

**Bend Metro Park & Recreation District  
Board of Directors  
Work Session, Executive Session & Regular Meeting  
August 7, 2007**

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

STAFF PRESENT: Don Horton, Bruce Ronning, Jan Taylor, Ed Moore, Paul Stell, Robin Laughlin, Lindsey Lombard, Theresa Albert, Norm Ziesmer and Paula Lowery.

LEGAL COUNSEL: Mark Reinecke.

MEDIA: Yoko Minoura, The Bulletin.

VISITORS: David Visiko, Kelly Davis-Martin, Shannon Denes, Jeanne Hampton, Mike Lovely and Michael Graham.

## **WORK SESSION**

### **Juniper Ridge**

Don Horton referred to documents provided in the board report. He identified a position statement regarding the expansion of the UGB, talking points regarding Juniper Ridge, and comments presented to the Deschutes County Community Development board and city planning commission at a hearing conducted July 27, 2007 regarding a UGB amendment. He requested board discussion regarding the talking points. Ruth Williamson stated the statement had helped to clarify her thinking. George Thayer expressed concern regarding the city of Bend's ordinance requiring all land owners to follow the city's code, yet the Les Schwab property has been let off the hook. Don Horton stated it has been brought to the city's attention with regard to the annexation agreement. He stated at this point the city is on notice that the next time there is a subdivision or partition process within Juniper Ridge the district will submit comments to the hearings officer. Scott Wallace stated that after attending the public hearing process last week it is clear there are a lot of holes in the process including overlooking the Schwab property. He stated they have a lot of other issues to address in addition to what the district has pointed out. The board agreed with the talking points as written. Ruth stated that she feels there is an opportunity in the future to convey to the city that we are all in this together, that we share a vision for what the community could be, and that the district wants to work with the city.

### **Veteran's Memorial planning process**

Bruce Ronning reviewed a staff recommendation provided in the board report regarding a process the district should apply to address proposals such as the veteran's memorial. He noted that staff is proposing using the established public input process applied with other park projects. Bruce reviewed the history of planning for the park and identified amenities currently in place. He noted Brooks Park is classified as a community river park which is a subset of the

larger classification of community park, and explained the district's comprehensive plan community park/river park standards don't speak directly to the installation of memorials of any kind, but the list of options include such things as urban plazas, picnic area shelters, etc. He added that it is also clear the development considerations for the smaller river community parks, like Brooks, are primarily intended to provide passive neighborhood access to the river and protect the river environment. He stated that the veteran's memorial would result in a significant change to the site and stressed the importance of having some level of public process to engage both the immediate neighbors, and the public at large. He explained staff is proposing posting a questionnaire on the district's web site similar to those used for community park master planning that has resulted in better response and more useful information in recent park development projects. Bruce added staff is proposing individual stakeholder meetings for the neighbors and the public at large, and a community public meeting. He stated the information would be presented to the board to aid in their decision. Bob Woodward stated that as one who has lived in the neighborhood for a long time, Brooks Park is taking a lot more use by canoeists and kayakers, and he would not like to see the district prohibit or restrict that access in any way. He stated he thinks the idea of having the meetings is good and referred to the meetings regarding the Newport Bridge which he felt were very effective. He stated he thinks the outcome of the bridge was enhanced and some of the direction was changed by those meetings, and he would like to do something similar. He added that he would not like to see something that would change the nature of what the park was set out for. Don Horton stated that Dick Tobiason and a committee of city staff and veterans have been meeting to discuss the design of the memorial. He stated that the result of those meetings have led to the recommendation of putting it inside Brooks Park. Don stated that he had recommended that the group wait to design the memorial until after the board has determined whether it will be installed in Brooks Park. He stated that the committee has gone forward with the proposed plan and Neil Huston has volunteered his time to refine their design. Don shared some of the details of the design and stated the process staff is recommending would ask the committee to take a step back and go through the process the district would apply to any other type of request brought to us. He cited disc golf, sand volleyball and dog parks as examples of proposals that have not been considered without the process to determine feasibility and location. Bob Woodward noted that the board had received the plan without endorsing it. Ted Schoenborn stated that he feels it is important to hear from the neighbors and the public in general through the process identified by staff. Bob suggested an alternative in linking the bridge, which he said appears to be a critical element, with Brandis Square as a memorial site. Don noted there has been a recommendation regarding Brandis Square that it may be a logical place to put the memorial in Brandis Square. He noted there has been some opposition that identifies Brandis Square as originally installed to honor the pioneers of Bend. He stated that Art in Public Places, who helped to fund the original Brandis Square and is willing to help fund the redevelopment of the square, does not want to take away from recognizing our own local history by putting a veteran's memorial at that location. George Thayer stated his first concern with the veteran's memorial proposal in Brooks Park are neighbors and parking issues as there is only residential street parking at the park. Bruce referred to the veteran's timeline and stated that staff could provide information for board consideration in two months. He noted that would be displacing other project work. Don added that the dedication of the Newport Bridge and walkway is scheduled for Veteran's Day in November and it is the memorial committee's hope that they can announce the location for the memorial as Brooks Park. Don also referred to

