



Administration Office
503/645-6433
Fax 503/629-6301

**Board of Directors Regular Meeting
Wednesday, March 13, 2024**

**5:45 pm Executive Session
6:00 pm Regular Meeting**

Location: Tualatin Valley Water District, 1850 SW 170th Avenue Beaverton, OR

AGENDA

1. Executive Session*
 - A. Land
2. Call Regular Meeting to Order
3. Action Resulting from Executive Session
4. Proclamations
 - A. [National Developmental Disabilities Month](#)
 - B. [Women's History Month](#)
5. Audience Time**
6. Board Time
 - A. Committee Liaisons Updates
7. Consent Agenda***
 - A. [Approve: Minutes of February 14, 2024 Regular Board Meeting](#)
 - B. [Approve: Resolution Authorizing Application to Local Government Grant Program](#)
 - C. [Award: Mountain View Champions Park Sport Court Construction Contract](#)
8. Unfinished Business
 - A. [Review: Cooper Mountain Community Plan Update](#)
 - B. [Approve: Climate Action Plan](#)
 - C. [Information: General Manager's Report](#)
9. New Business
 - A. [Approve: Intergovernmental Agreement with Washington County for Urban Road Maintenance District Pedestrian and Biking Improvement Project at Waterhouse Trail](#)
10. Adjourn

***Executive Session:** Executive Sessions are permitted under the authority of ORS 192.660. Copies of the statute are available at the offices of Tualatin Hills Park & Recreation District.

**** Audience Time / Public Testimony:** Testimony is being accepted for this meeting in-person or virtually via MS Teams.

If you wish to testify in-person during the board meeting, please complete and turn in a testimony card at the meeting. Please wait until you are called upon by the board to speak and then proceed to the public testimony table. Testimony will be taken with a 3-minute time limit during the applicable agenda item, or Audience Time.

If you wish to attend the meeting virtually, or testify virtually, please sign up by emailing boardofdirectors@thprd.org or calling 503-645-6433 **by 12 pm the day of the meeting** with your name

and email address (and testimony topic if wishing to provide testimony). You will be provided additional instructions and a link to access the meeting. Testimony will be taken with a 3-minute time limit during the applicable agenda item, or Audience Time.

Testimony regarding work session topics will be taken during Audience Time. At the board's discretion, agenda items may not be considered in the order listed. More information and helpful tips on how to provide testimony can be found at the following link: <https://www.thprd.org/district-information/how-to-give-testimony>

*****Consent Agenda:** Testimony regarding an item on the Consent Agenda will be heard under Audience Time. Consent Agenda items will be approved without discussion unless there is a board member request to discuss a particular Consent Agenda item. The issue separately discussed will be voted on separately.

In compliance with the Americans with Disabilities Act (ADA), this material in an alternate format, or special accommodations for the meeting, will be made available by calling 503-645-6433 at least 48 hours prior to the meeting.



MEMORANDUM

DATE: February 28, 2024
TO: Board of Directors
FROM: Doug Menke, General Manager
RE: Information Regarding the March 13, 2024 Board of Directors Meeting

Agenda Item #4 – Proclamations

A. [National Developmental Disabilities Month](#)

Attached please find a proclamation declaring March as National Developmental Disabilities Month.

B. [Women’s History Month](#)

Attached please find a proclamation declaring March as Women’s History Month.

Agenda Item #7 – Consent Agenda

Attached please find the following consent agenda items for your review and approval:

[A. Approve: Minutes of February 14, 2024 Regular Board Meeting](#)

[B. Approve: Resolution Authorizing Application to Local Government Grant Program](#)

[C. Award: Mountain View Champions Park Sport Court Construction Contract](#)

Agenda Item #8 – Unfinished Business

A. [Cooper Mountain Community Plan Update](#)

Attached please find a memo reporting that district staff will be joined by City of Beaverton staff to present an update on the Cooper Mountain Community Plan.

B. [Climate Action Plan](#)

Attached please find a memo reporting that district staff will present the 2024 Climate Action Plan for consideration of board adoption.

Action Requested: Board of directors’ adoption of the 2024 Climate Action Plan.

C. [General Manager’s Report](#)

Attached please find the General Manager’s Report for the March regular board meeting.

Agenda Item #9 – New Business

A. [Intergovernmental Agreement with Washington County for Urban Road Maintenance District Pedestrian and Biking Improvement Project at Waterhouse Trail](#)

Attached please find a memo requesting board approval of an intergovernmental agreement with Washington County to complete design and construction of five road crossings and a connector pathway along the Waterhouse Trail.

Action Requested: Board of directors’ authorization for the general manager or designee to execute an intergovernmental agreement with Washington County for road crossing assessments and upgrades to the Waterhouse Trail.



TUALATIN HILLS PARK & RECREATION DISTRICT

PROCLAMATION

By the Board of Directors

WHEREAS, THPRD is committed to serving individuals of all abilities and ensuring the opportunity to play, learn, and enjoy high-quality park and recreation facilities, programs, services, and natural areas; and

WHEREAS, THPRD is dedicated to removing barriers to participation, ensuring meaningful access, and fostering an inclusive culture; and

WHEREAS, THPRD is committed to creating awareness about developmental disabilities, teaching the importance of inclusion within every aspect of life, and to sharing the stories of individuals with a disability to show that a successful life is possible; and

WHEREAS, about one in six children in the U.S. experience one or more developmental disability; and

WHEREAS, THPRD is a leader in Access for All, championing inclusion services for people of all abilities to be able to fully participate in programs and activities;

NOW, THEREFORE, the Board of Directors of the Tualatin Hills Park & Recreation District, do hereby declare the month of March 2024 as

National Developmental Disabilities Month

And do urge all those in the Tualatin Hills Park & Recreation District to support and promote this observance.

Signed this 13th day of March, 2024.

Alfredo Moreno, President

Barbie Minor, Secretary



TUALATIN HILLS PARK & RECREATION DISTRICT

PROCLAMATION

By the Board of Directors

WHEREAS, the roots of Women’s History Month began in March 1857 when women from various New York City factories staged a protest over working conditions; and

WHEREAS, women of diverse backgrounds have made historic contributions to the growth and strength of our Nation in countless ways; and

WHEREAS, THPRD exists today because of the pioneering vision and spirit of a female leader, Elsie Stuhr, who in 1953 began a two-year effort that led to the creation of THPRD; and

WHEREAS, because of the persistence and leadership of Elsie Stuhr, a physical education teacher, mother, and wife, who served on the THPRD Board of Directors for 18 years and understood the importance of dedicated park and recreation services we all enjoy today; and

WHEREAS, THPRD has become a nationally accredited award-winning provider of park and recreation services that employs creative, innovative, and hard-working women that are dedicated to our profession; and

WHEREAS, many women lead throughout the district, from the Board of Directors, staff directors, senior managers, and center supervisors, and women are valued dedicated public servants who make THPRD a better organization;

NOW, THEREFORE, the Board of Directors of the Tualatin Hills Park & Recreation District does hereby declare the month of March 2024 as

Women’s History Month

And do urge all those in the Tualatin Hills Park & Recreation District to support and promote this observance.

Signed this 13th day of March, 2024.

Alfredo Moreno, President

Barbie Minor, Secretary



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 Wednesday, February 14, 2024, at the Tualatin Valley Water District Headquarters, 1850 SW 170th Avenue, Beaverton, Oregon. Executive Session 5:30 pm; Regular Meeting 6:00 pm.

Present:

Alfredo Moreno	President/Director
Barbie Minor	Secretary/Director
Felicita Monteblanco	Director
Miles Palacios	Director
Doug Menke	General Manager

Absent:

Tya Ping	Secretary Pro-Tempore/Director
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Agenda Item #1 – Executive Session (A) Legal (B) Land

President Alfredo Moreno 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 under authority of ORS 192.660(2)(e) and (h).

President Moreno noted that the news media and designated staff may attend executive session. Representatives of the news media were directed not to disclose information discussed during executive session. No final action or final decision may be made in executive session.

Agenda Item #2 – Call Regular Meeting to Order

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was called to order by President Alfredo Moreno on Wednesday, February 14, 2024, at 6:00 pm.

Felicita Monteblanco moved that the board of directors amend this evening's agenda to add a New Business item pertaining to confirmation of the THPRD and Washington County representative on the Metro Policy Advisory Committee. Barbie Minor seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Barbie Minor	Yes
Felicita Monteblanco	Yes
Alfredo Moreno	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #3 – Action Resulting from Executive Session

There was no action resulting from Executive Session.

Agenda Item #4 – Proclamation: Black History Month

The board members read into the record a proclamation declaring February as Black History Month. President Moreno also provided a brief overview of the activities and events THPRD is hosting in honor of Black History Month.

Agenda Item #6 – Board Time

A. Committee Liaisons Updates

Miles Palacios provided the following updates and comments during board time:

- ✓ Excited for next week's Parks & Facilities Advisory Committee meeting to welcome its new members.
- ✓ Looking forward to attending Centro's upcoming Gala de Cultura along with a few fellow board members.
- ✓ Visited the state capital with 40 high school students today, including students who live within THPRD boundaries, to advocate for interests important to them.

Felicita Monteblanco provided the following updates and comments during board time:

- ✓ The next Fiduciary Committee meeting will be taking place on February 21.
- ✓ Will provide her fellow board members a written update regarding the activities of the Metro Executive Advisory Committee for the Expo Future and her participation in the American Leadership Forum of Oregon.

Barbie Minor provided the following updates and comments during board time:

- ✓ Looking forward to next week's Nature & Trails Advisory Committee meeting.
- ✓ Expressed her sincere appreciation to district staff for their winter storm response efforts.

President Moreno provided the following updates and comments during board time:

- ✓ Thanked his fellow board members who were able to attend the Beaverton Area Chamber of Commerce annual meeting which provided a great opportunity for networking.
- ✓ Recognized new Tualatin Hills Park Foundation Executive Director Gina Lobaco in attendance this evening and noted that the board of trustees will be meeting next week.
- ✓ Excited to see the permanent restroom project underway at Greenway Park.

Agenda Item #7 – Consent Agenda

Barbie Minor moved that the board of directors approve consent agenda items (A) Minutes of January 10, 2024 Regular Board Meeting, (B) Quarterly Financial Report, (C) Resolution Amending System Development Charge 5-Year Capital Improvement Plan, and (D) Resolution Appointing Budget Committee Member. Miles Palacios seconded the motion.

Roll call proceeded as follows:

Felicita Monteblanco	Yes
Miles Palacios	Yes
Barbie Minor	Yes
Alfredo Moreno	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #8 – Unfinished Business

A. Maintenance Operations Update – Winter Storm Response

Aisha Panas, deputy general manager, introduced Jon Campbell, Maintenance Operations manager, and Keith Watson, Support Services manager, to provide an overview of the work being done in response to a week of severe winter weather in mid-January.

Jon and Keith provided photos of the impacts the winter weather had on district property and a detailed overview of staff's on-going efforts to clean up storm debris and repair damage, via a PowerPoint presentation, a copy of which was entered into the record, and offered to answer any questions the board may have.

Felicita Monteblanco expressed gratitude for staff's efforts and inquired about the repair timeline for damaged play equipment.

- ✓ Aisha explained that the repair timeline will be influenced by whether the damage is covered by the district's insurance and how soon the parts can be received and will be evaluated against the district's other priority needs.

Barbie Minor wondered, in the coming months as we continue to move past the repair and recovery phase, if there are ways in which the board can better support or prepare the district for extreme weather events as these are occurring on a more frequent basis.

- ✓ Aisha referenced the work of the Climate Action Plan, which will be before the board next month for consideration of adoption, and which includes direction in terms of how the district should be planning for the future recognizing the more extreme weather.

Miles Palacios expressed gratitude for the staff who were the district's frontline response during and in response to this storm.

President Moreno commented that the extent of damage is eye-opening and that he appreciates staff's response. He also appreciated hearing about how technology was able to assist. He inquired about the morale of staff considering the amount of work this has been.

