✓ Doug Menke, General Manager, replied that specific to MUSC, staff recently met with several of their board members and some progress was made, although there is still much work to be done. The District is in the midst of an interesting process in that there are programmatic issues, and programmatically the affiliates run their own shows. Each of the groups represented this evening are affiliates with the District and are part of THJSL. Tomorrow evening, THJSL has a board meeting and he encourages that the communications heard this evening be repeated at that time. The District has a role to play within the process and Scott Brucker, Superintendent of Sports, will be in attendance speaking about many of these issues. There is no question that the process of field allocation needs to be as transparent as possible, recognizing that in many cases, and with soccer in particular, the fields are turned over to the league and the league makes the distribution. District staff has had many discussions since the meeting with MUSC last week regarding the fact that the District does need to communicate as best as possible and in as much detail as possible with regard to the field allocation process, because it is complex and multi-faceted. The more the public knows about it, the better the District can be in providing the services it provides on the fields it maintains. Hopefully, there will be better clarity after tomorrow evening's meeting and via any follow up meetings that are desired. The District is willing to work with the league in moving through the process.

Bill Kanable stated that the public testimony this evening implicates that there is some kind of conspiracy taking place. He explained that in the fall, the league works with all of the soccer clubs and controls the field allocations. In the spring, working with the District over the last ten years, the league has been able to get access to fields. As the sponsor of the spring program, he pays for the rental of those fields and distributes them as well. The fields come to the league

based on what the District gives them, not because he gets better fields based on when particular clubs ask for them. It is regretful that the fields are in a certain location based on historical use. Baseball and softball take the majority of fields in the spring, so everything that the league normally gets in the fall is usually consumed by other groups and he cannot control that. He gives the fields out willingly to all of the clubs that ask for it, but he also has to pay the bill, which he has been doing for the last three years. He is concerned about the assumptions being made regarding what he does personally and is disappointed that it has come to this. He still wants to deliver the service to the community of soccer players, which he has done for 12 years. He will work to try and improve the spring process, but he has nothing to do with field allocations in the fall; the league and all of its members take responsibility for that. There is a lot of education that needs to happen to address the assumptions being made based on outside views. To conclude that a certain individual is trying to take advantage is wrong. He is gravely concerned about that assumption as he has worked for no other reason than to try and better the community and to hear such accusations is rather upsetting.

John Griffiths commented that normally the Board of Directors has some awareness of a situation prior to such a public display, so he is somewhat surprised by the situation. However, he does want to clarify that the location of the new maintenance facility was chosen primarily due to maintenance purposes and a side benefit of that particular property was that it also had appreciable extra space that could be turned into a field. The location was not chosen because the District was attempting to benefit a particular soccer club.

Joe Blowers requested an executive summary on this topic, including an overview of the meeting occurring tomorrow evening, in order to help educate the Board.

✓ Doug Menke, General Manager, confirmed that this would be provided.

President, Bob Scott, commented to the audience that he appreciates the testimony this evening and agrees that there is work to be done. He thanked the attendees for the passion they have for the soccer community.

Agenda Item #7 – Board Time

Larry Pelatt referenced the testimony received during audience time, noting that as a former soccer parent and referee, he understands the passion that is involved; however, the thought process that one of the District's Board members would engage in some sort of collusion is a non-starter to him. He knows Bill personally and professionally and can guarantee that there is no collusion. Whether the process needs to be reviewed is a possibility, and the executive summary will help the Board understand that.

John Griffiths noted that the public testimony received this evening appears to be an allocation of resources issue that needs to be further addressed via the meeting taking place tomorrow evening followed by an update to the Board.

Agenda Item #8 – Consent Agenda

Larry Pelatt moved the Board of Directors approve Consent Agenda items (A) Minutes of January 9, 2012 Regular Board Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Resolution Appointing Natural Resources & Trails Advisory Committees Members, (E) Resolution Authorizing Annexation of Properties in North Bethany During 2012 per ORS 198.857(2), (F) Jordan Trail Construction Contract, (G) Sunset Swim Center Seismic Upgrade Contract, and (H) Schiffler Park Construction Contract. Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths **Yes**
Bill Kanable **Yes**
Joe Blowers **Yes**
Larry Pelatt **Yes**
Bob Scott **Yes**

The motion was UNANIMOUSLY APPROVED.

Agenda Item #9 – Unfinished Business

A. Community Garden Program

Lisa Novak, Superintendent of Programs & Special Activities, provided a detailed overview of the District's Community Garden Program via a PowerPoint presentation, a copy of which was entered into the record. The District constructed its first community garden in 1998 and currently has eight gardens available, with most operating at capacity. Additional community garden sites are being explored via bond project sites and community partnerships. Lisa offered to answer any questions the Board may have.

Bill Kanable referenced the map showing the various locations of gardens throughout the District and asked whether the District is actively seeking potential garden locations for areas that do not currently have that type of amenity.

- ✓ Lisa confirmed this, noting that the bond project sites are a natural fit for additional community gardens. There are basic requirements in order to consider a site for a potential community garden, including whether there is irrigation available. The northeast quadrant of the District has the least number of community gardens and staff is actively exploring potential sites for this area.

