

**Bend Metro Park & Recreation District
Board of Directors
Work Session, & Regular Meeting
April 1, 2008**

BOARD PRESENT: Ruth Williamson, Bob Woodward, George Thayer and Ted Schoenborn.

STAFF PRESENT: Don Horton, Wayne Smith, Bruce Ronning, Theresa Albert, Steve Jorgensen, Jan Taylor, Ed Moore, Lindsey Lombard, Paula Lowery.

LEGAL COUNSEL: Neil Bryant.

MEDIA: Yoko Minoura, The Bulletin, Keisha Burns, KTVZ.

VISITORS: See attached list.

WORK SESSION

Vice-Chair Bob Woodward convened the work session at 5:30 pm.

Trails Master Plan

Bruce Ronning referred to an executive summary of the trails plan distributed to the board and a map displayed for their review. He reviewed the history of the city of Bend and BMPRD's work on the 1995 Bend Urban Trails Plan and subsequent reiterations as an element of the city's Transportation System Plan. He noted that the district's comprehensive plan references a trails master plan, but that element was incomplete at the time the comprehensive plan was adopted in September 2005. He explained the trails plan was identified as a project in the 2007-08 work plan, and staff began working on the plan at the beginning of 2007. He explained it will be incorporated into the district's comprehensive plan by reference standing as a separate element until an amendment to the comprehensive plan is considered. He stated it is expected the plan will be presented to the board for adoption May 20.

Steve Jorgensen explained the bulk of the plan has been in place as the city's plan. He noted his work with the Deschutes County Pedestrian and Bicycle Committee as a citizen review committee for the process, and a technical advisory of county and city staff and Commute Options staff. He referred to the goals and policies of the plan and stated they are a little more comprehensive than the original version previously presented to the board. He stated the board's feedback on the goals and policies is one of the more critical items of the plan to help determine how we meet the community's needs and to plan for the future in an effort to complete a trails network. Steve explained how throughout the process the original intent was to go to the public through the neighborhood associations which he felt was a successful process as a lot of feedback was received and are included in the plan draft. He noted he had attempted to divide the comments by issue to help address concerns. He added that a general open house needs to be conducted to receive community-wide input. Steve referred to the list of projects included in the plan to be considered in the CIP process. Steve explained that 90% of the plan has been adopted and identified in the city's plan. He stated staff is working in conjunction with regional efforts of the Urban Reserve Study and Deschutes County to link trails and identify what the district is responsible for. He stated we meet

our guidelines as identified in the comprehensive plan and what we need to do is develop what we have planned. Steve referred to a comprehensive signage program and noted it is a parallel process that isn't ready yet although the plan contains some general signage guidelines. He stated that the upcoming work with Park Services on a comprehensive plan for interpretive signs and way-finding signs can be added as an amendment to the plan. Steve referred to the canal trails and noted some controversy with use of the canal road off Ferguson and one near Hollinshead Park. He explained staff has been considering leaving existing planned trails on canal roads and other routes that affect private property on the map, and in the interim, provide identification of a route that uses surface streets or sidewalks to parallel the trail to alleviate the private property concerns. Ted Schoenborn noted that the ADA access was not mentioned in the goals. He stated he felt it would be useful and appropriate to include some reference. Steve agreed and will work on appropriate language. George Thayer referred to the consideration given to different surfaces. Steve explained he had received numerous public comments that ranged from paving primary trails to soft surfaces. He added that combined surfaces were also suggested and currently the district does not have a standard for a combined path. He stated that trail surfaces could be addressed in the action plan. Steve encouraged the board to share their ideas and concerns regarding anything they would like to see added to the plan.

Bruce referred to the CIP process and noted that in the past trails have been targets of opportunity. He stated that in each of the iterations of the CIP there have been some specifically identified trail projects, and a general line item in the budget for primary trail improvements. He explained that in the five-year outlook of the CIP we hope to include more specific segments of the trails based on the trail plan. He cited specific connections on the river trail, improvements to the Coyner Trail, improvements to the north end of the Larkspur Trail and funds to respond to the sign plan. He added that the Trails Master Plan has helped with the SDC cost analysis.

Ruth Williamson referred to Goal 7 regarding liability protection for landowners and asked Steve to address that. Steve stated it is a consideration that was not addressed in any of the city documents and he would like this document to provide appropriate information for landowners and developers. Ruth stated that trails have emerged as a top priority on surveys and we can't build a successful network if we don't have a plan. She recognized the input of the neighborhood associations and noted that an interconnected trail system is a key vision element of the 2030 Vision. She encouraged the continuation of community input.

