



**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 Tuesday, March 14, 2017, at the HMT Recreation Complex, Dryland Training Center, 15707 SW Walker Road, Beaverton, Oregon. Executive Session 6:30 pm; Regular Meeting 7 pm.

Present:

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

Agenda Item #1 – Executive Session (A) Land

President Jones called executive session to order for the purpose of conducting 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 Jones noted that representatives of the news media and designated staff may attend executive session. 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 returned to open session and welcomed the audience into the room.

Agenda Item #2 – Call Regular Meeting to Order

The Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was called to order by President Jerry Jones Jr. on Tuesday, March 14, 2017, at 7:15 pm.

Agenda Item #3 – Action Resulting from Executive Session

There was no action resulting from executive session.

Agenda Item #8 – New Business *(agenda item taken out of order)*

A. Resolution Naming Cedar Hills Park Synthetic Athletic Field “Bruce S. Dalrymple Field”

General Manager Doug Menke introduced Bob Wayt, director of Communications & Outreach, to provide a presentation regarding a proposal that the yet-to-be-built synthetic athletic field at Cedar Hills Park be named in honor of the late Bruce S. Dalrymple, a former THPRD board member and community volunteer who passed away in 2010. In addition, Doug acknowledged Bruce’s family members in attendance.

Bob provided a detailed overview of the request to name the synthetic athletic field at Cedar Hills Park “Bruce S. Dalrymple Field” via a PowerPoint, a copy of which was entered into the record, and included the following information:

- Bruce’s public service to the community, including as a THPRD board member and Beaverton City Councilor, as well as his advocacy for synthetic athletic fields
- The public outreach process used to communicate the naming proposal to the public
 - A majority of respondents supported the naming recommendation
- The proposal is consistent with board policy for naming of district property

Bob noted that the action requested of the board this evening is approval of Resolution 2017-05, naming the future synthetic athletic field at Cedar Hills Park “Bruce S. Dalrymple Field” and offered to answer any questions that the board may have.

Larry Pelatt commented that he served on the THPRD Board of Directors with Bruce, noting that Bruce was an amazing individual and a real inspiration. He described how Bruce approached his service on the board with a high-level view, but that he also would not hesitate to get more intricately involved in order to help a worthy cause or project move forward.

Ali Kavianian expressed support for naming the future synthetic athletic field at Cedar Hills Park “Bruce S. Dalrymple Field.”

John Griffiths commented that he served on the THPRD Board of Directors with Bruce for quite a few years, noting that Bruce never walked away from a disagreement, but would work hard toward a compromise. He believes that naming a synthetic athletic field after Bruce would be a fitting tribute as Bruce was an early supporter of the district’s foray into synthetic turf.

General Manager Doug Menke recalled a story about Bruce raising \$15,000 in a short amount of time through his work with Beaverton Rotary to pay the medical bills of a person in need.

Bob Scott noted that he served with Bruce on the THPRD Budget Committee and he supports naming the future synthetic athletic field at Cedar Hills Park “Bruce S. Dalrymple Field”.

President Jones stated that although he never served with Bruce on a district-related board or committee, he did interact with him through his work with the City of Beaverton, and that he saw him as a role model in terms of his public service to the community.

John Griffiths moved that the board of directors approve Resolution 2017-05, naming the future synthetic athletic field at Cedar Hills Park “Bruce S. Dalrymple Field.” Larry Pelatt seconded the motion. Roll call proceeded as follows:

Bob Scott	Yes
Ali Kavianian	Yes
Larry Pelatt	Yes
John Griffiths	Yes
Jerry Jones Jr.	Yes

The motion was UNANIMOUSLY APPROVED.

Sandra Dalrymple and Bruce’s sons in attendance, Brian and Jason, thanked the board for honoring Bruce in this manner, noting that the family is very touched and believes that naming a synthetic athletic field after Bruce is a fitting tribute to his legacy.

Agenda Item #4 – Audience Time

There was no testimony during audience time.

Agenda Item #5 – Board Time

Bob Scott commented on local business Golden Valley Brewery, noting that they are enthusiastic about working with THPRD.

Agenda Item #6 – Consent Agenda

Larry Pelatt moved that the board of directors approve consent agenda items (A) Minutes of February 14, 2017 Regular Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Resolution Reappointing Parks Bond Citizen Oversight Committee Members, and (E) Resolution Authorizing Application for Local Government Grant Program for Enhancements at Cedar Hills Park. Ali Kavianian seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Bob Scott	Yes
Ali Kavianian	Yes
Larry Pelatt	Yes
Jerry Jones Jr.	Yes

The motion was **UNANIMOUSLY APPROVED**.