the second half of Dick Tobiason's proposal with regard to the flag program and his request that flags be installed at the north and south berms and Drake and Farewell Bend parks. He noted that the board had asked that staff consider the whole proposal and explained that it would be his recommendation that the district install flags at facilities such as Juniper Swim and Fitness Center, the new recreation services/administration building and the senior center as staff is available in those locations at all times to ensure that the flags are maintained. He stated this piece of the proposal will need to be addressed at the same time the veteran's memorial is addressed. Ruth noted that there is no question the veterans are people that deserve a lot of honor. She stated it is important to protect the district's process, and continue to manage the district's projects that have also been a long time coming. Ruth stated if there is a way to convey to Dick and the veterans group that we will move this along as expeditiously as we can and give the proposal its due attention and weight in our conversation and public outreach, we will be doing them the best service possible. Scott Wallace stated he would prefer to leave it up to staff to prioritize the level of effort in putting the questionnaire forth and not setting a firm deadline trying to meet a Veteran's Day target for the district having a decision with regard to the site. George stated he is reluctant to spend a lot of staff time that results in the conclusion that Brooks Park is not the appropriate location for a veteran's memorial. Ruth stated that she would like to make sure the district is forthcoming and clear about why we couldn't meet the Veteran's Day deadline. Bob stated it appears to be two different things as the bridge was there unnamed and just redone, whereas the park has been in existence for a long time and the process requires more time. He added there were no promises made to Dick Tobiason. Robin suggested having an answer by Memorial Day, 2008, rather than Veteran's Day of this year. The Board agreed the decision regarding the proposed flag program should be made in concert with the decision on the siting of the veteran's memorial.

### **Dogs off-leash issue**

Don Horton stated dogs off-leash has continued to be a huge issue in the parks and on the trails. He stated the city police have tried to enforce the code; however, it is difficult for them and the district's park steward to enforce a code that many residents don't take seriously. He stated that staff has met with Chief Andy Jordon regarding possible solutions for the problem, however, the police department is not in support of allowing dogs off-leash in specific parks during specific times of day as they feel it would be too confusing to dog owners and police officers, and cause more work for the police department. He referred to questions for board consideration included in the board report with regard to the district's responsibility for enforcing city code; whether the district should continue to have a dogs on-leash rule as it duplicates city code; the district's position on dogs off-leash given this is a regulation we cannot enforce; and whether the district should continue to pursue allowing dogs off-leash in certain parks during specified times of day. He cited most recent statistics regarding violations of park rules and regulations, totaling 3,100 over the past year, 2,038 of them involving dogs off-leash. He added the district has one employee to address these violations and the position does not include enforcement authority. He explained the district is trying to address the problem through education, working with the police department and providing, as best we can, places where people can take their dogs off-leash, which is currently only Big Sky Park. He noted that staff is working on getting a second site completed at Hillside Park. He asked the board for staff direction as to how the district should be addressing this issue. Ruth stated that she had recently received an email from a supporter of off-leash areas that indicated Chief Andy Jordan