- ✓ Jon agreed that it has been a lot of physical labor and described some of the ways staff are periodically being given less intense work in order to be conscious of burnout and lessen the chance of injury.
- ✓ Aisha added that although staff is tired, they are also proud of what they have been able to accomplish.

Agenda Item #5 – Audience Time (taken out of order)

Eduardo Ambriz, 16191 NW Kenton Street, Portland, is before the board of directors this evening to make a statement not only on behalf of himself, but on behalf of the disability experiencing community, those who identify as BIPOC, and his faith-based roots, to expose conditions by which services, programs and facilities within THPRD are in noncompliance of the Americans with Disabilities Act, as well as to expose a hate/bias crime that he was a victim of perpetrated by Cedar Hills Recreation Center staff. He described an incident that took place on December 1, 2023, at Cedar Hills Recreation Center where he was the victim of discrimination and racial profiling by district staff while attempting to use the showers and restroom facilities along with his service animals. He stated that district staff accosted him, saying that his appearance and service animals were a cause for suspicion and that there had been complaints. After putting his service animals in the car, he continued to use the gym facilities and restroom when he was asked to leave by district staff. He did not return for three weeks under fear of suffering more bias crimes and discrimination. He has since been refused access to the restroom by district staff on three separate occasions during business hours. To further define the non-compliance of Cedar Hills Recreation Center, he would like to point out the regular practice of locking the bathrooms and the disability accessible entrance points during business hours.

Felicita Monteblanco requested a response from district staff within the next few days for the board's consideration regarding this evening's testimony.

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

B. General Manager's Report

The following presentations were provided as listed within the General Manager's Report included in the board of directors' information packet:

- Local Option Levy Update
 - Holly Thompson, Communications director, provided an update on public information and outreach efforts underway for the district's local option levy that will be before voters in May 2024 via a PowerPoint presentation, a copy of which was entered into the record.

- Dog Run Update
 - Holly Thompson, Communications director, and Liana Harden, engagement & partnership specialist, provided an update on community engagement efforts to support siting dog runs in parks and the outcome of the outreach process for Garden Home Park via a PowerPoint presentation, a copy of which was entered into the record.
- Adaptive & Inclusion Services
 - Emily Kent, Sports & Inclusion manager, Juan Caez, assistant center supervisor, and Jared Grafenauer, Adaptive & Inclusion specialist, provided information regarding adaptive and inclusive services via a PowerPoint presentation, a copy of which was entered into the record.

Doug and the presenters offered to answer any questions the board may have.

Local Option Levy Update

Felicita Monteblanco inquired about the availability of lawn signs.

- ✓ Holly confirmed that these are in process and will be designed from a public information standpoint.

President Moreno asked for additional information regarding outreach efforts on social media.

- ✓ Holly noted that there is a robust advertising budget for public information so there will be a good investment in boosting social media posts and paid advertisements.

Miles Palacios asked for additional information regarding the various groups that district staff has presented to or plans to.

- ✓ Holly replied that she would provide a fully updated list to the board in the next week or two after scheduling has settled, noting that all of the traditional civic organizations are covered, but that there is also a strong focus on presenting to THPRD-specific partners, such as our affiliated sports leagues, friends groups, and peer organizations that work closely with the district in order to activate those bases.

Dog Run Update

Felicita Monteblanco expressed sincere appreciation for staff's leadership through this process and pondered how the district might include dog runs for new parks in developing neighborhoods so that those who are considering living there can choose whether to live near one or not.

- ✓ Holly expressed that although she agrees it is easier to install dog runs when neighborhood development is occurring before or simultaneously with park development, the district has a lot of existing properties that need them, as well. She noted that the greatest potential for the expansion in meeting the community's needs is by continuing to work with the City of Beaverton to encourage them to change their development codes around dog parks that double the district's costs of installing them within city boundaries as compared to unincorporated Washington County. Once the code is changed, it will make a big difference in allowing the district to expand these amenities, but this will likely take board involvement as the staff-led discussions have been happening for quite some time without results. Until the City of Beaverton changes their code, the district will be following the Parks & Facilities Advisory Committee's recommendation to limit dog runs to parks within unincorporated Washington County.

President Moreno thanked district staff for their leadership on the dog run meeting at Garden Home Recreation Center which required a lot of nuanced communication and organization. The demographics of the attendees were varied, including in terms of support and opposition. He expressed agreement with the staff decision not to place the dog run at Garden Home Park after evaluating the core arguments against it and congratulated district staff on putting forth a process that left participants feeling heard.

Adaptive & Inclusion Services

Miles Palacios noted that these are important services from a communitywide as well as individual perspective and that he loves the ideas around partnerships with outside organizations who have capacity but not the facilities, which enables additional opportunities for the community.

Felicita Monteblanco commented that she would like to see the board have more disability justice training, noting that access is a big priority guided by the board's values and the need for learning how to go beyond that to justice and inclusion, as well.

President Moreno expressed appreciation for these services and loved seeing the quotes that help articulate the district's work, including in partnership with the Tualatin Hills Park Foundation.

Agenda Item #9 – New Business

A. Legislative Update

Aisha Panas, deputy general manager, and Kylie Grunow, state legislative consultant for the district, provided a detailed update on the 2024 legislative session via a PowerPoint presentation, a copy of which was entered into the record, and which included the following information:

- 2024 Legislative Calendar
- Session To-Date
 - Primary issues
 - Housing
 - Addiction & community safety
 - ~300 bills introduced to date
 - ~25% of bills are placeholders
 - Tracking 118 bills overall; tracking 23 bills for THPRD specifically
- THPRD State Priorities
 - Local agency control & authority
 - System development charges
 - Climate adaptation & community resilience
 - Equitable access to parks and recreation
 - State funding for parks, recreation & trails
- THPRD Issues To-Date
 - Recreational immunity
 - Summer learning funding
 - Micro-mobility/E-Bike Task Force
 - Representative Helm's wildlife package
 - System development charges

Aisha and Kylie offered to answer any questions the board may have.

Miles Palacios asked if there are opportunities for the board members to engage in these conversations and talk about their priorities with the legislators in Salem.

- ✓ Kylie replied that typically with the long session there is a THPRD Board of Directors visit to Salem scheduled, but due to the short session being so fluid and frantic, it may not be the best use of their time. However, depending on the continued discussions regarding recreational immunity, she may reach out to the board for their assistance.
- ✓ Felicita Monteblanco added that town halls are a critical way for the board members to engage with our legislators and are held nearby.

B. Metro Community Choice Grant Program

Gery Keck, Planning & Development manager, and Peter Swinton, urban planner, provided a detailed overview of three THPRD projects being considered by the Metro Council for its Community Choice Grant Program, via a PowerPoint presentation, a copy of which was entered into the record. This grant program helps fund community-led, identified, and supported park and

nature projects aimed at benefiting communities of color and people with low incomes by better connecting them to nature close to home, improving fish and wildlife habitat, and increasing climate resiliency. The three THPRD projects under consideration are:

1. To Make It All Good Again at Tualatin Hills Nature Park – This project will restore natural areas using traditional ecological knowledge led by a partnership with Indigenous community members. It will also help expand programming to connect more people to this place using a culturally specific lens.
2. Connecting People and Habitat in Aloha – This project will build additional gleaning gardens and natural areas at Recuerdo Park with the organization Adelante Mujeres. The project will make natural spaces more inclusive and increase health and welfare in diverse neighborhoods.
3. Pollinator Pathway – Located north and adjacent to Rock Creek Powerlines Soccer Fields and the Rock Creek Trail, this project will create a pollinator- and bird-friendly habitat and provide interpretive information along the trail.

Gery and Peter concluded their presentation by noting that the Metro Council will be considering the project recommendations at its meeting on February 22, 2024, and offered to answer any questions the board may have.

Barbie Minor expressed excitement for the Pollinator Pathway project.

- ✓ Gery noted that several pollinator-focused projects with other jurisdictions were selected for consideration, as well.

Felicita Monteblanco commented that this is great work and described the shift happening in how people are thinking about public budgeting, noting that it is something to be mindful of in terms of what the public is wanting and expecting. She has some logistical questions around what the district will need to agree to for these grant funds and the long-term costs associated that she will send via email, but she appreciates all of the work and is excited about the outcomes.

C. Metro Policy Advisory Committee Representative

Felicita Monteblanco moved that the board of directors approve Miles Palacios as the representative for THPRD and Washington County on the Metro Policy Advisory Committee. Barbie Minor seconded the motion. Roll call proceeded as follows:

Miles Palacios	Yes
Barbie Minor	Yes
Felicita Monteblanco	Yes
Alfredo Moreno	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #10 – Adjourn

There being no further business, the meeting was adjourned at 8:10 pm.

Alfredo Moreno, President

Barbie Minor, Secretary

Recording Secretary,
Jessica Collins



MEMORANDUM

DATE: February 29, 2023
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE **Resolution Authorizing Application to Local Government Grant Program**

Introduction

Staff are requesting board of directors' approval of Resolution No. 2024-05 authorizing the submission of an Oregon Parks and Recreation Department (OPRD) Local Government Grant Program (LGGP) Large Grants application. The application is not to exceed \$1,000,000 and will fund the development and construction of the future neighborhood park and community trail at Heckman Lane in North Bethany.

Background

OPRD is accepting applications for the LGGP, Large Grants program. LGGP is a state lottery funded grant program for natural resources that supports acquisition, development, major rehabilitation and/or renovation of outdoor recreation lands and facilities in Oregon. Grants are paid on a reimbursement basis and require a 50% local match.

In 2017, Tualatin Hills Park & Recreation District (THPRD) acquired two abutting properties identified as a fixed park and trail site on the North Bethany Subarea Community Plan in North Bethany. The combined 2.39-acre sites were purchased with system development charges (SDC) funds as a future neighborhood park and community trail connection based on THPRD's Parks Functional Plan and Trails Functional Plan criteria.

In September 2021, the board approved Resolution No. 2021-14 to seek bond funding, and soon after, staff submitted the project for funding through Metro's 2019 Parks and Nature Bond Measure Local Share Program. The project was awarded \$3,641,867 for design and construction with an emphasis on connecting people to nature.

Proposal Request

Staff request board approval of Resolution No. 2024-05 authorizing submission of the LGGP Large Grant application not to exceed \$1,000,000 to fund the development and construction of the future neighborhood park and trail at Heckman Lane in North Bethany. A similar form of this resolution was previously reviewed and approved by THPRD's legal counsel.

The local match requirement will be met from the Metro Local Share Program project funds the board approved for the project in September 2021.

Outcomes of Proposal

A successful LGGP Large Grant application will allow THPRD to leverage funding available through the grant to complete the future neighborhood park and trail at Heckman Lane in North Bethany. Excess Metro Local Share Program funding previously approved by the board for this project will be returned to the district's undesignated Local Share allocation and be available for other use by the district.

If not approved, THPRD will continue to use the full \$3,641,867 Metro Local Share Program funding approved by the board.

Public Engagement

A public engagement effort is currently in progress. Staff are working with community members to create an inclusive design for the park and trail by holding design workshops, virtual meetings, survey, engaging in social media efforts, and other ways to recognize the local Black, Indigenous, and People of Color (BIPOC) community's history and contributions. This will help ensure the new park and trail are accessible, connect people to nature, and are welcoming for BIPOC community members and provide excellent visitor experiences for all.

Action Requested

Staff request board of directors' approval of Resolution No. 2024-05 authorizing submission of an LGGP Large Grant application not to exceed \$1,000,000.

