

MINUTES OF TUALATIN VALLEY FIRE AND RESCUE BOARD OF DIRECTORS  
MEETING ON TUESDAY, FEBRUARY 23, 2010, 6:00 P.M., AT THE DISTRICT  
ADMINISTRATION OFFICE LOCATED AT 20665 S.W. BLANTON STREET, ALOHA,  
OREGON

ATTENDANCE

Board Members: Clark Balfour, Brian Clopton,  
Gordon Hovies, Carol Gearin, Robert Wyffels

Others present: Deputy Chief Mike Duyck, Sherry  
Arasim, Brian Barker, Sherri Camarillo, Kristin  
Chaffee, Dan Dehaven, Claire Doolittle, Karen  
Eubanks, Steve Forster, Debra Guzman, Kirk Hale,  
Chris Hamilton, Alec Jensen, Dustin Morrow, Walt  
Peck, Blake Reed, Cassandra Ulven, Gary Wells, Eric  
Wicks, Bev Wilkinson – TVF&R; Bob Blackmore –  
Attorney; Mayor Lou Ogden, Sherilyn Lombos, Doug  
Rux, Mark Cross, Cathy Holland, Dolores Hurtado,  
Kathy Newcomb – Guests

**REGULAR SESSION**

CALL TO ORDER

President Wyffels called the Board meeting to order at  
6:00 p.m.

CONSENT AGENDA

**Mr. Balfour moved, seconded Mr. Hovies, approval  
of the Consent Agenda.  
Motion carried unanimously.**

RECOGNITION

Government Finance Officers Association  
Distinguished Budget Presentation Award.  
President Wyffels presented Chief Financial Officer  
Guzman with the Certificate of Achievement of  
Excellence in Financial Reporting and the  
Distinguished Budget Presentation Award.

Chief Duyck and the Board acknowledged CFO  
Guzman and her staff for these outstanding  
accomplishments.

SPECIAL PRESENTATION

City of Tualatin – Urban Renewal District. Chief  
Duyck welcomed and introduced Mayor Lou Ogden,  
City Manager Sherilyn Lombos, and Economic and  
Community Development Director Doug Rux to  
discuss a proposal for the Central Tualatin Urban  
Renewal District.

SPECIAL PRESENTATION (cont) Chief Duyck asked that prior to the City giving their presentation that Executive Officer Jensen provide a brief overview of HB 3056.

Mr. Jensen explained the basics of the urban renewal process (frozen base and increment financing). He described changes that occurred January 1, 2010, following a unanimous Oregon Legislative approval of HB 3056, including the fact that plan amendments greater than 20% require the public process reflected in the discussion. The City of Tualatin proposed a 25 year extension and a 400% increase in maximum indebtedness.

Mayor Ogden explained that the City of Tualatin has two urban renewal districts. Work in the Leventon District is complete and it will soon be added back to the tax rolls. Significant additional work remains in the Central Tualatin District because of the City's request to extend from an additional 25 years and increase maximum indebtedness to \$122 million. Key sites include the current K-Mart and Clark Lumber properties. The city's vision is for mixed use, oriented to the river, pedestrian and bike friendly, and for the area to be a destination for local business activities. Mayor Ogden emphasized that this is conceptual; it can and will change. There are fifteen projects currently identified at a cost of \$105 million, and the City expects some local, state, and federal matching funds.

The proposal has to work for three entities: the community, land owners, and taxing districts. The increment between the frozen base (\$14 million set in 1975) and real taxable value (currently \$194 million) gives leverage at a good time. The City believes it is in everyone's interest; building a significantly larger tax base than would otherwise occur.

#### CITIZEN PARTICIPATION

Several citizens asked to give public testimony.

Dolores Hurtado – Chinook Street, Tualatin, Oregon.  
Does not favor the proposal due to proposed extension of Tualatin Rd.

CITIZEN PARTICIPATION (cont)

Kathy Newcomb – Cheyenne Way, Tualatin, Oregon.  
Recognizes the tax impact this has on TVF&R and is very supportive of fire district services. She is doubtful of the value of some of the projects, particularly the proposed bridge over the Tualatin River (it will cause, not cure blight). She is not against urban renewal in total, but believes the base should be unfrozen over a reasonable time frame.

Cathy Holland – Lucas Drive, Tualatin, Oregon.  
Opposes the Tualatin Road project.

Mark Cross – Vice-President of Tualatin Valley Fire Fighters Union, Lake Oswego, Oregon.