may be willing to re-visit the proposal of off-leash areas in designated parks during specific times of day. Don stated it is an issue the city would like to find a solution to so they don't have to have to have police officers dealing so often with dogs off leash as they have more important issues to deal with. Bob stated he thinks we need to work with the police department very closely and identify another area for an off-leash park in addition to Hillside. Scott stated he did not think the district should be enforcing the off leash ordinance. Don stated the public has a perception that the district should be doing something to enforce the ordinance. He stated that his concern is that if we only have fenced dog parks, we will only be able to be able to build two or three of them and they are going to be overrun. Ted asked if there is information available from other cities that use designated hours for dogs off leash in parks. He stated he would think that is one way to relieve some of the pressure. Don stated he believes the police department is doing some research from the law enforcement people and it is certainly something we can do from a user perspective. Ted stated if it you make it easier for people to comply with the situation, the better chances are of people cooperating. Ruth asked Erin Bennett, park steward, to speak to the board regarding her experiences and what she is hearing from the people she comes into contact with. Erin spoke at length about her interaction with park users and attempts to use education as a tool to curb the off-leash violations. She stressed that without enforcement power to lend credibility to her position, she is less than successful in her ability to improve the situation. She stated the police department has been responsive to her calls for assistance and issued citations for violations. Don noted that at the time the park steward program was created the board determined the police department should enforce the city ordinances and district park rules and regulations. He added the police department will respond to calls from the park steward, but the whole idea of the park steward program was to take some of the pressure off the police department, however, we are finding there are so many violations occurring that we have to call them more often now. He stated that within the next six weeks staff will be reporting to the board regarding the first year of the park steward program and may be making a recommendation that we need to have some citation responsibility in order to get control of some of the issues. He said that vandalism in parks now is worse than he has ever seen it and we are spending a lot of time, effort and money to clean up the damage. Ruth stated that she would like to continue to work with the police department and some of the dog community advocates and develop something we can offer to the community that will work for staff and give people the opportunity to demonstrate they can be responsible dog owners before we go to the next step of issuing citations. George stated his experience with problems with kids downtown and in the park, and how they are addressed by the police department. He stated he would like to work with the kids in a more proactive way and put their energy to productive use.

### **Ice facility recommendation**

Don Horton referred to material provided in the board report. He stated he is recommending canceling the contract for the ice facility feasibility study with Sports Management and take a look at all of the district's indoor recreation needs. He explained that a number of things have changed in the time we have been doing the study. He stated we know now generally which direction the UGB is going to expand, JSFC has completely changed and we need to consider what is happening at the facility; and we need to consider what is happening along the river with the completion of Farewell Bend Park and the increased use of the river. He stated the use of the Riverbend Park is going to be different than what we had anticipated at the time we

purchased the land. He said that putting a 100,000 square foot recreation facility at that site is probably not going to work as we won't have enough parking to accommodate a facility that size. He added that he has discussed the process for canceling the contract with legal counsel. He recommended that over the course of the next year an indoor facility needs assessment is conducted which could be used to update the comprehensive plan. He noted that the comprehensive plan does a good job of identifying park and outdoor recreation needs, but is lacking with respect to indoor facilities. Bob asked if there are other companies that could conduct the ice facility feasibility study. He expressed concern for the public that are interested in having access to such a facility. He added that he thinks it is a good idea to re-evaluate the indoor facility needs. Scott shared his experience with the committee that worked on securing the feasibility study and stated that he feels the study was warranted and would still be warranted and it definitely needs to be incorporated in the indoor needs assessment. George stated he agrees we need to take a comprehensive look and shared his concern for keeping the work already done on the feasibility study and combining it with the indoor study. Ted stressed the importance of providing information in the study regarding the economics of operating indoor facilities in order to assist the board in their decision-making process. Following discussion the board reached consensus to go forward with a study of indoor facility needs.

## **EXECUTIVE SESSION**

Chair Ruth Williamson convened an executive session at 7:00 pm pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property transactions.

## **REGULAR MEETING**

Chair Ruth Williamson called the regular meeting to order at 7:30 pm.

## **VISITORS**

David Visiko addressed the board regarding a proposal to make public parks tobacco free. He cited the healthy recreation activities that take place in parks and the importance of sending a healthy message to youth. He stated events held in the parks should be smoke free and cited the hazards of second-hand smoke. He added that if the board changed the district's policy it would be congruent with the school district policy. He asked the board to consider a more in depth presentation from the Tobacco Free Alliance and to discuss the proposal.

Shannon Dames addressed the board regarding smoking in the parks. She explained her work in the area of community wellness and noted that 89% of those surveyed state-wide want a smoke free environment.

Kelly Davis Martin addressed the board regarding making the parks smoke free. She stated she wants to stay in tune with Bend being a leader in recreation opportunities and she feels strongly that we need to protect outryouth. She noted that the city, county, and fairgrounds are tobacco free, and COCC is considering the same policy.

Ruth thanked the visitors for speaking to the board and stated the board would be discussing the proposal further.

Mike Lovely addressed the board. He explained he is a community activist and currently active in the Southwest Bend Neighborhood Association. He noted that the neighborhood initiated a refinement study that will include a five acre park and trails. He also pointed out their lack of parks in their neighborhood. Mike stated he would be attending future board meetings.

