

VISITORS

NONE

CONSENT AGENDA

1. Meeting Minutes – 8/7/2018

Director Sprang made a motion to approve the consent agenda. Director Grover seconded. The motion passed unanimously, 4-0

BUSINESS SESSION

1. Hold Public Hearing and First Reading of Park Rules Ordinance – *Jeff Hagler and Sasha Sulia (30 min)*

Director Fuller opened a public hearing to receive comment regarding the proposed Ordinance No. 11, Park Rules & Regulations. No public comment was offered at the meeting.

Ms. Sulia and Mr. Hagler presented the first reading of Ordinance No. 11, Park Rules and Regulations. Ms. Sulia introduced Mr. Hagler, Mr. Redline and Ms. Clason. Ms. Clason has served as legal counsel on this project.

Ms. Sulia introduced the new park rules ordinance, stating that the last update to the rules was in 2010, when Ordinance 9 was adopted. The new rules include new language, stronger definitions, removed redundancies, and address new issues in the parks today: drones, electric bikes and vaping.

Mr. Hagler said that there was a lot of research done for this revision. Other districts were contacted in Colorado, California, Idaho and Oregon. A draft was created in the fall of 2017; staff reviewed the draft, then the draft was sent out for legal review and came to the Board last spring. More outreach was conducted to user groups such as: slackline and hammock, drone and electric bike users. These groups helped with drafting the guidelines for safe use of these items in our parks.

Mr. Hagler reviewed the proposed key changes:

- Camping: Definition of camping that is acceptable by law, more of a clarification than a change in the policy.
- Noise: Definition is consistent with City of Bend and Deschutes County.

In response to questions from the Board, Mr. Hagler stated that there are decibel guidelines on the website that dictates sound levels for larger venues and events in the parks.

- Restrooms: No big changes to the policy, all information is in one place.

The Board asked about gender issues with bathroom use. Ms. Clason stated that state law allows for gender identity to determine an individual's preference of restroom.

- **Bodies of water:** All rules that pertain to bodies of water are included in one area.

The Board asked about clauses that include exceptions by the Executive Director. It was pointed out that some stipulate this and others do not. Ms. Clason responded that some of them are there as good reminders; the Executive Director can make exceptions to any rule. She said these statements appear more for emphasis.

- **Firearms:** Rules state that firearms are not allowed in a public building loaded or unloaded.

Ms. Clason explained that there are a multitude of exceptions to the firearm rules: parole officers, police officers, active military and concealed licensed permit holders are permitted.

Executive Director Horton asked how the rules apply to parks outside of the city limits; the response was that the city laws would not apply to those areas, and rely on county rules. Staff will look at further to try to create a uniform rule on District property.

- **Fireworks:** Added that fireworks cannot be possessed in parks for any reason.
- **Dogs on leash:** Expanded the rules for more clarification, added that the leash had to be attached to the dog and to the person controlling the dog.

The Board asked about allowances for electronic leashes. Mr. Hagler said that use of these devices create confusion of other park users who do not realize that there is a control in place for the dog and could discourage leash rule compliance.

- **Electric Bikes:** Electric bikes will be allowed as long as the power output is less than 1,000 watts and incapable of speed that exceeds 20 mph on level ground, recognizing that these bikes may be used on trails and in parks for commuting purposes.

The Board suggested adding that bikes are subject to posted signs, so that at a later date if the District decides it is necessary to place further controls in the parks, there will not be a need to change the rule.

- **Parking lot use:** Reworded the language about the use of parking lots. Added different time restrictions to specific areas for loading zones. The rules prohibit cars parked on District property for purpose of offering a vehicle for sale.
- **Business operations:** Added better definitions to this area of the rules.

- New issues: Slacklines, geocaching and drones, added these new rules to make sure that these items are used safely and respectfully in the parks.

The Board recommended that the listed guidelines be made clearer for park users and a change of the word drone to unmanned aerial vehicles.

- Closure hours: Closure hours are 10pm-5am, some parks now state open sunrise to sunset. This helps to control parks when dark that are in more remote areas.
- Appeals: Created a District exclusion appeals panel. The panel is made up of three District staff (non-park stewards). This is stated in the exclusion policy.