RESOLUTION NO. 2024-05

**TUALATIN HILLS PARK & RECREATION DISTRICT
AUTHORIZING APPLICATION TO THE OREGON PARKS AND RECREATION
DEPARTMENT FOR THE LOCAL GOVERNMENT GRANT PROGRAM**

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the federal Local Government Grant Program; and

WHEREAS, the Tualatin Hills Park & Recreation District (THPRD) desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, development, major rehabilitation and/or renovation of outdoor recreation lands and facilities; and

WHEREAS, the THPRD Board of Directors have identified park and trail improvements at Heckman Lane as a high priority need in the district; and

WHEREAS, the project will include the design and construction of the future neighborhood park and trail at Heckman Lane in North Bethany with an emphasis of connecting people to nature; and

WHEREAS, THPRD has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, THPRD will provide adequate funding for on-going operations and maintenance of the property should the grant funds be awarded; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TUALATIN HILLS PARK & RECREATION DISTRICT IN BEAVERTON, OREGON, AS FOLLOWS:

Section 1: The Board of Directors approves submittal of a grant application to the Oregon Parks and Recreation Department for design and construction of the future neighborhood park and trail at Heckman Lane in North Bethany with an emphasis of connecting people to nature.

Section 2: This resolution shall be effective following its adoption by the Board of Directors.

Approved by the Tualatin Hills Park & Recreation District Board of Directors on the 13th day of March 2024.

Alfredo Moreno, President

Barbie Minor, Secretary

ATTEST:

Jessica Collins, Recording Secretary



[7C]

MEMORANDUM

DATE: February 27, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE **Mountain View Champions Park Sport Court Construction Contract**

Introduction

Staff is seeking board of directors' approval of the lowest responsible bid for the Mountain View Champions Park Sport Court construction contract, and authorization to execute a contract with Nylund Inc. for the amount of \$639,000; and approval to use undesignated 2008 Bond Measure funds to supplement the project budget.

Background

In November 2017, the district completed the Mountain View Champions Park bond project. Previously, in June 2015 and March 2017, the district acquired two additional properties totaling 1.74 acres located directly adjacent to the park for future expansion. In October 2018, the board approved the use of SW Quadrant Youth Athletic Field bond project funds to develop a multi-purpose sport court at Mountain View Champions Park on the newly acquired properties. In August 2021, the district hired NV5 to provide consulting services for the project; and, in February 2022, the board approved the preferred concept plan for the multi-purpose sport court improvements at Mountain View Champions Park.

The approved Fiscal Year 2023-2024 project budget includes 2008 bond funds in the amount of \$575,941 and system development charge (SDC) funds in the amount of \$680,300, for a total available budget of \$1,256,241. At this time, a savings of \$510,945 in undesignated bond funds is available that can be used towards this project to offset SDC funds.

Staff bid the project for construction in May 2023, and again in July 2023, and did not receive any construction bids. It was advertised in the Daily Journal of Commerce for a third time on January 26, 2024. In addition to this advertisement, twelve companies having active memberships with the Certification Office for Business Inclusion and Diversity (COBID) were contacted. The district received five bids on February 20, 2024, ranging from \$639,000 to \$919,767, and upon thorough review Nylund Inc. provided the lowest responsive and responsible bid in the amount of \$639,000. Nylund's bid amount is within the project's overall budget and under the consultant's construction estimate of \$900,000. Of the five bids received, two hold COBID certification. Nylund Inc. is not COBID certified but has selected a COBID certified sub-contractor to perform approximately 8% of their contract amount.

In addition to the construction contract of \$639,000, project hard costs also include an estimated \$14,950 for district-purchased supplies and materials. Therefore, the total project hard cost is \$653,950. The addition of project soft cost expenses of \$369,403, and the project contingency of \$76,752 brings the total project cost to \$1,100,105. The project contingency was lowered to 7.5% for the construction phase, which is our standard practice at bid award.

The available project budget of \$1,256,241 is over the estimated total project cost of \$1,100,105 and includes \$680,300 in SDCs. The district is obligated to expend 2008 bond funds, and staff

recommends using the additional undesignated bond funds of \$510,945 to supplement the project budget in exchange of SDC funds. The addition of undesignated bond funds will increase the bond funding for the project to \$1,086,886, for a total available project budget of \$1,767,186. If approved this will expend the district's 2008 undesignated bond funds and maximize SDC savings for future projects. Any realized SDC savings will be returned to the SDC undesignated fund at the end of the project. The total project costs are shown in the table below.

Multi-Purpose Sport Court Improvements Budget Information

Budget Source	Budget Amount
FY 2023-24 General Capital Fund (SDC)	\$ 680,300
FY 2023-24 Bond Category Savings	\$ 575,941
FY 2023-24 Bond Undesignated Funds	\$ 510,945
Total project budget	\$1,767,186
Total project cost	\$1,100,105
Project budget variance (over) under	\$ 667,081
Budget Item	Current Project Cost
Construction	\$ 653,950 Includes: \$639,000 (<i>lowest responsible bid amount</i>) + \$ 14,950 (<i>district supplied materials</i>)
Soft costs	\$ 369,403
Contingency	\$ 76,752
Total project cost	\$1,100,105

Staff has obtained all project permits and is ready to proceed with the construction phase pending board approval. Notice to Proceed for Nylund Inc. is expected to be issued in May 2024 and it is anticipated that the work will be completed in approximately four months during the summer construction season. This construction schedule allows for the best overall sequencing and value for the district. Mountain View Champions Park will remain open and operational during the construction period.

Included in this memo for additional reference is a vicinity map (Attachment A) and an aerial map (Attachment B).

Proposal Request

Staff is seeking board of directors' approval of the lowest responsible total bid of \$639,000 from Nylund Inc. for the construction of the sport court at Mountain View Champions Park. Staff is also seeking board approval to use undesignated bond funds to supplement the project budget and reduce the amount of SDCs needed for the project.

Outcomes of Proposal

Approval of the lowest responsible bid and authorization to execute a contract as requested will allow staff to move forward with the completion of the district's last 2008 bond development project and help fulfill the district's obligation to expend the bond funds. Successful completion of the project will improve the district's level of service to the community, fulfill a district goal to deliver a new multi-purpose sport court to an underserved area, and make progress on the district's Vision Action Plan goals. Once built, the sport court improvements will expand recreational opportunities at Mountain View Champions Park.

Approval to use undesignated 2008 bond funds will fulfill the district's obligation to expend the bond funds and will maximize the SDC savings for the district.

Multi-purpose sport court improvements to Mountain View Champions Park will incrementally increase maintenance and operation costs, as well as the annual cost for future capital replacements, but can be reasonably absorbed without significant impact to the district. The additional net annual operating cost for these improvements is estimated to be \$5,175, and the annual capital replacement cost is estimated to be \$5,308.

Public Engagement

Public engagement is not considered in the solicitation of public improvement contracts. Community members will be informed through postcard mailers, webpage alerts, social media, and signage posted at the project site. The proposed improvements align with the district's Vision Action Plan to provide safe and accessible facilities for community benefit as well as support the district's 'Access for All' initiative.

During the project planning phase, an internal design team was assembled to assess project goals and expectations, review design plans, evaluate public input, and help guide project outcomes. Conceptual plans were shared with the district's Parks & Facilities Advisory Committee, management team and public in the early planning phase. Engagement efforts included a virtual community meeting, creation of a project web page, online surveys, and dissemination of project materials through social media, THPRD news-blogs, and various stakeholder networks such as Neighborhood Advisory Committees / Community Participation Organizations and affiliate groups. Engagement materials were provided in English and Spanish.

Action Requested

Board of directors' approval of the following items:

1. Approval to award the contract to Nylund Inc., the lowest responsible bidder, for the total bid of \$639,000; and,
2. Authorization for the general manager or designee to execute the contract; and,
3. Approval to use undesignated 2008 Bond Measure funds to supplement the project budget.

**Tualatin Hills Park & Recreation District
PROJECT AWARD RECOMMENDATION REPORT**

Project:	Multi-Purpose Sport Court Improvements at MVCP	
Contractor:	Nylund Inc.	
Contractor worked for THPRD previously: No		
Contractor references checked: Yes		
Contractor registered with appropriate boards: Yes		
SCOPE OF WORK		
Location:	Mountain View Champions Park (5915 SW 170 th Ave., Beaverton 97007)	
Description:	Construction of sport court and parking improvements.	
FUNDING		
Funds Budgeted and Estimated Costs	Amount:	Page:
Current Total Project Budget: FY 2023-24 SDC and Bond Funds	\$1,767,186	
Estimated Project Cost: (expenditures, lowest contractor bid and district project purchases)	\$1,100,105	
Project Budget Variance: (over) under	\$ 667,081	

BID PROPOSALS RECEIVED

Low to High Bid	Contractor	Base Bid Amt.	Completed Bid forms
1	Nylund Inc.	\$639,000.00	Yes
2	Angelo Underground	\$789,000.00	
3	Lee Contractors	\$840,000.00	
4	Duke Construction	\$896,617.25	
5	JQ Construction	\$919,767.00	

PROJECTED PROJECT SCHEDULE

Invitation to Bidders	January 26, 29 & 31, 2024
Bid Opening	February 20, 2024
Final Bid Review / Memo to Board	February 28, 2024
THPRD Board Meeting	March 13, 2024
Notice of Intent to Award	March 14, 2024
Notice to Proceed (approx.)	May 1 – 15, 2024
Site Mobilization	May 13 – June 1, 2024
Desired Project Duration- Notice to Proceed to Substantial Completion	September 20, 2024 (142 days)
Final Acceptance	October 11, 2024

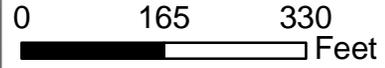
MULTI-PURPOSE SPORT COURT @ MVCP

Taxlot: 1S118DC00120

Acreage: 1.74 acres



-  Project Area
-  THPRD Owned Properties
-  THPRD Maintained Properties





MEMORANDUM

DATE: February 23, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE: **Cooper Mountain Community Plan Update**

The Cooper Mountain Community Plan will establish a long-term vision for the area’s growth and development to support welcoming, walkable neighborhoods that honor the unique landscape and ensure a legacy of natural resource protection and connection. With ongoing and anticipated growth in the Cooper Mountain area, it is crucial that we plan for the appropriate level of parks and open space. The city will complete the plan considering needs for parks, trails, open space, and recreational facilities, determine regulatory processes to require or encourage those facilities, and study funding options to promote development of the area. At the March 13 regular board meeting, staff will be joined by City of Beaverton staff to present an update on the Cooper Mountain Community Plan.



MEMORANDUM

DATE: February 26, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE: **Climate Action Plan**

Introduction

Staff are seeking board of directors' adoption of the 2024 Climate Action Plan (CAP). The final draft of the 2024 CAP has been provided as Attachment 1 to this memo.

Background

Staff worked internally and with a sustainability consulting firm to conduct a Greenhouse Gas (GHG) inventory for the 2022 fiscal year. GHGs are gases like carbon dioxide that can cause harm to the environment. An inventory quantifies the amount of GHGs that THPRD releases as a result of its purchasing, operations, and activities. The inventory helps staff know how to focus limited time and funds most effectively in a climate action plan. Staff have drafted a CAP intended to be carried out between 2024 and 2029, which will then be updated every five years. It has two primary sections, mitigation and adaptation, each with six objectives.

In June 2023, staff sought board feedback on the draft CAP structure, made multiple presentations to advisory committees, and worked with THPRD leadership staff to gain additional input. In January 2024, staff provided an update to the board and reviewed plan objectives. Based on board feedback, staff made adjustments to the plan including:

- Rewrote the rationale for waste reduction in Mitigate 5 to be more proactive.
- Changed the text regarding signage in the education section in Adapt 1.
- Added information about recycled water and the use of cisterns in Adapt 2.

Two additional changes were made as a result of staff feedback:

- In each activity area section, the objective was shifted to the top of the table to represent the most important item first.
- The Sustainability Manager (formerly titled Nature & Trails Manager) was added as a plan coordinator in the next steps section.

Proposal Request

Staff are seeking the board of directors' adoption of the 2024 CAP.

Outcomes of Proposal

If adopted, the CAP would place a focus on reducing carbon dioxide and other greenhouse gas emissions while carrying out district activities and services.