Steve referred to the city's network of trails, specifically neighborhood trails, and explained the district is not adopting anything that it does not have responsibility for. He stated they are shown on the map for reference to help the board understand the network.

Ruth invited public comment regarding the Trails Master Plan.

Bill Dolf addressed the board regarding his concerns as a property owner on the canal trail between 27th and Ferguson. He cited incidents of trespass and his efforts to deal with the issues. He stated there is a bigger problem now with the walkway installed at the Orion Greens subdivision to the canal. He referred to discussions with district staff and the Deschutes County district attorney, and stated he does not see any actions to prevent the behavior. He stated the walkway should be blocked off until the trail can be completed between 27th and Ferguson. Bruce explained the reason

the district hasn't taken a more proactive stance regarding the easement for the walkway as we are unaware of having received the easement, and we are in discussions with the Orion Greens subdivision developer. He noted that about six weeks ago a group of Bill's neighbors conducted a mediation regarding his issues and district staff and legal counsel attended the meeting. He stated it is his understanding that a sub-committee was appointed to continue the discussion. Bill stated that a couple of meetings were conducted which he did not attend and it has come down to there is no way to work it out. Ruth thanked Bill for his comments and stated there appears there is not a whole lot we can do at this time and encouraged him to continue his dialogue with the district.

Roxanne Chappell, 1424 NE Revere, addressed the board regarding her concerns with the proposed trail on the canal road adjacent to Hollinshead Park that is ten feet from her garage. She asked that it is not a safe place and she would like that section of the proposed plan taken off. She said it is a secluded spot and they have experienced pets being killed, thievery, things being thrown at their house, fireworks, and occasionally four-wheelers. She stated that she has talked with district staff and she would like signage directing people to use the sidewalks as alternative routes to the park. She added the irrigation district does not like people on the road either because of things being deposited in the canal. Steve Jorgenson stated that her property is one that triggered the "interim trail standard" he has proposed. He stated the canal road is not identified as a trail on any of the district's trail publications and we are not promoting use of this route. Bruce Ronning noted this lateral has been on the city's transportation plan since 1995 and is identified as a proposed trail. Ruth stated that the plan is not an absolute, rather it is prescriptive and it is not the intention of the district to determine the trail is going to go through the driveway or put trails where it is unsafe or inappropriately compromise property values or livability. Roxanne stated that even though it appears as a dotted line on the map people are using the canal road more and many are hostile to her when she politely asks them to leave the area. Ruth stated that this is a long-term plan and educating the public in the interim is something the district is good at and will continue to direct funds toward. She thanked her for her comments and stated that communication is a big piece of it to reach the most workable and livable solution.

Bruce Ronning stated the board needs to determine whether to hold a public hearing. He explained the feedback received tonight is not a matter of public hearing record; rather it is recorded like all other comment received in board meetings. He explained the public hearing would be advertised and comment should be received from anyone regarding the Trails Master Plan.

Tobacco Free Parks

Don Horton reviewed previous board discussion in August 2007 and again on February 19, 2008. He explained the board has been considering two options: an ordinance that would be an enforceable law, and a resolution or policy that is not enforceable. He referred to information provided in the board report including some ordinance options. He stated there are very few cities across the nation that has a total ban on the use of tobacco products in parks. He shared copies of a brochure from St. Charles Medical Center regarding their tobacco free policy. He outlined four options prepared for board consideration: an enforceable ordinance with limitations, an enforceable ordinance without limitations, an enforceable ordinance allowing for tobacco products in parking lots, and an unenforceable policy. He explained the limitations would ban tobacco products in high use areas, particularly where children are likely to congregate such as sports fields, playgrounds, skate park, outdoor basketball courts, etc. He noted COCC is considering a tobacco ban on campus and