The Board would like to add to the rules that the appeals panel is addressed in the exclusion policy.

Director Schoenborn made a motion to conduct the first reading of Ordinance No. 11 by title only. Director Sprang seconded. Motion passed unanimously, 4-0.

Director Fuller read the first reading of Ordinance 11, replacing Ordinance No. 9, by title only. The public hearing will remain open for the next two weeks, until the next meeting and second reading.

2. Discovery West Developer Agreement – *Don Horton and Michelle Healy (30 min)*

Executive Director Horton explained that the Discovery West subdivision is required to submit a master plan to the city in order to bring the development into the city limits. As part of this master plan, an expansion of open space and developed parks will be included. Mr. Horton described the property of the development as it is today and the intent for some of it to be developed as a park, natural space and playground space. The land is in the urban growth boundary, but not in the city limits. Mr. Horton showed on a map how the parcels connect to existing parks and trails, creating a better trail network and more park areas that will be developed for the public. This allows for a greenbelt connection to the Tree Farm and Shevlin Park.

This agreement will discuss how the land will be acquired by the District. Three acres will be purchased; the property will be appraised, but the price will have a collar on the amount with a high point and a low point. If the appraisal comes back higher than the collar, the maximum amount dictated by the collar will be paid. If it comes back a lower amount, then the lower collared amount will be paid and if the appraised price is in the middle the appraised value will be the price of the land.

Mr. Horton reviewed some of the details of the long range plan and explained the costs that the District and developer would be responsible for and a few things that would be shared costs.

The development will begin in the east and move west, be developed over time and land will be acquired by the District as the development progresses.

The Board commented that this is a good project to add more park space and trails for our patrons. The hard and soft surface trails throughout will be a nice feature for the neighboring schools for cross country meets and will be a better network for use by all age groups.

Mr. Horton remarked that Brooks Resources doesn't just build neighborhoods; they build communities that include parks and trails throughout their community, making them a good partner for the District.

Director Schoenborn moved to authorize the Executive Director to negotiate and execute a Development Agreement with Discovery West for the execution of parkland acquisition and development within the Discovery West subdivision. Director Grover seconded. Motion passed unanimously, 4-0.

EXECUTIVE DIRECTOR'S REPORT

First Street Rapids: The District continues to have problems with bridge jumping. An installed cable above the rail may help prevent people from jumping from the bridge. Executive Director Horton reminded the Board that last summer an adult died in this area after jumping from the bridge. Some of the neighbors have previously complained about the height of the rail on the bridge and the anticipation is that there may be some further complaints with an installed cable.

SDC Consultants: Two proposals came in from the RFP. This will be completed this fiscal year. Interviews will not be necessary, and the District will be able to get started right away.

CMGC: There are two agenda items for CMGC coming up on Drake Park. This project has enough complexity to it that if a contractor can be brought on earlier, it will help with the project. There is a need to advertise for this and would like to get this process started. The District already has the contractor, now need to hire the CMGC so that they can work together.

Pine Nursery Disc Golf: City of Bend is about to begin work on Empire Avenue. This project will affect the disc golf course at Pine Nursery Park. There is anticipation that some opposition may come from the teachers at the school. The District is reaching out to the school district to get a better feeling about their position. Staff will be reaching out to the only neighbor that is nearby as well. Other disc golf courses have been removed in Bend, so there is a commitment to the disc golf community to keep this course open for them.

Let's Picnic: Last night for Let's Picnic is tomorrow at Eagle Park.

Smoke: Last year staff created a policy that states air quality limits on outdoor programming. We have been using this policy due to the smoke again this year and a few programs have been canceled. Our patrons have been very understanding with air quality concerns. Since this may

be an ongoing issue, staff is working on finding ways to accommodate families using our programs in order to avoid further cancellations.

BOARD MEETINGS CALENDAR REVIEW

PROJECT REPORT:

GOOD OF THE ORDER

ADJOURN 8:22



Prepared by,
Sheila Reed
Executive Assistant



Brady Fuller, Chair



Ted Schoenborn, Vice-Chair



Ellen Grover



Nathan Hovekamp

Lauren Sprang