Public Engagement

The initial impetus to create a CAP resulted from community input through the Vision Action Plan. THPRD advisory committees provided input on the draft plan.

Action Requested

Board of directors' adoption of the 2024 Climate Action Plan.

Tualatin Hills Park & Recreation District **CLIMATE ACTION PLAN**

Draft: March 2024



ACKNOWLEDGEMENTS

Board of Directors

Alfredo Moreno
President

Barbie Minor
Secretary

Tya Ping
Secretary Pro-Tempore

Felicita Monteblanco
Director

Miles Palacios
Director

General Manager

Doug Menke

Project Sponsor

Aisha Panas, Deputy General Manager

Management Team

Christine Hoffmann, Human Resources Director

Jared Isaksen, Finance Director

Julie Rocha, Sports & Inclusion Director

Sabrina Taylor Schmitt, Recreation & Aquatic Director

Holly Thompson, Communications Director

Jessica Collins, Executive Assistant

Project Lead

Bruce Barbarasch

Project Partners

Tim Bonnin

Jon Campbell

Greg Creager

Chris Gaydos

Gery Keck

Steve Ortner

Mark Pierce

Kristin Smith

Keith Watson

Consultant

Good Company

PLAN ADOPTION

Add plan adoption info from Word document, including board of directors info/pic

PLACEHOLDER

TABLE OF CONTENTS

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1. EXECUTIVE SUMMARY

The district has long provided stewardship of natural areas, conducted energy and fuel efficiency evaluations, and run a recycling program. Input from the Vision Action Plan led to an Environmental Stewardship chapter in the 2023 Comprehensive Plan. Objective Three states, “be a leader in climate change response by prioritizing sustainability & resiliency in design, operations, and maintenance.” The section also had a recommendation to write and implement a climate action plan.

A climate action plan differs from a sustainability plan in that it has a focus on actions that reduce greenhouse gas (GHG) emissions, such as carbon dioxide, which can be harmful to the environment. Staff, consultants, advisory committees, and board members identified activities and programs that will help reduce the district’s climate impacts to a sustainable level, ranging from the replacement of gas vehicles with electric vehicles to heating/air conditioning systems, and lighting system adjustments.

In addition to background information about the impacts of climate change on the district, the plan has two primary activity sections.

1. Actions in the mitigation section will help THPRD reduce the amount of greenhouse gases emitted, thereby helping to slow or stop the effects of climate change. Key actions include:
 - Reducing building energy usage
 - Using less water
 - Updating the district’s purchasing policy
2. Actions in the adaptation section will help people and parks to thrive and be more comfortable in the face of extreme weather, such as hotter, drier summers.
 - Developing and implementing guidelines to create climate-adapted parks and facilities
 - Supporting the community by participating in the Natural Hazard Mitigation Program
 - Stewarding parks and natural areas to be resilient and minimizing wildfire risks

The district will follow the Oregon Global Warming Commission’s¹ climate action goals to reduce GHG levels to 45 percent below 1990 levels by 2030, 70% below by 2040, and 95% by 2050. This plan is intended to be carried out between 2024 and 2029, and will be updated every five years. Battling the effects of climate change is a long game, but a vital one for our community, parks, and natural areas. Through staff and partner efforts, I’m hopeful that we can build healthy, resilient parks and facilities that serve our community well into the future.

Sincerely,



Doug Menke
General Manager

1. <https://www.keeporegoncool.org/meeting-our-goals>

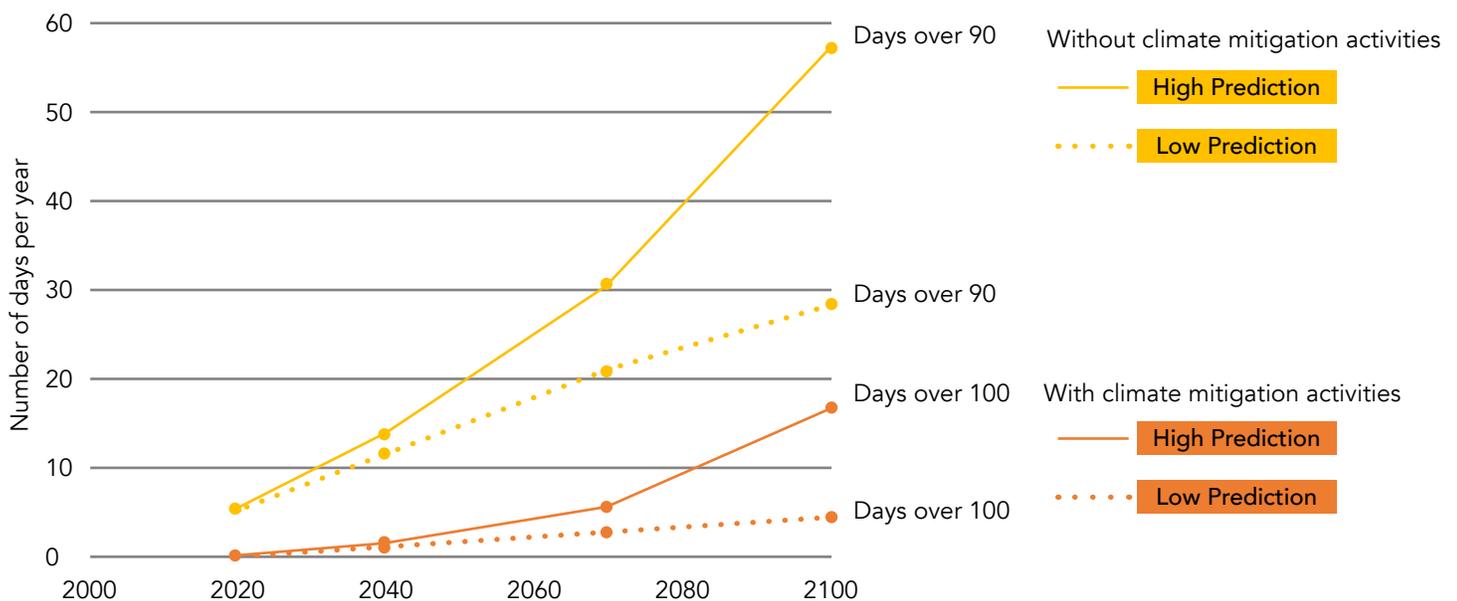
2. CLIMATE CHANGE BACKGROUND

In recent years, changes to the climate have become more pronounced. What once seemed like a slow-moving shift with warmer temperatures has rapidly become a noticeable challenge to established climate patterns. According to NASA, this warming trend is a result of human activities that started with the industrial revolution in the 1800s. The burning of fuels like coal and oil release carbon dioxide, nitrous oxide, methane, chlorofluorocarbons and other gases collectively known as greenhouse gases (GHG). These GHGs trap heat in the atmosphere, raising the temperature on the surface of the planet, causing changes in historic weather patterns. If current trends continue, temperatures and climatic challenges will increase.

Northwest Oregon has long been known as a place with cool, wet winters and drier, mild summers with temperatures rarely reaching into the 90-degree range. Rains historically came as mild, consistent showers throughout the fall, winter, and spring.

In recent years, extreme heat events with sustained temperatures close to 100 degrees have become common² and scientific models predict an increasing number of days with temperatures over 90 degrees (Figure 1). Rainfall patterns³ are also changing. Models predict less precipitation in the summer and an increase in the winter. The number and intensity of rain events during the winter are expected to rise, leading to stormwater management challenges as well as erosion of stream banks due to high flows. Dramatic storm events may also lead to less overall recharging of groundwater since water runs off instead of soaking in, causing less water availability in the summer months.

Figure 1: Range of projected extreme temperatures in NW Oregon with and without greenhouse gas mitigation activities.



Each set of lines represents computer models showing the high and low range of the predicted number of days of extreme temperatures. Source: Climate Toolbox: <https://climatetoolbox.org/tool/climate-mapper>

2. National Oceanic and Atmospheric Administration's US Climate Extremes Index: <https://www.ncei.noaa.gov/access/monitoring/cei/graph/nw/06-08/1>

3. Dalton, M., and E. Fleishman, editors. 2021. Fifth Oregon Climate Assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon. <https://blogs.oregonstate.edu/occri/oregon-climate-assessments/>

The immediate impacts to these conditions in the park district could include:



Lower water levels in streams and lakes.



Changes to programming, staff operations, amount of water needed to maintain sports fields.



Flooded fields/amenities in the rainy season.



Increased risk of wildfire.

Reducing emissions of GHGs to a sustainable level is the key to a healthy future for people and nature. THPRD aspires to do its part and serve the community by meeting the State of Oregon's goals⁴:

BY 2030



Oregon will achieve at least a 45 percent reduction below 1990 levels.

BY 2040



Oregon will achieve at least a 70 percent reduction below 1990 levels.

BY 2050



Oregon will achieve at least a 95 percent reduction below 1990 levels.

BY 2050



By 2050, or as soon as practicable, Oregon will achieve net zero emissions and achieve and maintain net negative emissions thereafter.

4. Oregon Global Warming Commission <https://www.keeporegoncool.org/meeting-our-goals>

3. THPRD ACTIONS: VALUES-BASED APPROACH

THPRD is the steward of treasured parks, natural areas, and facilities ranging from the 222-acre Tualatin Hills Nature Park to the Cedar Hills Recreation Center. The community relies on staff to be caretakers of these shared resources, and the district has a long history of being good stewards of the environment.

TIMELINE



Acquired Commonwealth Lake (1971) and surrounding properties (through 2022)



Opened Tualatin Hills Nature Park



Created sustainability program

1971

1992

1995

2004

2005



Formed Natural Resources department



Developed recycling program



Completed first GHG Inventory



Started Strategic Energy Management Program

2009

2010

2010

2014

2020



Installed solar panels at Cooper Mountain Nature House



Created Natural Resources Functional Plan



Adopted Vision Action Plan

In 2018, THPRD engaged in extensive outreach with community members who value our services, parks, recreation areas, natural spaces, and more. This two-year community visioning process led to the creation of a Vision Action Plan. Participants made many comments about their desire for environmental stewardship:



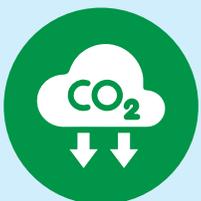
“Take an active response”



“Proactively plant trees and plants for a warming planet”



“Prioritize sustainability”



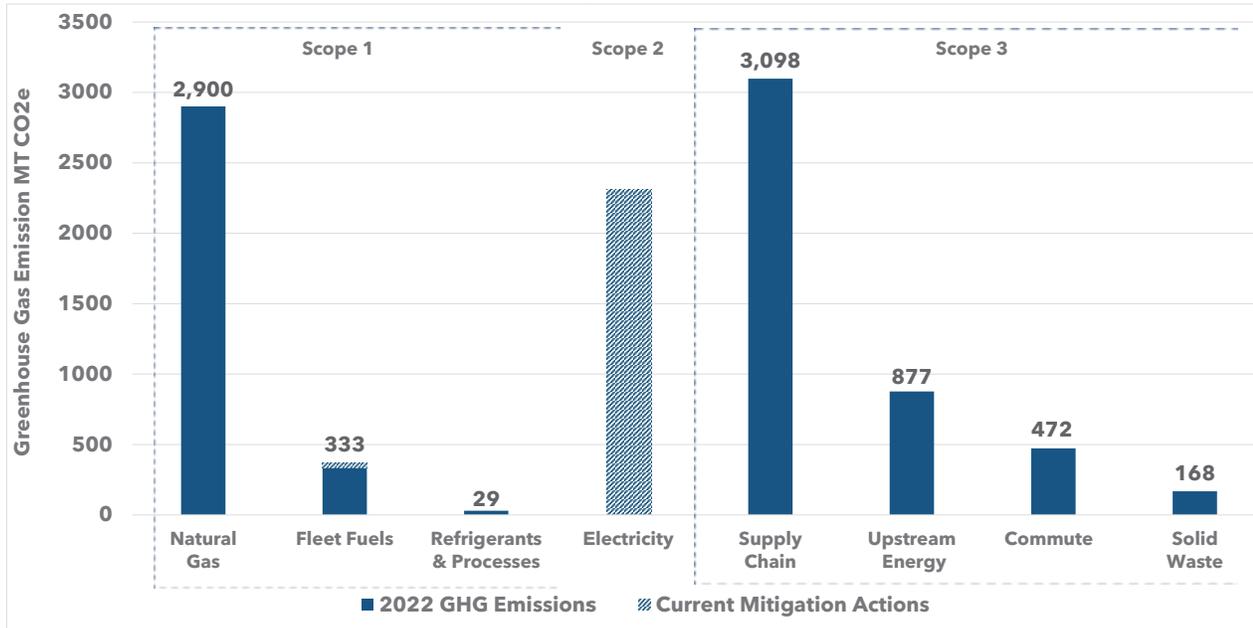
“Reduce THPRD carbon footprint”

These comments drove elements of the 2023 Comprehensive Plan and shaped park district goals including:

- **Environmental Stewardship.** Caring for natural areas and trails, as well as operating sustainably allows staff to serve the community well now and in the future.
- **Accessible and Safe.** Maintenance of facilities and equipment and the ability of all THPRD residents to access amenities safely.
- **Financial Sustainability.** Managing revenues and expenditures in a sustainable fashion allows THPRD to continue offering high-quality programs and services.