the city of Bend increased their ordinance to include facilities and grounds of facilities. Bob Woodward stated for him it is a question of enforcement. He stated he would be in favor of option two, but expressed his concern for adding to the park ranger's responsibilities. He shared his concern regarding the district becoming an enforcement agency. Don stated that from a staffing standpoint he didn't think we would ever be able to achieve 100% enforcement and the expectation would have to be that it is enforced similar to the alcoholic beverage ordinance is currently enforced. George Thayer stated he is totally in favor of eliminating smoking and he would like to keep an enforceable ordinance on the books. Ted Schoenborn stated we need to have an enforceable ordinance. He stated as a park and recreation district, we are in fact, a health agency in a lot of ways and it seems totally inconsistent to take a position that is contrary to that. He added he could live with either option one or two. Ruth Williamson asked park ranger, Erin Bennett, which would be easiest for her to enforce. Erin stated that she favored option one. She explained that she would like to be able to enforce the ordinance as necessary and in specific situations such as near playgrounds or on trails where smoking could create fire hazards. Ruth stated she thought it would be easier to enforce option two as it is very clear that in any park and recreation facility or parks or trails smoking is not allowed. She agreed with the board that we want to leave the policing to the police department as much as we can; what we do want to do is keep our parks safe and healthy places and we want to give the park ranger the tools to maintain that level. Ruth referenced the 2030 Vision strategy for a safe, healthy community that directs elimination of smoking in all public places in Bend including public buildings and facilities. Ruth stated she is in favor of option two, recognizing that we are taking a lead in the community and this is a culture shift. Bob stated that he is in favor of option two, but would like to revisit the issue often. Don agreed that option number two appears to be the easiest for the district to enforce. He explained the Park & Recreation Rules and Regulations are currently being revised and will be adopted by the board in accordance with the ordinance process.

Representatives of the Tobacco Free Alliance expressed their support of the board's efforts to make the parks tobacco free.

The work session was concluded at 7:10 pm.

REGULAR MEETING

CONSENT AGENDA

Minutes – March 18, 2008 work session and regular meeting

George Thayer moved to approve the consent agenda. Bob Woodward seconded the motion. George Thayer, Bob Woodward, Ted Schoenborn and Ruth Williamson all voted aye. Motion passed.

Adopt Resolution No. 299 – Local Government Grant – Pine Nursery Phase I

Bruce Ronning explained the grant application process. He stated the grant application requires a resolution of the board. Bob Woodward moved to adopt Board Resolution No. 299 authorizing staff to apply with the Oregon Parks and Recreation Department for a Local Government Grant in Support of the Pine Nursery Phase I project. Ted Schoenborn seconded the motion. Bob Woodward, Ted Schoenborn, George Thayer and Ruth Williamson all voted aye. Motion passed.

Adopt Resolution No. 300 – Budget Transfer Appropriations

Lindsey Lombard explained the transfer of \$80,000 from personal services to materials and services in the recreation services fund. She stated when the budget was prepared it was not known how much more programming would be done with contract services vs. district staff. She explained it is not an increase in expenditures. Bob Woodward moved to adopt Resolution No. 300, approving a transfer of appropriations for the fiscal year 2007-08 budget. Ted Schoenborn seconded the motion. Bob Woodward, Ted Schoenborn, George Thayer and Ruth Williamson all voted aye. Motion passed.

EXECUTIVE DIRECTOR'S REPORT

Farewell Bend Boardwalk

Don Horton reported the Farwell Bend Boardwalk is near completion with the installation of interpretive signs and finish work on the paved connection to be completed within a week.

District Office Building

Don Horton provided a brief update on the progress of the new district office building. He stated land use approval has been received and plans have been submitted for the building permit. He stated approval has been received to begin excavation and fill, and he anticipates by the time that work is completed the building permits will be issued. He noted that bids have been received and in some categories the bids were higher than the GMP, but there were allowances as some of the plans are completely finished. He stated that he will be meeting with Skanska and staff to work on reducing some of those costs.

Juniper Ridge

Don Horton reported on a change made to the Juniper Ridge agreement that will be considered by the city council in a work session tomorrow night. He stated that once the council has conducted their approval process the board will need to repeat its approval process.

Chamber of Commerce Presentation

Don Horton reported that he and Ruth Williamson will be giving a presentation to the Chamber of Commerce community relations group regarding SDCs, the Pine Nursery and district office.

Art Match – Riverbend Park

Don Horton reported that Art in Public Places has determined they will fully fund the art to be placed in the roundabout at Riverbend Park near the parking lot. He stated previous discussion regarding the Art Match Program involved the district providing a 50% match for the art. He stated the Art Match Committee is supportive of parks and recreation and they wanted to be able to fund this part of the project. He added that they also want to be part of the Pine Nursery Project with a 50% match.

GOOD OF THE ORDER

Ted Schoenborn complimented the staff at the Senior Center and their efforts on behalf of the AARP tax preparation program.

Ruth Williamson commended the efforts of staff to respond to the board's concerns and community's concerns regarding the funding of the Pine Nursery project. She stated this demonstrates the healthiness of the organization and that you are willing to listen and respond.

The meeting was adjourned at 7:25 pm.

Prepared by,

Paula Lowery
Executive Assistant

Ruth Williamson, Chair

Bob Woodward, Vice-Chair

Ted Schoenborn

George Thayer

Scott Wallace