Larry Pelatt commented that U.S. Magistrate Judge Donald Ashmanskas, who passed away last summer, was a passionate gardener at the Cedar Hills Park community garden. Larry asked whether consideration could be given to naming a garden or similar amenity in his honor.

- ✓ Doug Menke, General Manager, replied that once the Cedar Hills Park bond project starts progressing, staff would suggest that the Board give consideration to naming the community garden there after Judge Ashmanskas.

Larry and Joe Blowers expressed support for this idea.

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 Tree Maintenance Project
 - Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, provided an update regarding a neighborhood meeting held on February 2, 2012, for the Fanno Creek Trail Tree Maintenance Project, which was discussed at the January Regular Board meeting. Bruce noted that about 30 people attended the meeting, during which the proposed process was explained of forming a committee, getting input from the community, and then reporting back to the community to hopefully receive a general consensus on the project, after which staff will report back to the Board in late spring. Five citizens have stepped up to serve on the committee, which will begin work in mid-February.
- Greenhouse Gas Inventory Update
 - Keith Hobson, Director of Business & Facilities, provided an update regarding the District's Greenhouse Gas Inventory, noting that the inventory has been updated for Scopes 1 and 2. For Scope 1, fleet generated carbon dioxide equivalents (CO₂e) decreased by 23 metric tons, natural gas usage generated CO₂e also decreased by 42 metric tons, and refrigerant use generated CO₂e increased by

11 metric tons. For Scope 2, electricity use generated CO₂e decreased by 80 metric tons.

- Parks Bond Citizen Oversight Committee Report
 - Bob Wayt, Director of Communications & Outreach, noted that the second annual Parks Bond Citizen Oversight Committee Report is nearing its distribution date and a copy of the report is at the Board's places this evening.
- Board of Directors Meeting Schedule

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

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

Agenda Item #10 – New Business

A. Tualatin Valley Water District Request for Temporary Construction and Permanent Easements for a Water Line along a Segment of the Fanno Creek Trail

Hal Bergsma, Director of Planning, provided a detailed overview of the memo included within the Board of Directors information packet regarding a request received from Tualatin Valley Water District (TVWD) to acquire permanent and temporary construction easements to place a new 10" diameter, high-density polyethylene waterline under the Fanno Creek Trail east of SW 92nd Avenue. The permanent easement would run between SW 90th and SW 92nd, while the temporary easement would be for a period of about two and a half months and would run between SW 92nd and approximately the point of access to the trail at Vista Brook Park. The waterline being installed is required on an emergency basis due to a Washington County project to replace the bridge over Fanno Creek at SW Scholls Ferry Road, which will require removal of a critical section of waterline, severely reducing TVWD's ability to provide adequate fire flow to residents and businesses served north and west of the trail corridor.

Hal provided a detailed overview of the proposed project and easements via a PowerPoint presentation of the site plan included within the Board of Directors information packet, noting that it is unlikely that the drilling required for the project would have a significant effect on the root system of any trees along the trail corridor and in most cases, foot traffic along the trail would be able to be maintained during the installation. Hal noted that TVWD proposes \$1,000 for compensation for the permanent and temporary easements and further proposes that these funds be used by the District for restoration of vegetation along the trail corridor. Given past cooperation by TVWD with District initiatives, such as the fields placed under a lease agreement on TVWD's property at the southeast corner of 170th and Merlo Drive, staff believes the offered level of compensation is appropriate.

Hal noted that District legal counsel has reviewed the proposed easement agreement and had some suggested changes, copies of which are at the Board's places this evening and have been entered into the record. In addition, Mark Knudsen of TVWD is in attendance in order to answer any particular questions the Board may have about the project. Hal noted that the action requested this evening is Board approval of TVWD's request for the permanent and temporary construction easements as described and authorization for the General Manager or his designee to execute documents for the dedication/granting of the easements. Hal offered to answer any questions the Board may have.

President, Bob Scott, asked who would be responsible for repairs should any damage occur to the trail or around the trail because of the project.

- ✓ Hal replied that it would be the responsibility of TVWD.

John Griffiths asked how much longer the athletic fields on TVWD property would be allowed to remain.

- ✓ Mark replied that at this point, it is indefinite as TVWD does not have any plans for that particular property.

Bob commented that he is pleased that the proposed technique should not disturb the vegetation along the trail.

Larry Pelatt asked whether a seismic review was conducted of the area.

- ✓ Mark confirmed this, noting that they are confident that the hole will be able to remain intact during the drill operation. They were concerned that they may find some debris left over from the old railroad that ran in the area, but did not find anything initially.

Joe Blowers asked for additional information regarding where the waterline will connect to.

- ✓ Mark described the pathway of the waterline, noting that it is essentially completing a loop between SW 90th and 92nd.

Bill Kanable moved the Board of Directors approve TVWD's request for the permanent and temporary construction easements as described and authorize the General Manager, or his designee, to execute the documents for the dedication/granting of the easements.

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

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

The motion was UNANIMOUSLY APPROVED.

Agenda Item #11 - Adjourn

There being no further business, the meeting was adjourned at 8:15 p.m.

Bob Scott, President

Larry Pelatt, Secretary

Recording Secretary,
Jessica Collins