Agenda Item #7 – Unfinished Business

A. Recreational Immunity Under ORS 105.672 to 105.696 (Public Use of Lands Act)

Keith Hobson, director of Business & Facilities, introduced Special Districts Association of Oregon (SDAO) representatives Geoff Sinclair, director of Claims Administration, and Scott Neufeld, director of Risk Management, to provide an overview of the impacts of the recent Oregon Supreme Court decision that limited the scope of recreational immunity under the Public Use of Lands Act. As background, the Oregon Supreme Court decision in Johnson v. Gibson in March 2016 ruled that the statutory immunity afforded under the Act is limited in scope to only the landowner and does not extend to the landowner's employees, agents and volunteers. Since THPRD is required by Oregon Revised Statute to defend, save harmless and indemnify its employees, volunteers, and agents who are acting in the course and scope of their duties, the court's interpretation of the statute effectively increases THPRD's risk exposure for those lands it owns that are made available for recreational use without fee or charge to the public.

Geoff and Scott provided a detailed overview of how the recent court ruling impacts public land owners via a PowerPoint presentation, a copy of which was entered into the record. Information included operational adjustments and risk management advice the district may wish to consider in order to lessen any litigious exposure created by the courts ruling, as well as a brief overview of legislation that SDAO, along with THPRD and other local governmental agencies, are working on in order to develop alternative clarifying language to address the court's decision.

Keith noted that the district has already made limited operational adjustments in response to the court's ruling in that it no longer provides signage on newly acquired properties nor allows public access to these sites until the sites are developed and maintained to a level that ensures safe access. He noted that other operational adjustments for consideration could include:

- Eliminating public access to natural areas that do not have maintained public access amenities such as trails and designated walkways.
- Closing or restricting access to skate parks or other high-risk amenities. Restricting access could include requiring a waiver, monitoring usage, and potentially charging a fee to recover costs of monitoring and the increased exposure.
- Increasing staff resources to more aggressively monitor and mitigate potential hazards in parks and trails and consider closure until such hazards can be mitigated.

Keith noted that staff are seeking input from the board this evening regarding these suggested, or other, operational adjustments and offered to answer any questions the board may have.

Bob Scott inquired whether the district could be held liable if a person injures themselves while trespassing on closed district property.

- ✓ Geoff replied that although the district could still potentially be sued, the district's case is much stronger if the person suing was trespassing.

Larry Pelatt asked whether posting signage identifying potential hazards or stating “use at your own risk” would lessen any liability exposure for the district.

- ✓ Scott replied that although signage can help, the district would also need to make sure that such signage remains posted.
- ✓ Keith noted that another drawback to posting signage is that once an area has signage, that becomes the district’s level of service and the expectation is that any like areas would be similarly signed and if not, the district has created a liability exposure for itself.
- ✓ Geoff noted that thousands of signs would likely be required in such an effort and could become a maintenance burden.

Ali Kavianian asked about best practices used in attempting to mitigate risks at skate parks.

- ✓ Scott replied that the district currently operates its skate parks in the recommended fashion with adequate signage and continual inspections.
- ✓ Geoff described the change in user groups for skate parks over the past decade from individuals to more of a family activity, which increases the risk for litigation. He noted that the district needs to aggressively monitor its skate parks for any potential hazards, such as raised screws. Before the recent court ruling, skate parks were not much of a concern to SDAO, but are now one of the highest-risk amenities.

President Jones asked how the district identifies a safety hazard and what the process is to address it.

- ✓ Keith noted that the district identifies safety hazards either through patron communication or district staff observation, at which point the hazard becomes a “known safety hazard.”
- ✓ Mark Hokkanen, Risk & Contract manager, explained that every amenity the district offers has national standards associated with it, which helps guide district staff in evaluating each amenity’s safety status. If a safety hazard is identified, the amenity is closed to public use until it can be fixed.
- ✓ Keith added that most identified safety hazards can be addressed fairly quickly; those that cannot be funded through the district’s budget process and are closed to public use until funding becomes available and the required repairs can be made.

John Griffiths asked about the status of SDAO’s legislative efforts pertaining to this matter.

- ✓ Geoff provided an update on SDAO’s proposed legislation moving through the legislative process, noting that there is a large coalition of public and private organizations in support of this effort. He noted that it is a fluid process and that at the moment, they are confident that there is strong enough support for a successful outcome.
- ✓ General Manager Doug Menke commented that the critical outcome is not just that the legislation passes, but that it passes with the desired language that would elevate the threshold.