The City's timeline is rushing the decision; Local 1660 prefers more time to work out issues. Urban renewal erodes the District's only source of funding, which creates concern about staffing levels and firefighter safety.

SPECIAL PRESENTATION (cont)

Chief Duyck said he recognizes urban renewal as an important tool, and it would be much easier if the City were talking about a new plan. Continued redirection of TVF&R's tax rate is a problem; being asked to wait in excess of 60 years. Staff would have preferred to participate in a more deliberative process. There has been very little time for analysis or discussion of alternatives. In the past ten years, TVF&R has foregone \$2.6 million in revenue due to urban renewal. Under the City's very conservative growth scenario, TVF&R stands to lose an additional \$9.6 million over the next 20 years. This is part of a larger problem that currently costs the District \$1.7 million annually from TVF&R's only revenue source. Staff does not support the proposed plan amendment.

Board Director Gearin said she is uncomfortable with the lack of commitment to outcomes and would prefer a new plan that resets the tax base. She thinks perhaps the City should increase indebtedness by 20% (can do without concurrence) and address a smaller group of projects. More time for consideration would be helpful.

SPECIAL PRESENTATION (cont) Board Director Hovies said he encourages the City to more actively explore public-private partnerships. The “all or nothing” approach makes it difficult to support.

Board Director Clopton said he agrees with the other members.

Board Director Balfour said this is troubling. The Board has never said “no” before. The rules have changed and we must engage. It’s hard to explain to the District’s taxpayers why the taxable value of the property for TVF&R should be locked at \$14 million for 60 years. The 400% increase in indebtedness and the City’s stated desire to maximize the increment at all times (no revenue sharing) are also problematic. He would prefer that the City work towards an alternative; the City’s timing seems to preclude that.

Board President Wyffels said he does not like being in a position of fundamental policy disagreement with a partner. Yet, the District has a fiduciary responsibility to the taxpayers, and 35 years is long enough to freeze the value of this Urban Renewal District. Would prefer to work out an alternative approach.

President Wyffels thanked the Mayor and his staff for their time to join the Board and staff, and for their presentation regarding urban renewal.

## NEW BUSINESS

City of Tualatin Request for Central Urban Renewal District Plan Amendment. Chief Duyck reported pursuant to the provisions of House Bill 3056, which became effective on January 1, 2010, the City of Tualatin is seeking concurrence for an increase in maximum indebtedness of approximately \$122 million, which is beyond the 20 percent permitted under the “consult and confer” provision.

The City is essentially seeking to maintain the urban renewal area’s frozen base, established in 1975, for another 25 years, at roughly \$14 million in assessed value (current value is approximately \$194 million).

NEW BUSINESS (cont)

**Mr. Hovies moved, seconded Ms. Gearin, to deny the City of Tualatin's request for concurrence for an increase in maximum indebtedness for their Central Urban Renewal Plan as described in their draft plan dated January 26, 2010. Motion carried unanimously.**

The Board recessed for a short break.

FINANCE

Finance Report (January 2010).

**Mr. Clark Balfour moved, seconded Ms. Gearin, to waive the January 2010 financial report. Motion carried unanimously.**

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business.

**LOCAL CONTRACT REVIEW BOARD**

**Mr. Balfour moved, seconded Mr. Hovies, to move into Local Contract Review Board. Motion carried unanimously.**

LCRB Resolution 2010-03 (CM/GC Contracting for Station 56/South Operating Center). Purchasing Manager/Contracts Administrator Wicks and CFO Guzman requested that, after a hearing to allow public comment on draft findings for an exemption from the competitive bidding requirements of state law to allow use of the Construction Manager/General Contractor (CM/GC) alternative contracting method, discussion and approval of LCRB Resolution 2010-03 authorizing the use of the CM/GC contracting method for the Station 56/South Operating Center public improvement project.

**Ms. Gearin moved, seconded Mr. Balfour, to approve LCRB Resolution 2010-03, exempting the Station 56/South Operating Center public improvement project from competitive bidding requirements and approving the use of the Construction Manager/General Contractor (CM/GC) alternative contracting method for the Station 56/South Operating Center project. Motion carried unanimously.**

**REGULAR SESSION (cont)**

President Wyffels reconvened the meeting into Regular Session.

