



## Board of Directors

June 7, 2022

District Office Building | 799 SW Columbia | Bend, Oregon

### AGENDA



*A video of the entire board meeting can be viewed on the website:*

<https://www.bendparksandrec.org/about/board-meeting-videos/>

### BOARD PRESENT

Deb Schoen  
Jason Kropf  
Nathan Hovekamp  
Zavier Borja

### BOARD ABSENT

Ariel Méndez

### STAFF PRESENT

Don Horton, Executive Director  
Michelle Healy, Deputy Executive Director  
Julie Brown, Manager of Communications and Community Relations  
Kristin Donald, Administrative Services Director  
Matt Mercer, Director of Recreation  
Sheila Reed, Executive Assistant  
Brian Hudspeth, Development Manager  
Sasha Sulia, Superintendent of Park Operations  
Colleen McNally, Marketing Manager  
Kelsey Schwartz, Planning and Property Specialist  
Ryan Richards, River Recreation Specialist  
Adam Eno, River Recreation Specialist  
Jason Monaghan, Facilities Manager  
Henry Stroud, Trail Planner

### MEDIA

Kelsey McGee, KTVZ  
Steele Haugen, CO Daily  
Barney Lerten, KTVZ

## WORK SESSION

- Whitewater Park Evaluation and Recommendations for Reopening – *Michelle Healy /Brian Hudspeth/Justin Rae*

Ms. Healy gave an overview of the presentation regarding the evaluation and recommendations for the Whitewater Park. She informed the audience that supplemental meeting materials are available in print and electronically. Copies of these documents are included in the minutes. Ms. Healy then provided information about the accident at the Whitewater Park based on the completed reports, the timeline of events, and the protocols followed. She said that immediately following the tragedy, a review was conducted by district staff involved in the park and its construction, three engineers from OTAK (the firm that designed and constructed the white-water park), and members of Bend Paddle Trail Alliance (BPTA).

Mr. Hudspeth presented slides that described the park engineering and how it is controlled. He discussed the water levels, the cubic feet per second (CPS), and the gates and wave structures. Ms. Healy followed with the three factors that staff members and emergency personnel believe contributed to the tragedy:

- gate system
- season water level
- surf equipment

Ms. Healy reviewed the current safety guidelines in place, and stated that while the district cannot make the river perfectly safe, the district is committed to looking at any safety measures that could be improved.

Mr. Hudspeth shared how the team designed a sweeper (or block) to fill the gaps between the static kicker and pneumatic gate. He said the pieces were bolted in and successfully installed before higher water level prevented installation. Ms. Healy presented the operational changes:

- Prohibit use of leashes
- Person safety gear
- Upgrading signage and communications
- Webcam installation
- Increase system air capacity

Mr. Rae from BPTA reviewed reminders regarding the river; including what can be changed, and what cannot. He said BPTA worked with experts (swift water rescuers, Bend Fire Department and experienced surfers and kayakers) to make the recommendations and keep the park as safe as possible. He added that leashes are a large concern and quick releases do not always work or something hinders their use. His final comments centered on the need for a reporting mechanism, increased education and awareness classes, signs, and members of the surfing community making a culture shift.

The board asked questions about the risks in the surf wave with the modifications and Mr. Hudspeth said that the river is wild with inherent risks and described several types of risks that would be difficult to anticipate. The board asked about the plan for educating users. Mr. Rae responded that there will be several education opportunities, he shared some of the ideas and promoted the idea of having ambassadors for the surf park.

### VISITORS

1. Members of community expressed concern over leashes being banned from the white-water park. Primary concerns were centered about retrieving a board downstream, the energy to swim that far down stream, and another river user getting hit downstream by the loose board.
2. Other comments and concerns were:
  - a. Lack of rescue equipment on scene
  - b. No lifeguard on site
  - c. Lack of webcam monitoring and what would happen if a wave shaper could not be reached.
  - d. Allowing specific types of leashes in the park and/or how they are allowed to be worn.
  - e. Not wearing a leash isn't that difficult or causes the problems expressed. It's rare a board gets that far away.

### CONSENT AGENDA

1. Minutes 5/3/2022

***Director Kropf made a motion to approve the consent agenda as presented. Director Borja seconded. The motion passed unanimously, 4-0.***

### BUSINESS SESSION

1. Accept Reopening Plan for the Surf Wave – Michelle Healy

Based on the Whitewater Park evaluation and review recommendations, Ms. Healy reiterated the district's position on the recommendations for the surf wave to reopen and requested the board's support for the plan.