John inquired whether there is anything more the district board can do to assist the cause.

- ✓ Keith replied that the board’s approval of Resolution 2017-03 last month supporting the legislation addressing the scope of the immunity under the Act to be considered during the current Legislative session was very helpful. At this point, there is no need for special contacts to be made by the board members, but if this changes, district staff will inform the board.
- ✓ Discussion occurred regarding the large and varied coalition of support building around the legislation and the various public land owners impacted by the court’s recent ruling.

President Jones thanked SDAO for their efforts in this matter and the informative presentation.

B. General Manager's Report

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

- Crowell Woods New Neighborhood Park
 - Gery Keck, superintendent of Design & Development, provided an overview of an expanded community engagement process for the new Crowell Woods neighborhood park project via a PowerPoint presentation, a copy of which was entered into the record.
- THPRD Communications Update
 - Bob Wayt, director of Communications & Outreach, provided an overview of recent THPRD communications efforts and media coverage via a PowerPoint presentation, a copy of which was entered into the record.
- Agency Accreditation Update
 - Deb Schoen, superintendent of Community Programs, provided an update regarding the district's progress toward earning accreditation through the Commission for Accreditation of Park and Recreation Agencies via a PowerPoint presentation, a copy of which was entered into the record.
- Babette Horenstein Tennis Center LED Lighting Project
 - Keith Watson, superintendent of Sports, provided an overview of an upcoming project to retrofit the Babette Horenstein Tennis Center and two outdoor air structures with LED lighting via a PowerPoint presentation, a copy of which was entered into the record.
- Board of Directors Meeting Schedule

Doug offered to answer any questions the board may have.

President Jones complimented district staff on the expanded outreach efforts for the new neighborhood park, noting that he is pleased to see such robust attendance numbers for the neighborhood meetings.

- ✓ Larry Pelatt expressed agreement with Jerry's comments, noting that there has been a noticeable increase in public participation over the past few years through such expanded communications efforts.
- ✓ Gery noted that one benefit of doing so much public outreach at the beginning of a project is knowing that there will be neighborhood support for it going forward.
- ✓ Keith Hobson, director of Business & Facilities, noted that district staff has been invited by the National Recreation and Park Association to provide a session on this topic at the upcoming annual congress.

President Jones complimented Bob on his department's communications efforts, noting that without media regularly attending the district's public meetings, it falls to district staff to distribute information to the media that may be of interest.

Larry asked whether the mentees engaged in the accreditation process are also gaining greater exposure within the district that may help them move up within the organization.

- ✓ Aisha Panas, director of Park & Recreation Services, provided a detailed overview of the staff efforts associated with the accreditation process, noting that this is but one of the opportunities available for staff in encouraging their continued growth within the district.

John Griffiths inquired whether there is an opportunity for district staff to inquire of the National Recreation and Park Association (NRPA) Gold Medal award selection committee what THPRD could have been done better in order to increase our chances of winning the Gold Medal award.

- ✓ Deb replied that there is not an opportunity for direct feedback, but that district staff requested and received the applications from two Gold Medal award-winning districts in

order to evaluate what those applications had that THPRD's did not. In addition, district staff sent out this year's application for peer review by other park and recreation professionals.

- ✓ General Manager Doug Menke noted that it is not unusual for it to take multiple years of applying before winning a Gold Medal award.

President Jones commented that although the district has a tendency to be humble about its success, receiving the Gold Medal award would be a win for the entire community, as well open doors for other opportunities, such as grant funding.

- ✓ Deb commented on the district's increased involvement with NRPA, including district staff being invited by NRPA to present two sessions at the upcoming congress, an article penned by district staff in the most recent *Parks & Recreation Magazine*, and an increase in district staff becoming certified park and recreation professionals.

President Jones described his experience with LED lighting projects and associated payback periods, noting that the district's anticipated payback period of less than four years makes the project very justifiable. He especially enjoys the allocation of the United States Tennis Association's donation to this project, as it will essentially become a recurring donation since every year the district will save on energy and maintenance costs.

John asked whether the district is considering any other LED lighting projects in the district.

- ✓ Keith Hobson, director of Business & Facilities, replied that the district will continue to work with the Energy Trust of Oregon in order to identify additional facilities that would fall within the acceptable payback range.

Agenda Item #9 – Adjourn

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

Jerry Jones Jr., President

Ali Kavarianian, Secretary

Recording Secretary,
Jessica Collins