**NEW BUSINESS(cont)**

Architectural Services Contract - Station 56/South Operating Center (SOC). Director of Capital Bond Program Wells reported the replacement of Station 56 was originally programmed to include the Command and Business Operations Center (CBOC). With the decision to move the CBOC to the Dartmouth Square Building, the Station 56 project has been scaled back to include Station 56, the South Operating Center (SOC), the Wellness Program, and the District's alternate Fire Operations Center (FOC). It is anticipated that the project will be a 20,000 to 22,000 square foot building. Staff has negotiated a contract with the District's Consultant of Record, Peck Smiley Ettlin Architects (PSE) for the architectural and engineering services required for this project. The fixed fee cost for the project will be \$448,640 plus reimbursables.

**Ms. Gearin moved, seconded Mr. Clopton, to approve a contract with Peck Smiley Ettlin Architects for full service architectural and engineering services required for the Station 56/SOC project at a fixed fee of \$448,640 plus reimbursables, and to authorize the Fire Chief or his designee to execute the necessary documents. Motion carried unanimously.**

Architectural Services Contract – Station 68. Director Wells reported the replacement of Station 68 is a bond-funded project. With the selection and purchase of the Mortensen Property as the preferred location for the station, staff is ready to move forward with the design and development phase of the project.

Staff has negotiated a contract with the District's Consultant of Record, Peck Smiley Ettlin Architects (PSE) for the architectural and engineering services required for this project. The fixed fee for this project will be \$201,080 plus reimbursables.

NEW BUSINESS (cont)

**Mr. Hovies moved, seconded Mr. Balfour, to approve a contract with Peck Smiley Ettlin Architects for full service architectural and engineering services required for the Station 68 construction project at a fixed fee cost of \$201,080 plus reimbursables.**

**Motion carried unanimously.**

Addendum to Tigard IGA. Director Wells reported on June 23, 2009, the District and the City of Tigard entered into an Intergovernmental Agreement (IGA) relating to the joint development of the Walnut Street fire station and expansion and improvement of Jack Park. An error has been discovered in the calculations of the purchase price. Specifically, the 12,953 square foot buildable area was also included in open space cost, resulting in an overstatement of the cost by \$38,600. The addendum corrects this error.

**Mr. Hovies moved, seconded Mr. Clopton, to approve the addendum to the Intergovernmental Agreement with the City of Tigard relating to the joint development of the Walnut Street fire station and expansion and improvement of Jack Park, and authorizes the Fire Chief or his designee to execute the necessary documents.**

**Motion carried unanimously.**

Board Policy Section Three (Budget, Finance, and Business Operations). Finance Controller Doolittle reported consistent with practice, staff has reviewed Board Policy Section Three. Changes to page six of the policy are intended to align with changes in Board Policy Section Nine when it comes before the Board for approval in March.

Board member Carol Gearin asked that the Second Reading include references to the Oregon Revised Statutes.

**Mr. Hovies moved, seconded Ms. Gearin, to approve the First Reading of Board Policy Section Three by title only.**

**Motion carried unanimously.**

NEW BUSINESS (cont)

Sherri Camarillo gave the First Reading of Board Policy Section Three – Budget, Finance, and Business Operations, by title only.

Civil Service Commission Member Reappointment. Director of Human Resources Wilkinson reported two of the District's Civil Service Commissioner seats are up for reappointment.

Sue Lamb's Civil Service Commission appointment ends on March 1, 2010, and she would like to continue service to the District. Staff recommends she be reappointed for another four year term, ending on February 28, 2014.

Ed Smith's Civil Service Commission appointment ends on March 1, 2010, and he would like to continue service to the District. Staff recommends he be reappointed for another four year term, ending on February 28, 2014.

**Mr. Hovies moved, seconded Ms. Gearin, to reappoint Sue Lamb and Ed Smith to the Tualatin Valley Fire & Rescue Civil Service Commission with terms expiring on February 28, 2014. Motion carried unanimously.**

Microsoft Enterprise Three-Year Agreement. Senior Systems Administrator Reed and Mr. Wicks reported the District supported platform for all servers and computers is Microsoft Windows.

Historically, the District utilizes the Microsoft Enterprise Licensing agreement, which is a cost-effective option to support this environment.

The District purchases the agreement from a State of Oregon contract.

The Microsoft Enterprise licensing agreement allows the District to acquire new licenses and receive software upgrades for the length of the contract.

NEW BUSINESS (cont)

It offers many advantages for managing the District's licenses and includes free professional training and technical support.

**Mr. Hovies moved, seconded Mr. Balfour, to authorize the Fire Chief or his designee to execute the necessary documents to approve the Microsoft Enterprise Agreement.  
Motion carried unanimously.**

Resolution 2010-02 (Washington County Fire Defense District Intra-County Mutual Aid Agreement.