To carry out this vision, staff worked with Good Company, a sustainability consulting firm, to do a greenhouse gas inventory for the 2022 fiscal year. An inventory quantifies the amount of GHGs in metric tons of carbon dioxide equivalent (MT CO₂e) that THPRD releases as a result of its purchasing, operations, and activities. The inventory results help staff know how to most effectively focus limited time and funds.

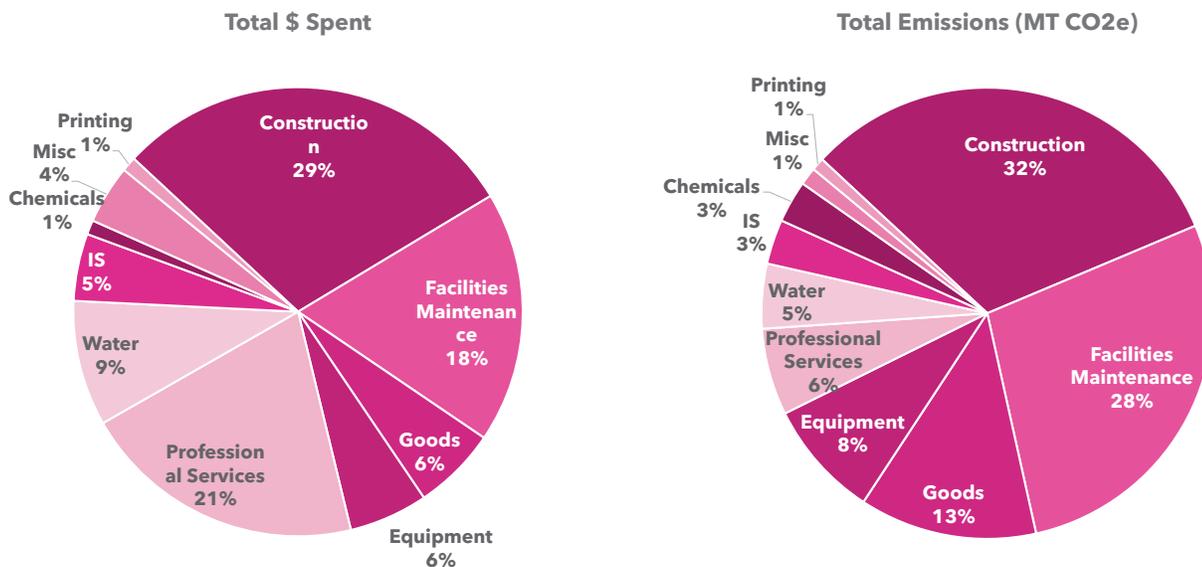
Figure 2: THPRD’s greenhouse gas emissions during the 2022 fiscal year.



Scope 1 items represents emissions that THPRD can directly influence. Scope 2 items can be indirectly influenced by THPRD. Scope 3 represents items that are not directly owned or controlled by THPRD.

Figure 2 shows that THPRD’s largest sources of direct emissions are overwhelmingly from combustion of natural gas to heat water and air at THPRD facilities followed by fuel for vehicles or motorized equipment, mainly gasoline. Indirect emissions from purchased electricity have been effectively reduced to zero through THPRD’s investment in renewable electricity from Portland General Electric. These sources of “owned” emissions are a common boundary for setting climate pollution reduction goals. Purchasing, also summarized as supply chain (Figure 3), is a significant emissions area, but a more complex one to reduce due to factors in the manufacturing process that are out of staff’s control.

Figure 3: THPRD supply chain expenditures and their relative GHG emissions impacts.



4. GOALS/MEASURING SUCCESS

To successfully implement a climate action plan (CAP) and reduce THPRD's GHG footprint, staff will need to be strategic. While there are many small actions that would result in positive outcomes, a few very specific actions will result in significant GHG reduction benefits, co-benefits, and offer the greatest climate benefits at the lowest cost. For example, participation in Portland General Electric's solar and wind power program cut more than 25% of THPRD's total emissions with only a modest increase in cost, which demonstrated our value of Environmental Stewardship and met Vision Action Plan goals.

Some actions like updating the district's sustainable purchasing practice will result in purchases that may support the local economy and diverse vendors, while also reducing the district's carbon emissions. However, due to the way that emissions are tracked and reported, the district's measured emissions may not go down immediately, even if it is the "right" thing to do.

In other cases, success will be demonstrated through staff actions such as programming of thermostats, maintenance of equipment for efficient operation, and implementing waste reduction activities in parks and facilities. Based on the GHG inventory, lessening the use of natural gas and fleet fuels will result in the biggest reductions in emissions.

To measure quantitative success and find areas for improvement, a greenhouse gas inventory should be performed periodically. Two years is the shortest interval in which change can realistically be measured. Four years is the maximum time between inventories- beyond that and it will be unclear what changes had an impact. To account for THPRD project completions, as well as to respond to changes in technology and the environment, the CAP should be updated every five years.

Climate change doesn't operate solely within jurisdictional boundaries, so THPRD will need to work with the community, non-profits, and other governmental groups to succeed. Staff are already engaged in projects like Tree for All, Natural Hazard Mitigation, and Regional Heat Mapping that will yield community-wide benefits over time. These projects along with other staff action items will make a difference in our community but cannot be easily measured. In these cases, staff can collect evidence to show what they've achieved. Things like reports, demonstrations, photographs and stories help to show positive impacts and to allow THPRD to paint a picture of how we serve the community.



5. GETTING TO WORK

THPRD's CAP has two approaches with focus areas in each section.

1. The section about **mitigation** is designed to reduce the amount of greenhouse gases THPRD emits, thereby helping to slow or stop the effects of climate change.
2. Activities in the **adaptation** section will help people and parks to adjust or be more comfortable in the face of extreme weather, such as hotter, drier summers.

Focus areas in each section are organized as follows:

Action type	Focus area
Objective	A measurable or demonstrable outcome by the end of the five-year plan focus (2024-2029).
Rationale	Background about the environmental footprint and reason it is important to work on the topic.
Strategies	A recommended set of approaches to achieve the objective.
Key Staff	A list noting which departments and lead staff should collaborate on annual work plans.

Climate technologies and approaches are highly fluid. To allow flexibility as opportunities or incentives arrive, new projects based on strategies will be proposed each year, as part of THPRD's annual budget process.



6. MITIGATION

Mitigation activities lower the amount of greenhouse gases that enter the atmosphere, thereby helping to slow or stop the effects of climate change. Taking steps to reduce GHGs is critical; without a change in course, temperatures will continue to increase, causing unprecedented and disastrous changes. Reaching net zero will require THPRD to reduce its emissions drastically. Further, incorporating sustainable activities such as reducing energy usage will likely save money. Natural gas costs could more than double over the next 20 years⁵. Electricity rates have historically gone up by about 4% per year, though 2023 prices are estimated to increase by 10%⁶, so switching to electric when feasible will likely save money and lower emissions.

While some climate investments will require financial commitments and cost more than doing things the “old way,” others like upgrading to LED lighting or installing solar panels will meet the district’s values of financial and environmental sustainability by both saving money and reducing our carbon footprint.

Greenhouse gas reductions (which include multiple gases, including carbon) are the focus of mitigation activities and success is measured in metric tons of carbon dioxide equivalent (MT CO₂e).



5. Northwest Natural Gas 2022 Integrated Resource Plan https://www.nwnatural.com/-/media/nwnatural/pdfs/2022_irp_chapters_1_10_replacementandaddendum.pdf?rev=57a725127bfe44e4b58aebd45ffe5eb&hash=7DF3A1EC3528C7F102362EFAE77EE30A

6. Correspondence with Portland General Electric staff, 6/23/23

MITIGATE 1: ENERGY USE IN BUILDINGS

Objective

Reduce building energy use by at least 10%

Rationale

Building energy use makes up nearly 90% of direct emissions (2,900 MT CO₂e) and over a third of total emissions. These emissions are solely attributable to natural gas because of THPRD's participation in Portland General Electric's clean energy program.

Strategies

- a. Connect finance, operations, and program staff to review energy bills for conservation.
- b. Replace natural gas appliances with electricity where feasible; when no practical alternative exists, purchase the most energy efficient alternative.
- c. Consider electric heat pumps over natural gas furnaces where functional and feasible.
- d. Update fluorescent, metal halide, and other older lighting systems with LED to save money and lessen impact to the electrical grid.
- e. Investigate solar panel arrays for facilities to stabilize or reduce energy costs and lessen impact to the electrical grid.
- f. Invest in digital controls for HVAC systems.
- g. Continue purchasing 100% renewable electricity.
- h. Purchase renewable natural gas or carbon offsets when available.

Key Staff

- Park Services
 - Support Services Manager
 - Trades Supervisor
 - Development Supervisor
- Recreation/Sports & Inclusion
 - Building Maintenance Supervisor
 - Center Supervisors
- Finance
 - Finance Director
 - Accounting & Budget Manager



MITIGATE 2: TRANSPORTATION & FLEET OPERATIONS

Objective

Reduce fleet GHG footprint by at least 10%.

Rationale

Fleet fuels constitute the second, much smaller portion of direct emissions. Tail-pipe emissions constitute 333 MT CO₂e, primarily from fossil gasoline usage (91%). Fossil diesel usage makes up 8% of emissions, and those emissions are kept low, in part, by the use of R99 (renewable) diesel.

Strategies

- a. Evaluate cost to benefit ratios for e-vehicles.
- b. Replace high-use gas vehicles (>5,000 miles per year) with hybrid or electric vehicles that have market-ready replacements.
- c. As vehicles are due for replacement, select "right size" vehicles for the job and fuel economy.
- d. Continue to use 100% renewable fleet fuels where available (such as R99 diesel).
- e. Increase the proportion of electric equipment such as mowers, power tools, and blowers as functional models become available. Continue to try new equipment.
- f. Reduce employee commute miles by offering flexible schedules and remote work opportunities.

Key Staff

- Park Services
 - Support Services Manager



MITIGATE 3: WATER USAGE IN PARKS & FACILITIES

Objective

Reduce overall water usage by 10%.

Rationale

THPRD used nearly 76,500,000 gallons of potable water in 2022. Water used for facilities, pools, and irrigation are also a large source of emissions at 144 MT CO₂e.

Strategies

1. Empower maintenance, program, and finance staff to review utility bills for leaks or use reduction possibilities.
2. Convert irrigation controller systems to current standards.
3. Maintenance and program staff will work together to evaluate irrigation needs of fields and parks.
4. Maintain and monitor irrigation systems.
5. Adjust plumbing fixtures to minimize water usage, while providing for patron needs.
6. Train staff to monitor fixtures and fix leaks.