Board members discussed their feelings around the event, expressed their condolences, and asked district staff remaining questions regarding the surf wave, safety measures, and the recommendations for reopening. Staff responded to the questions and satisfied board's inquiries. Director Hovekamp requested that with the recommendations offered, he would like to see the following provisions added:

- A review of leashes not being permitted on the surf wave
- A review of new leash technology if it becomes available in the future
- A review of periodic swift water rescue

Director Kropf asked about the realities of having a lifeguard and safety/rescue equipment at the park. Ms. Healy responded that staff were concerned about having equipment at the park that could end up causing more danger to users without proper training, or misuse by the high numbers of users in the area during the summer. Based on review and the force of the water, neither a lifeguard nor safety equipment could have saved the surfer in this situation. Finally, Ms. Healy and Mr. Richards discussed the reality of having a lifeguard and why it is not feasible.

Director Borja added comments that he would like to see the recommendations put forward by Director Hovekamp including a website portal for users to submit concerns or issues at the whitewater park for district staff.

***Director Hovekamp made a motion to approve the reopening plan for the Surf Wave with additional board recommendations. Director Borja seconded. The motion passed unanimously, 4-0.***

## 2. Adopt Resolution No. 2022-03 Adopting the 2023-2027 CIP – Michelle Healy

Ms. Healy said there have been no changes to the capital improvement plan (CIP) since presented to the board previously and requests the board adopt the CIP as it stands.

Director Hovekamp asked about the district's responsibility to reassess the South UGB (urban growth boundary) project to fulfill the commitment to the community for trail inequities and access in that area of town, the approved bond, and protection of the river long term. He asked if money could be removed from the miscellaneous trail fund and put toward a separate feasibility assessment project.

Ms. Healy discussed the options available for how that could be done and whether or not it needs to be a separate project at this time or in the future. Board members discussed options and agreed that funds should stay how they are at this time and can be formalized in a subsequent fiscal year. Ms. Healy suggests having a future meeting between the board and staff to discuss a plan and schedule. Executive Director Horton suggested another option of adding to the annual action plan.

***Director Kropf made a motion to adopt Resolution No. 2022-03 - Adopting the 203-2027 CIP as presented. Director Borja seconded. The motion passed unanimously, 4-0.***

## 3. Hold Public Hearing – Adopting the Budget and Making Appropriations for Fiscal Year 2022-23

### a. Adopt Resolution No. 2022-04 – Adopting the Budget and Making Appropriations for Fiscal Year 2022-23

Director Schoen opened the public hearing for adopting the budget and making appropriations for fiscal year 2022-23. There were no public comments and she closed the public hearing. Director Kropf noted that the last few years have been volatile financially and requested the board and district staff review the fees charged at district facilities as the economy normalizes.

Mr. Mercer noted that the district is currently operating at the low end of the cost recovery model. He said operation costs have increased including staff wages and fees for facilities have not kept pace with these increases and inflation.

***Director Kropf made a motion to adopt Resolution No. 2022-04 - Adopting the Budget and Making Appropriations for Fiscal Year 2022-23 as presented. Director Hovekamp seconded. The motion passed unanimously, 4-0.***

- b. Adopt Resolution No. 2022-05 - Imposing and Categorizing Taxes for Fiscal Year 2022-23 –  
*Kristin Donald*

Ms. Donald said there have been no changes to the resolution since last presented to the board.

***Director Borja made a motion to adopt Resolution No. 2022-05 - Imposing and Categorizing Taxes for Fiscal Year 2022-23 as presented. Director Hovekamp seconded. The motion passed unanimously, 4-0.***

#### **EXECUTIVE DIRECTOR'S REPORT**

Ms. Healy announced to the board that Tom Fisher resigned from the Naming Committee and his leaving an open position to be filled this fall.

#### **PROJECT REPORT**

#### **BOARD MEETINGS CALENDAR**

#### **GOOD OF THE ORDER**

- Director Hovekamp commented that while visitors did not follow proper protocol for comment at this meeting, he does not want to curtail positive and respectful public comment for important items like this.
- Director Schoen expressed appreciation for the board's patience with all the comments and discussion tonight even though protocol was not always followed. She said it was important for the group to speak and share their thoughts. She also thanked Ms. Donald for the careful and thoughtful planning over the last few months on the budget documents.

**ADJOURN** 8:12 pm



Prepared by,

Kelsey Schwartz  
Administrative Assistant

*Abstain*

Ariel Méndez, Chair

Jason Kropf



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Zavier Boria

*Deb Schoen*

Deb Schoen, Vice-Chair

*Nathan R Hovekamp*

Nathan Hovekamp