Assistant Chief Morrow reported TVF&R has a long-standing practice of entering into mutual aid agreements describing how services will be provided across jurisdictional boundaries under certain circumstances. The Washington County Fire Defense District Intra-County Mutual Aid Agreement is a means to achieve region-wide agreements; thereby, maximizing consistency between all providers and minimizing the number of individual agreements. This agreement was updated from the previous version signed in 1999 and renewed in 2005, and was developed with the active input of District staff and legal counsel.

**Mr. Hovies moved, seconded Mr. Balfour, to approve Resolution 2010-02, authorizing the Fire Chief or his designee to sign the Washington County Fire Defense District Intra-County Mutual Aid Agreement.  
Motion carried unanimously.**

WCCCA Budget Commissioner Reappointment. Chief Duyck reported as part of the WCCCA budget process, TVF&R's Board of Directors appoints one citizen at large to sit on the WCCCA Budget Committee.

Michael Mudrow has held this position for several years and has agreed to serve another term beginning January 1, 2010 and ending December 31, 2012.

NEW BUSINESS (cont)

**Mr. Clopton moved, seconded Mr. Hovies, to reappoint Michael Mudrow as a WCCCA Budget Commissioner effective January 1, 2010, with his term ending December 31, 2012.  
Motion carried unanimously.**

Strategic Goals Validation. Mr. Jensen reported it is customary at this time of year for staff to advance the recently revised Strategic Goals and Outcomes to the Board for consideration and approval. While the Outcomes, by design change from year to year, this year's staff-driven process resulted in recommendations for minor changes in Goals #4 and #5. All other Goals remain unchanged.

**Ms. Gearin moved, seconded Mr. Clopton, to validate the 2010 Strategic Goals for calendar year 2010.  
Motion carried unanimously.**

CHIEF'S REPORT

Budget Committee Dinner and Meeting. Chief Duyck reported the dinner and meeting will be held on March 11, 2010 at 6:00 P.M. at the TVF&R Administration Building.

State of Oregon Archive Agreement. Mr. Jensen reported staff has met with the State of Oregon Archives Division, and is in the early stages of establishing an Interagency Agreement with them to review District records, and to establish a retention schedule specialized for the District. The State Archivist provides advice and assistance to state and local government agencies, recommending improvements to records and information management practices to ensure they are keeping within the legal, fiscal and informational requirements. The first step is to identify what records the District has, and then to establish an understanding that TVF&R and the State of Oregon will enter into.

This project will benefit the District greatly as staff moves its headquarters later this year. No fees will be charged for any services required to complete the project.

CHIEF'S REPORT (cont)

Capital Bond Projects Update.

CBOC: Director Wells reported the City of Tigard issued a permit for seismic upgrades and preliminary rough in work for the main tenant improvement.

Peck Smiley Ettlin Architects (PSE) are working on construction documents and the permit set. Work continues on revisions to the interior lobby concept plan. The final interior presentation is expected to take place the first week in March.

PRESIDENT'S REPORT

President Wyffels reported he and three other Board members attended the SDAO conference in Seaside on February 5-7, 2010. It was the largest attendance ever. Clark Balfour was elected to the SDAO Board of Directors. He will serve a two year term beginning July 1, 2010 and ending June 30, 2012. Mr. Balfour will replace Ms. Gearin who has served on the SDAO Board since 2003.

President Wyffels, Chief Duyck, and AC Morrow attended the Washington County Fire Directors Meeting on February 9, 2010. The efforts of this organization have helped to form great partnerships.

ITEMS NOT LISTED ON THE  
AGENDA

There were no items not on the agenda.

**Mr. Balfour moved, seconded Mr. Clopton, to move out of Regular Session and into Executive Session. Motion carried unanimously.**

**EXECUTIVE SESSION**

President Wyffels moved the meeting into Executive Session at 9:20 p.m.

**Ms. Gearin moved, seconded Mr. Hovies, to move out of Executive Session and resume into Regular Session. Motion carried unanimously.**

President Wyffels reconvened the meeting back into Regular Session at approximately 9:24 p.m.

**REGULAR SESSION (cont)**

**Ms. Gearin moved, seconded Mr. Hovies, to adjourn the meeting.  
Motion carried unanimously.**

**ADJOURN**

There being no further business to come before the Board, President Wyffels adjourned the meeting at approximately 9:25 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Secretary/Treasurer

*Minutes recorded by Sherri D. Camarillo*