Key Staff

- Park Services
 - Support Services Manager
 - Maintenance Operations Manager
 - Trades Supervisor
- Recreation/Sports & Inclusion
 - Building Maintenance Supervisor
 - Center Supervisors
- Finance
 - Accounting & Budget Manager



MITIGATE 4: PURCHASING

Objective

Update purchasing policy to incorporate strategies to reduce GHG emissions by 10%.

Rationale

Supply chain emissions are the largest single source of emissions for THPRD constituting 3,098 MT CO₂e, exceeding emissions from natural gas (2,900 MT CO₂e). The largest contributions to supply chain emissions come from facility maintenance and construction. Together, these two categories of spending make up nearly 60% of the supply chain emissions (1,846 MT CO₂e). Categories such as general maintenance, any facilities upgrades (such as ADA improvements or pool improvements), or park improvements fall under this category.

Strategies

- a. Purchase based on life cycle and operation cost, not just capital cost.
- b. Focus on highest impact purchases (construction, maintenance, operations).
- c. Support future GHG inventories by aligning purchasing information with GHG categories.
- d. Develop a method to evaluate costs, benefits and values that could lead to spending extra for sustainable items.
- e. Track and report on sustainable purchases.

Key Staff

- Park Services
 - Sustainability Manager
 - Maintenance Operations Manager
 - Support Services Manager
 - Planning & Development Manager
- Finance
 - Finance Director



MITIGATE 5: WASTE REDUCTION

Objective

Reduce trash disposal costs by 5%.

Rationale

Changing purchasing practices to buy in bulk, reduce packaging, and reviewing recycling practices can limit waste in facilities. Evaluating trash services offered in parks and trails could also help reduce waste.

Strategies

- a. Connect finance, operations, and program staff to review trash bills for reduction.
- b. Determine maintenance staff trash sources (construction debris, green waste, patron trash) for possible recycling or avoidance.
- c. Consider trash services offered to patrons that may reduce waste.
- d. Evaluate current garbage service for frequency of service, size of container, and types of garbage/recycling present at facilities and larger parks.
- e. Develop purchasing protocols that lead to waste reduction.

Key Staff

- Park Services
 - Sustainability Manager
 - Maintenance Operations Manager
- Recreation/Sports & Inclusion
 - Building Maintenance Supervisor
 - Center Supervisors
- Finance
 - Fiscal Operations Manager



MITIGATE 6: GREEN SPACE PRESERVATION

Objective

- Maintain or increase vegetation and tree canopy in parks.
- Maintain 80% native cover in high-function natural areas. 60% in moderate-function sites, and 40% in low-function areas.

Rationale

Ensure that THPRD natural areas and parks retain as much tree and vegetation cover as possible, since these areas help sequester carbon while they clean and cool the air and water.

Strategies

- a. Conduct baseline tree/greenspace inventory and develop protocols for future surveys that enable showing change over time.
- b. Develop a districtwide tree health program.
- c. Review and implement tree protection best practices during construction and maintenance activities.
- d. Review park spaces for areas to revegetate turf, bark dust, and/or remove pavement.

Key Staff

- Park Services
 - Sustainability Manager
 - Nature & Trails Supervisor
 - Maintenance Operations Manager
 - Maintenance Supervisors
 - Planning & Development Manager



7. ADAPTATION

Adaptation activities help people and parks to adjust or be more comfortable in the face of extreme weather, such as hotter, drier summers. These activities are focused on planning and incremental changes that make a difference to park users and environments. Most of the actions below can be demonstrated, seen, and experienced. Although equally important to mitigation activities, measuring GHG impacts from adaptation activities is more challenging, and is therefore not a focus at this time.

ADAPT 1: EDUCATION

Objective

Educate and inform stakeholders at multiple levels.

Rationale

Providing patrons and staff with information about climate change and THPRD's efforts leads to support and cooperation. It also shows that staff are responding to community interests.

Strategies

- a. Add updates to internal and external THPRD communications.
- b. Share outcomes as part of the strategic plan annual report.
- c. Promote related partner efforts.
- d. Use partner strengths to complement THPRD efforts.
- e. Integrate age-appropriate climate information into programs and educational signs.

Key Staff

- Park Services
 - Sustainability Manager
- Recreation
 - Nature Center Supervisor
- Communications
 - Communications Director



ADAPT 2: NEW PARK & FACILITY PLANNING

Objective

Develop and implement guidelines to locate, design, and service new parks, trails and facilities.

Rationale

Ensure that THPRD natural areas and parks retain as much tree and vegetation cover as possible, since these areas help sequester carbon while they clean and cool the air and water.

Strategies

- a. Follow LEED (Leadership in Energy and Environmental Design) or Sustainable Sites Initiative guidelines when developing new facilities. Certification is optional.
- b. Use Comprehensive Plan "GRASP" analysis to offer facilities, parks and amenities in the most effective locations, through "purple pipes" or cistems.
- c. Explore the use of recycled water for irrigation.
- d. Incorporate shade structures or trees to extend the usability of outdoor sites.
- e. Connect gaps in trail system so trails can serve as part of the transportation network.

Key Staff

- Park Services
 - Planning & Development Manager
 - Sustainability Manager
 - Maintenance Operations Manager
 - Support Services Manager
- Recreation/Sports & Inclusion
 - Recreation Director
 - Sports & Inclusion Director



ADAPT 3: MANAGING FOR RESILIENT PARKS

Objective

Remodel or adjust existing parks to adapt to a changing climate.

Rationale

Well-managed, designed, and sited parks will best serve community needs. Staff will be able to manage climate-adapted parks with less resources more effectively than traditional parks.

Strategies

- a. Conduct baseline tree/greenspace inventory and develop protocols for future surveys that enable showing change over time.
- b. Develop a districtwide tree health program.
- c. Review and implement tree protection best practices during construction and maintenance activities.
- d. Review park spaces for areas to revegetate turf, bark dust, and/or remove pavement.

Key Staff

- Park Services
 - Sustainability Manager
 - Nature & Trails Supervisor
 - Maintenance Operations Manager
 - Maintenance Supervisors
 - Planning & Development Manager
 - Support Services Manager



ADAPT 4: FOSTERING COMMUNITY RESILIENCY

Objective

Work with partners to build a resilient community.

Rationale

Climate change is a health, environmental, and economic challenge. Working to address all three components will create a stronger community.

Strategies

- a. Participate in Natural Hazard Mitigation Program.
- b. Offer facilities for partner needs such as cooling and warming shelters during extreme events.
- c. Continue to implement air quality and temperature best practices for staff and program participants.
- d. Integrate outcomes from 2023 heat mapping project into programs and services.

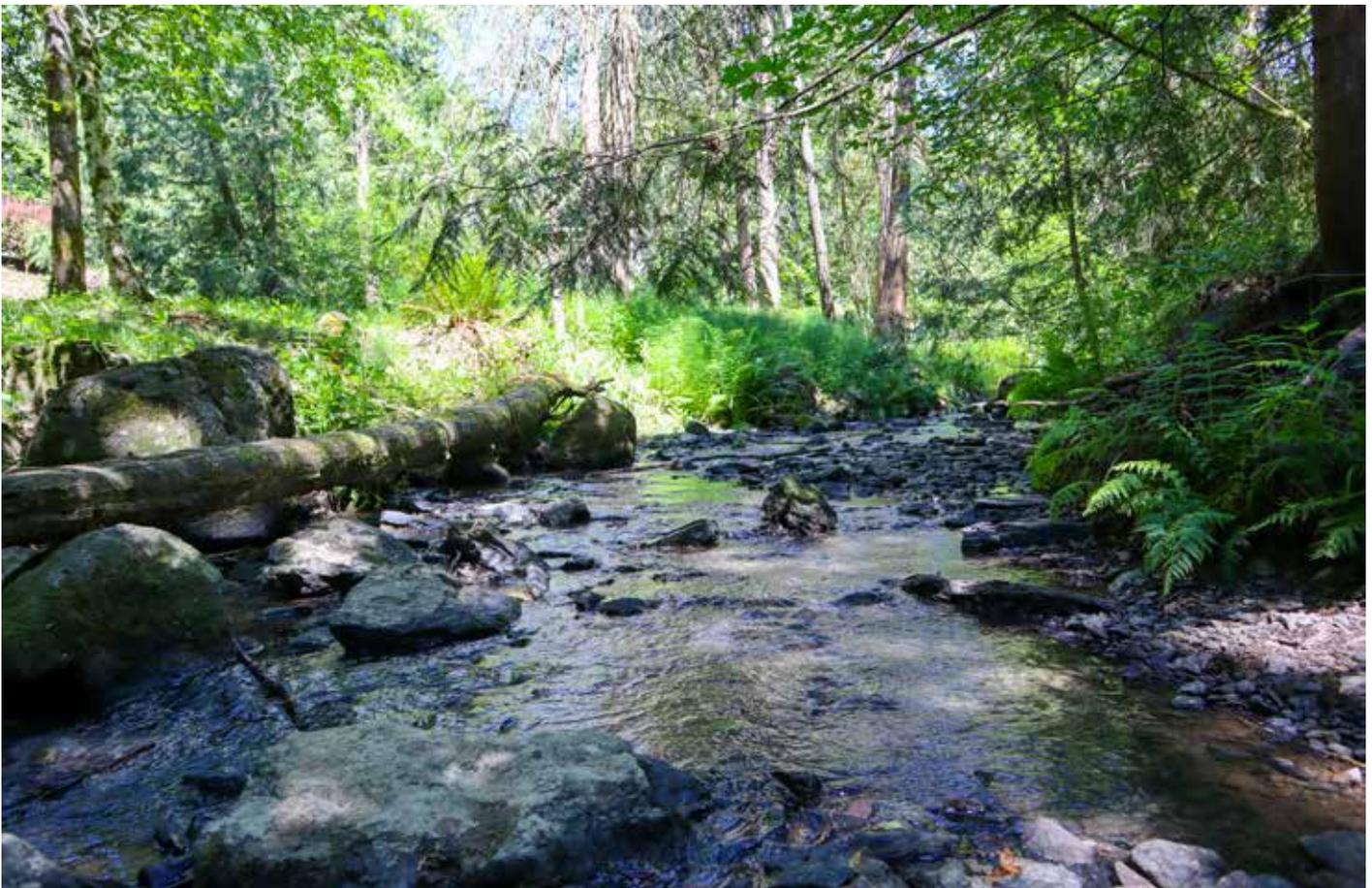
Key Staff

- Park Services
 - Sustainability Manager
 - Maintenance Operations Manager
- Recreation/Sports & Inclusion
 - Center Supervisors
 - Building Maintenance Supervisor
- Communications
 - Safety Services Manager
 - Equity & Engagement Manager



ADAPT 5: NATURAL AREA STEWARDSHIP & STORMWATER MANAGEMENT

Objective	Provide dynamic stewardship of natural areas to create resilient and adaptable habitats.
Rationale	Natural areas provide wildlife habitat and ecosystem services (ex: clean air, water filtration) as well as health, recreation, and education. Stewarding these areas for wildlife and people ensures that these opportunities will continue to exist.
Strategies	<ol style="list-style-type: none">Ensure that the diversity of habitat types, plants, and animals is protected, conserved, and restored. Add climate adapted plants to maintain habitat diversity and structure.Acquire, protect, conserve, and manage functional habitat connectivity for wildlife.Control invasive non-native plant and animal species and reestablish native species.Create a healthy urban forest canopy that contributes to improvements in stormwater management and air quality.Maintain the long-term ecological integrity of streams, wetlands, rivers, and floodplains, including their biological, physical, and social values.
Key Staff	<ul style="list-style-type: none">• Park Services<ul style="list-style-type: none">▫ Nature & Trails Supervisor▫ Maintenance Supervisors



ADAPT 6: WILDFIRE REDUCTION

Objective

Develop and implement plans that minimize wildfire risk while promoting healthy habitat.