Jeanne Hampton addressed the board regarding dogs off leash. She shared her experience with a woman and her off leash dogs on the Deschutes River Trail. She stated she was physically threatened and feared for her safety.

Ruth shared her regrets for the experience and assured Ms. Hampton that the board is in very active discussion as to how to manage the dogs off leash issue.

## **PUBLIC RECOGNITION**

### **DEQ Eco-Biz Landscape Certification**

Ed Moore explained the district's park services department efforts to achieve the Eco-Biz shop and landscape certification. Linda Hayes-Gorman, DEQ, recognized the district for its leadership in environmental stewardship and sustainability. She explained the Eco-Biz program recognizes entities that reach the highest standards in minimizing their environmental impact and the goal of the program is to conserve natural resources and prevent and minimize pollution generated by everyday operating activities. She then presented the Eco-Biz Landscape Certification to the district. She stated that no other entity in the state has both an automotive maintenance shop certificate and a landscaper's certificate. She added that this is quite an achievement as the certification requires a very tedious and time consuming, intensive program. Ed recognized the staff efforts of Paul Stell, Bruce Ronning, Norm Ziesmer, Robin Laughlin, and all staff involved in writing the IPM program.

## **MARKETING PRESENTATION**

### **Preview of new Recreation Connection TV program**

Andie Lindgren explained that a new team is producing the district's TV show and presented a sample show for board review. Ruth thanked the staff for their efforts in informing the community about the district and what we do.

## **STAFF PRESENTATION**

Gary Jacobe, park technician, addressed the board. Gary complimented the Recreation Connection video and the amount of information covered. He stated he was born, raised and attended college in Nebraska. He stated that he had vacationed in Oregon when he was 14 and made it his goal to return to Central Oregon which he accomplished in 2001. He stated he has worked on irrigation systems since 1988. He stated that years ago the district received little recognition for what we do which was kind of disappointing, but that has changed a lot in the last few years and he is really liking that.

## **CONSENT AGENDA**

### **Minutes – July 17, 2007, Work Session & Regular Meeting**

**Award Orchard Park site work contract  
Accept youth soccer uniform bid**

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

**Approve Sprint Cell Tower contract**

Don Horton described the location at park services and components of the agreement. He stated the district will receive \$2,000 per month from the cell tower and the funds will be dedicated to the scholarship fund. He stated the contract is more detailed than previous contracts with Verizon and he feels it is a better agreement. Bob Woodward moved to give the Executive Director the authority to enter into a lease agreement with Spring Spectrum L.P. for a cell tower site at the Park Services Complex pending final legal counsel review. George Thayer seconded the motion. Bob Woodward, George Thayer, Scott Wallace, Ted Schoenborn and Ruth Williamson all voted aye. Motion passed.

**EXECUTIVE DIRECTOR'S REPORT**

Don Horton displayed the August issue of *Bend Living* and noted the district was featured in the magazine. He added that JSFC was voted as the best fitness facility in the Source's "Best of Bend" public poll.

Don stated that the joint meeting with the city council is being considered for the week of September 10.

Don reminded the board of the all staff luncheon scheduled for Friday, August 10.

Don shared a memo that identified issues of district concern to be shared with Representative Chuck Burley who will attend the September 18 work session. He briefly reviewed the topics and asked for board comment or questions.

Bruce Ronning reported on a SCORP Plan that will be presented at a meeting hosted by the district on August 16. He explained the purpose of the committee and the plan that has been developed. He noted the meeting will include discussion on how to implement the plan. He explained that committee is trying to create a process to engage park and recreation providers to put these programs on the ground. He added the program may also offer grant funding opportunities.

Bruce shared information regarding the joint meeting and hearing conducted by the Deschutes County and city of Bend planning commissions regarding the expansion of the UGB.

**GOOD OF THE ORDER**

George Thayer reported the Bend Downtowners have asked him to serve as a liaison of the district board to their committee. The board found the request acceptable.

Ruth Williamson noted that she has been the ex-officio representative of the board to the BMPR Foundation board and offered to continue in that capacity. The board agreed to continue with that arrangement.

Bob Woodward stated he would like to find a way for the board to honor long-time, excellent employees when they leave district employment. Scott Wallace suggested a token of appreciation. The board asked staff to develop a recommendation for their consideration.

As there was no further business the meeting was adjourned at 8:45 pm.

Prepared by,

Paula Lowery  
Executive Assistant

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Ruth Williamson, Chair

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Bob Woodward, Vice-Chair

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Ted Schoenborn

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George Thayer

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Scott Wallace