Rationale

Reducing wildfire risk provides the benefits noted above, and protects people and adjacent property.

Strategies

- a. Create and maintain native plant communities that are resilient to disturbance.
- b. Manage fuel loads and right-of-ways in parks to minimize fire risks, where practical.
- c. Work with partners to educate the public about fire risk and creating defensible space.
- d. Maintain parks and natural areas in a manner that meet aesthetic and fire reduction targets.

Key Staff

- Park Services
 - Nature & Trails Supervisor
- Communications
 - Safety Services Manager



8. HOW THE WORK HAPPENS

Sustainability is part of what THPRD does. It is a core value, but not an agency output. Staff will integrate climate program and sustainable outcomes into the budget process and into the work that they do. Recognizing that 20 to 30 actions over the five-year period of this plan are the most critical actions to lowering our carbon footprint, staff will need to focus.

Climate-based projects will be planned in conjunction with the annual budget cycle. The district's Sustainability Manager will serve as the plan coordinator. As capital or operational plans are created each year, the 12 objective areas should be integrated. Some actions will require capital funds, such as upgrading an HVAC system, while others, such as carrying out wildfire reduction activities or saving water, may be done as part of routine operations. It is important to recognize that sustainable activities are an important part of how THPRD staff provide service, not a specialty area, hence they should be fully woven into the provision of park and recreation services.



9. NEXT STEPS

Work on implementing the climate plan is already underway, but there's plenty more to do. The plan is a derivative of other THPRD plans, in particular the strategic plan. Because sections like Environmental Stewardship, Safe and Welcoming, and Financial Sustainability all have sustainability components, climate plan outcomes will be reported as part of the strategic plan's annual report to the board of directors.

In year four of the five-year plan window, a summative evaluation will be conducted along with an updated greenhouse gas inventory. This will provide data to determine which actions were most effective and new directions to pursue in the following five years. The state of the environment and technology is rapidly changing; by 2029, there may be opportunities that did not exist or were unaffordable at the start in 2024. There may also be new challenges. Regardless, by collecting data, evaluating projects, and making periodic adjustments, staff can make important contributions to the community and the environment.





MEMORANDUM

DATE: February 28, 2024
TO: Board of Directors
FROM: Doug Menke, General Manager
RE: **General Manager's Report**

Local Option Levy Update

Holly Thompson, Communications director, will provide an update on public information and outreach efforts underway to support the district's local option levy before voters in May 2024.

Recreation Services

Staff will provide an update on the current status of recreation operations across the district as well as provide information regarding historical funding and staffing levels within the division. Staff will also provide an update regarding spring registration.



MEMORANDUM

DATE: February 21, 2024
TO: Doug Menke, General Manager
FROM: Aisha Panas, Deputy General Manager
RE: **Intergovernmental Agreement with Washington County for Urban Road Maintenance District Pedestrian and Biking Improvement Project at Waterhouse Trail**

Introduction

Staff are seeking board of directors' authorization for the general manager or designee to execute an intergovernmental agreement (IGA) with Washington County for road crossing assessments and upgrades to the Waterhouse Trail, to complete design and construction of five road crossings and, if constructed, assume maintenance of a connector pathway. The IGA is provided as Attachment 1 to this memo.

Background

The Waterhouse Trail is a 10-mile community trail that begins at the Merlo Rd./SW 158 Ave. MAX station and extends north across Highway 26 to Portland Community College's Rock Creek Campus. The Waterhouse Trail connects to the Westside and Rock Creek Regional Trails. The Waterhouse Trail is largely located amongst neighborhoods with roadways that intersect the trail. Many of the roadways that intersect the trail do not have curb cuts/ADA ramps that allow a direct, safer route for trail users. THPRD frequently hears requests to install curb cuts/ADA ramps along the Waterhouse Trail.

In 2022, Washington County approached THPRD with a partnership opportunity to design and construct road crossing treatments at five locations along the Waterhouse Trail. The road crossings are located at NW Brandberry, NW Laidlaw, NW Charlais, NW Somerset, and NW Paisley as shown on Attachment 2. The district allocated funding in the 22/23 budget that included \$125,000 (\$25,000 per crossing) to help facilitate these important crossings. Along with the district's funding, The Washington County Board of Commissioners approved funding for the remaining project costs (\$554,000) in the FY 2022-2024 and FY 2025-2026 cycles through the Urban Road Maintenance District (URMD) Pedestrian and Biking Improvement program. The URMD funds small-scale pedestrian and biking improvement projects within the right-of-way. The Laidlaw Road crossing will include a Rectangular Rapid-Flashing Beacon (RFB), a crossing with signals and blinking lights, signage, and lighting along the high-volume roadway. The remaining crossing treatments will be appropriate for low-volume, neighborhood roads and may include striping, signage, and lighting.

In addition to the crossings, Washington County may install a new connector path to the Waterhouse Trail near NW Avondale to increase safe routes to school. The current access requires users to go out of direction and utilize steep topography. The short pathway, shown on Attachment 3, will offer a direct and more accessible route to school. Should this connection be constructed, Washington County will fund the design and construction while the district will provide the ongoing maintenance.

The Washington County IGA in the amount of \$125,000 for the design and construction of five road crossings and a connector path along the Waterhouse Trail has been reviewed and Administration Office • 15707 SW Walker Road, Beaverton, OR 97006 • 503-645-6433 • www.thprd.org

approved by THPRD's legal counsel and staff are requesting the board of directors approve the IGA so that THPRD may work to execute the agreement with Washington County.

Proposal Request

Staff are requesting board of directors' approval of the IGA with Washington County (Attachment 1) authorizing \$125,000 of the district's capital funding towards Washington County's projects to design and construct road crossings along the Waterhouse Trail and, if constructed, assume maintenance of a connector pathway.

Outcomes of Proposal

THPRD will work with Washington County staff to execute the IGA for the design and construction of five road crossings along the Waterhouse Trail and, if constructed, assume maintenance of a connector pathway.

The Waterhouse Trail is a highly used trail system. The road crossings will provide trail users direct and safe crossings, and will reduce conflict with vehicles by utilizing stripping, signage, lighting, and an RFB at Laidlaw Rd. Additionally, the district has found that trail use significantly increases when crossings are installed by removing pedestrian barriers and allowing users to connect to neighborhoods, employment centers, commercial areas, schools, houses of worship, parks, natural areas, regional and community trails, mass transit, and other transportation options.

Washington County will own and maintain the improvements within the right-of-way. The district will own and maintain the connector pathway to Waterhouse Trail should it be constructed by Washington County.

Public Engagement

In July 2023, Washington County's Urban Road Maintenance District Advisory Committee held an online open house to collect feedback on a variety of bike and pedestrian projects throughout the county including the five crossings along the Waterhouse Trail. The Waterhouse Trail Crossings project ranked the highest of the six proposed projects. The project aligns with several actions across all four Vision Action Plan goal areas and is identified as meeting standards in the Trails Functional Plan. Informally, the district and Washington County frequently field comments and requests to add ramps and crossings along the Waterhouse Trail. Comments from the open house include:

"This would have a long-lasting positive impact on the trail system."

"I appreciate that accessibility installments like this will provide additional safety precautions for pedestrians"

"This will dramatically improve the safety and utility of the trail for bike riders, especially young and inexperienced who find it hard to hop the curbs."

Action Requested

Board of directors' authorization for the general manager or designee to execute an intergovernmental agreement with Washington County for road crossing assessments and upgrades to the Waterhouse Trail.

**URBAN ROAD MAINTENANCE DISTRICT (URMD)
INTERGOVERNMENTAL AGREEMENT**

BETWEEN

**WASHINGTON COUNTY AND TUALATIN HILLS PARKS & RECREATION DISTRICT
FOR ROAD CROSSING ASSESSMENTS & UPGRADES TO THE WATERHOUSE
TRAIL**

THIS INTERGOVERNMENTAL AGREEMENT is entered into between Washington County, a political subdivision of the State of Oregon, acting by and through its elected officials, ("COUNTY") and the Tualatin Hills Parks & Recreation District an Oregon park and recreation district organized under ORS Chapter 266, ("THPRD").

RECITALS

1. ORS 190.003 – 190.010 authorizes COUNTY and THPRD to enter into intergovernmental agreements for the performance of any or all functions and activities that a party to the agreement has the authority to perform; and
2. COUNTY has five Urban Road Maintenance District (UMRD) projects to analyze and provide improvements for pedestrian road crossings along and within the vicinity of the Waterhouse Trail ("PROJECT"); and
3. COUNTY desires to use available URMD funds for regional trails planning related to current and ongoing transportation upgrades in partnership with other trail building organizations, such as the THPRD, for the PROJECT; and
4. THPRD desires to fund a portion of the planning, design, and construction of the PROJECT as described herein; and
5. COUNTY and THPRD believe it is in their respective and mutual interests to enter into a written agreement for the purpose of allocating responsibilities ensuring efficient to complete the current and proposed PROJECTS.

AGREEMENT

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals and in consideration of the terms, conditions and covenants set forth below, the parties agree as follows:

ARTICLE 1 THPRD OBLIGATIONS

- 1.1 THPRD shall assign a project manager responsible for coordinating PROJECT activities with COUNTY.
- 1.2 THPRD shall perform its responsibilities regarding compensation as set forth in Article 3 - Compensation.
- 1.3 THPRD shall grant necessary temporary construction easements or permits of entry at no cost to the COUNTY for the PROJECT locations set forth in Articles 3.1 and 3.4.

ARTICLE 2 COUNTY OBLIGATIONS

- 2.1 Upon execution of this Agreement, COUNTY shall designate a staff person to be its authorized project manager to coordinate the PROJECT on behalf of the COUNTY with THPRD.
- 2.2 COUNTY shall perform its responsibilities regarding compensation as set forth in Article 3 - Compensation.
- 2.3 Prior to the start of construction, THPRD has the right to review and acknowledge acceptability in writing of the design (30% plans) and for bid plans for areas outside of COUNTY right-of-way limits for the PROJECT locations set forth in Articles 3.1 and 3.4. THPRD shall complete review within thirty (30) calendar days of receipt of these documents. COUNTY shall keep the THPRD informed of PROJECT progress during design and construction, and COUNTY shall provide reasonable notice of substantial completion of the PROJECT. COUNTY shall provide THPRD a copy of any plans or other PROJECT documents upon request.
- 2.4 COUNTY shall establish a unique set of project and task numbers to facilitate its maintenance of accurate cost accounting records. Quarterly reports may be requested by the THPRD. Upon not less than thirty (30) days' notice to COUNTY, THPRD may inspect any PROJECT accounting records and related documents, including invoices, to ascertain the reasonableness and propriety of any charges.
- 2.5 COUNTY shall require all construction contractors for the PROJECT to name THPRD, its board, officers, agents, employees and volunteers as additional named insureds and require all contractors to indemnify and hold harmless THPRD, its officers, agents, employees and volunteers.
- 2.6 COUNTY shall require contractors to provide worker's compensation coverage for all subject workers performing work in connection with the PROJECT.

- 2.7 COUNTY shall be responsible for securing all necessary easements and associated descriptions for the PROJECT locations set forth in Articles 3.1 and 3.4.

ARTICLE 3 COMPENSATION

- 3.1 The current PROJECT will design and construct improvements at the intersection of the Waterhouse Trail and NW Laidlaw Rd. As a component of the design, the COUNTY has completed a crossing assessment for this location.
- 3.2 The THPRD shall reimburse the COUNTY in the amount of \$25,000 of the total PROJECT cost as described in sections 3.1. The COUNTY shall submit an invoice to THPRD. THPRD shall submit payment within the time specified within the invoice from COUNTY.
- 3.3 COUNTY will be responsible for all other Article 3.1 PROJECT costs beyond the reimbursement limits set forth in Article 3.2. Upon request to the COUNTY, THPRD may inspect the accounting records and related documents upon which any invoice is based. The COUNTY will furnish such records within thirty (30) days of the request by the THPRD.
- 3.4 COUNTY has approved to design and construct street crossing upgrades for the following additional four (4) sites along the Waterhouse Trail: NW Charlais Street, NW Somerset Drive, NW Paisley Drive, and NW Brandberry Drive. The PROJECT, including costs already incurred by the COUNTY for the crossing assessments for these additional locations, is estimated to be \$400,000.00. Upon lien free completion of the PROJECT consistent with the COUNTY's approved for construction plans and any field directed changes, THPRD shall reimburse the COUNTY for \$100,000 of the total PROJECT construction costs.
- 3.5 A future project may be authorized by the COUNTY to design and construct a spur connection to the Waterhouse Trail northwest of the intersection of NW Avondale Drive and NW Schmidt Way. If the COUNTY authorizes this project THPRD shall have the right to review and acknowledge acceptability of the plans for this project as established in Article 2.3 of this agreement. The COUNTY will fund the project. THPRD will provide long term maintenance.
- 3.6 Upon completion of the PROJECT, the COUNTY shall submit an invoice to THPRD to facilitate reimbursement. THPRD may request an itemized invoice for all work performed. THPRD shall submit payment within thirty (30) days of receipt of invoice from COUNTY based on actual costs and amounts realized. In the event this Agreement is terminated pursuant to Term 5.2 and prior to completion of the PROJECT, the THPRD shall only be responsible for invoices for construction actually completed prior to termination.

- 3.7 Any damage to property or assets of THPRD during construction of the Project must be repaired by COUNTY or its contractor(s).

ARTICLE 4 GENERAL PROVISIONS

4.1 Laws in Oregon

The parties agree to abide by all applicable laws and regulations regarding the handling and expenditure of public funds. This Agreement shall be governed by the laws of the State of Oregon. All provisions required by ORS Chapter 279A and 279C to be included in public contracts are incorporated by reference and made a part of this Agreement as if fully set forth in this Agreement.

4.2 Compliance With Applicable Law

The Parties shall comply with all federal, state and local laws and ordinances applicable to the work performed under the contract including, but not limited to the following, as applicable: Title VI of the Civil Rights Act of 1964, Section V of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (Pub L No. 101-336), ORS 659A.142 and all regulations and administrative rules established pursuant to those law, and all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

4.3 Default

Either party shall be deemed to be in default if it fails to comply with any provision of this Agreement. THPRD and COUNTY agree time is of the essence in the performance of any of the obligations within this Agreement. The complaining party shall provide the other party with written notice of default and allow thirty (30) days within which to cure the defect. THPRD shall pay the COUNTY for costs incurred for satisfactorily completed and authorized work up to the time of default. Each party shall be liable for all costs and damages arising from default by the other party.

4.4 Third Party Beneficiary

This Agreement is for the benefit of the THPRD and COUNTY only and, as such, they are the only parties entitled to enforce its terms. Nothing in this Agreement gives or shall be construed to give or provide any benefit, direct, indirect or otherwise to any third party unless third persons are expressly described as intended to be beneficiaries of its terms.

4.5 Indemnification

To the extent allowed under the Oregon Tort Claims Act and the Oregon Constitution, the COUNTY shall defend, indemnify and hold-harmless THPRD,

its officers, agents and employees, from any claim, loss or liability arising out of or related to the work under this IGA or any condition of the THPRD's property upon which the work is being performed including such claim, loss or liability which may be caused or contributed to in whole or in part by COUNTY's own negligence or failure to comply with the provisions of this IGA.

4.6 Modification of Agreement

No waiver, consent, modification or change of terms of this Agreement shall bind a party unless in writing, signed by all parties. Such waiver, consent, modification or change, if made, shall be effective only in specific instances and for the specific purpose given.

4.7 Dispute Resolution

The parties shall attempt to informally resolve any dispute concerning any party's performance or decision under this Agreement, or regarding the terms, conditions or meaning of this Agreement. A neutral third party may be used if the parties agree to facilitate these negotiations. In the event of an impasse in the resolution of any dispute, the issue shall be submitted to the governing bodies of both parties for a recommendation or resolution. Each party shall be responsible for its own costs and attorney fees for any claim, action suit or proceeding, including any appeal.

4.8 Remedies

Subject to the provision in paragraph 4.6, any party may institute legal action to cure, correct, or remedy any default, to enforce any covenant or provision in this Agreement, or to enjoin any threatened or attempted violation of this Agreement. All legal actions shall be initiated in Washington County Circuit Court. The parties, by signature of their authorized representatives below, consent to the personal jurisdiction of that court.

4.9 Excused Performance

In addition to the specific provisions of this Agreement, no party shall be in default where delays or default are due to war, insurrection, strikes, walkouts, riots, floods, drought, earthquakes, fires, casualties, acts of God, restrictions imposed or mandated by governmental entities other than the COUNTY or THPRD, litigation or similar bases not within the reasonable control of the party seeking to be excused.

4.10 Severability

If any one or more of the provisions contained in this Agreement is deemed invalid, illegal or unenforceable by a court of competent jurisdiction, the validity,

legality and enforceability of the remaining provisions will not be affected or impaired in any way.

4.11 Integration

This Agreement is the entire agreement of the parties and supersedes any prior discussions or agreements regarding the PROJECT and funding transfer.

ARTICLE 5 TERM OF AGREEMENT

5.1 The term of this Agreement shall be for three (3) years from the date of execution or until completion of all obligations, whichever is sooner.

5.2 This Agreement may be amended or extended for periods of up to one (1) year by mutual consent of the parties, subject to provisions of this Agreement. It may be canceled or terminated for any reason by either party. Except for breach, termination or cancellation shall be effective thirty (30) days after written notice to the other party, or at such time as the parties may otherwise agree. The parties shall, in good faith, agree to such reasonable provision for winding up the PROJECT and paying any additional costs as necessary.

The parties executed this Agreement as of the day and year written below.

DATED this ____ day of _____, 2024.

TUALATIN HILLS PARKS &
RECREATION DISTRICT

WASHINGTON COUNTY, OREGON

Doug Menke, General Manager

Assistant County Administrator

Date: _____

Recording Secretary

Date: _____

APPROVED AS TO FORM

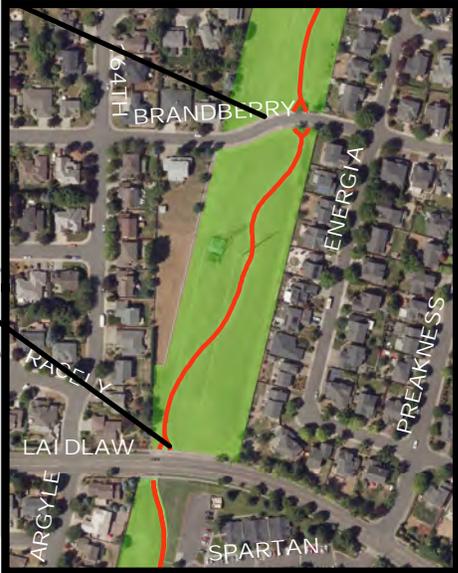
Cortney Duke-Driessen
Senior Assistant County Counsel

Waterhouse Trail Road Crossings

Service Area

THPRD Property

Trails



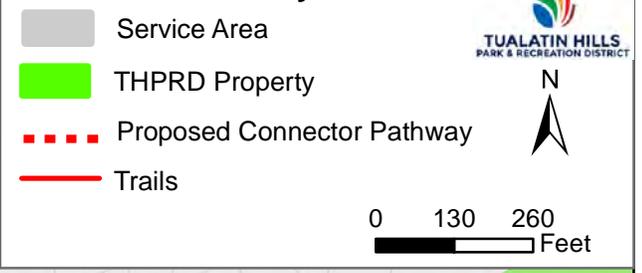
Bethany Wetlands Natural Area

George W. Otten Park

Somerset Meadows Park

Greenway

Waterhouse Trail Safe Routes to School Connector Pathway



Legend:

- Service Area (Grey box)
- THPRD Property (Green box)
- Proposed Connector Pathway (Red dashed line)
- Trails (Red solid line)

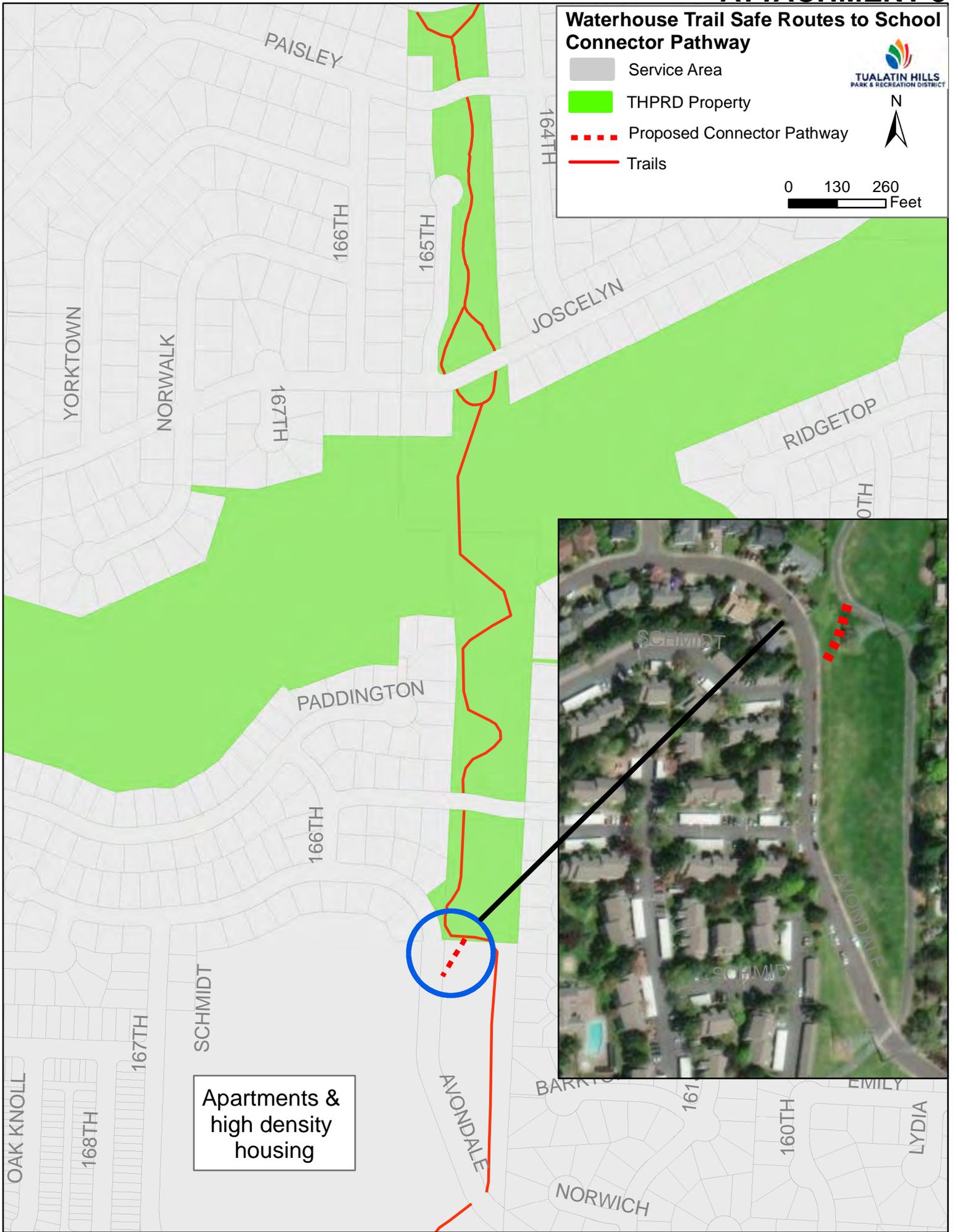
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TUALATIN HILLS
PARK & RECREATION DISTRICT



N



Apartments & high density housing

