



Board of Directors

June 20, 2023

District Office Building | 799 SW Columbia | Bend, Oregon



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

Nathan Hovekamp

Jodie Barram

Donna Owens

BOARD ABSENT

Zavier Borja

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, Assistant to the Executive Director

Brian Hudspeth, Development Manager

Sasha Sulia, Superintendent of Parks

Eric Baird, Finance Manager

Jeff Hagler, Park Stewards Manager

Director Schoen opened the board meeting and said the board would take public comment after the staff presentation of the trail easement on the Central Oregon Irrigation District property and before the board vote. She said the board met in executive session prior to the meeting to discuss the executive director's annual evaluation. Director Hovekamp remarked that the evaluation reflected stellar performance of the director.

Director Hovekamp made a motion to accept the board evaluation of the Executive Director.

Director Barram seconded. The motion was approved unanimously, 4-0.

CONSENT AGENDA

1. Minutes: 06/06/2023

Director Barram made a motion to approve the consent agenda. Director Owens seconded. The motion was approved unanimously, 4-0.

BUSINESS SESSION

1. Approve Trail Easement and Amendment to Agreement with Central Oregon Irrigation District
– *Henry Stroud and Michelle Healy*

Mr. Stroud gave a background on the Central Oregon Irrigation District (COID) property, the Deschutes River Trail (DRT) 2005 trail easement, the Central Oregon Historic Canal Trail (COHCT) 2002 agreement and the Federal Energy Regulatory Commission (FERC) license. He explained that all these trails are on property owned by COID and have been long used by the community and tolerated by COID as long as it has not conflicted with operations of their facilities.

Mr. Stroud said recent COID actions include a contract with Pahlisch Homes to sell a portion the land for homes and consultation with the district on a proposed amendment to the FERC license, which includes a relocation of a chemical toilet and record of easement in favor of the district for the FERC trail. COID was asked to reach out to the district for the amendment and ultimately took it further and offered an easement.

Mr. Stroud explained the proposed changes:

- Amend 2002 agreement to extend DRT River Canyon Natural Area
- Clearly show the location of the COHCT on COID property
- Grant an easement in favor of BPRD for the FERC Trail

Mr. Stroud described the easement as permanent, to be a minimum of 20 feet wide, with access that is consistent to what is currently available, and transferrable in a sale. He said the easement is relocatable, but must be approved by the district. He added that the trail is relocatable for any unforeseen issue that comes up in the future that would require the movement of the trail.

He explained the amended agreement is not as permanent as an easement, but this is property that COID will retain and is consistent with the rest of the trails that the district has with COID in the area. He said there is an easement for the trails to the footbridge that was required to build the footbridge and COID granted the easement.

Director Schoen asked if there were requirements of the trail by FERC and Mr. Stroud responded that the requirement was to connect Brookwood Blvd to the river. He said COID created a trail that did that and it was added into the agreement. There were no further requirements such as minimum trail width or quality of the trail. Mr. Stroud explained that the FERC trail has never been a district facility and he speculated that there may be some misconception in the community that it is due to some wayfinding signage in the area. He commented that the FERC license is directly tied to the operation of the power facility, explaining that if COID closes the power plant, the public requirement for the trail dissolves; adding the easement now guarantees some level of access.

Mr. Stroud said the next steps are to finalize the FERC Trail Easement Agreement and Addendum 1 to the 2002 agreement and continue to work with Pahlisch Homes through the land use development process to evaluate opportunities for additional trails and open space.

Director Hovekamp asked several questions about other trails and how these agreements compare. Staff answered that these agreements are not uncommon and shared other trails that are similar. Ms. Healy commented that COID did not have to provide this easement to the district, but are doing so as a community benefit. Executive Director Horton said there is more opportunity to work with this through the land use process.

Director Hovekamp said there is much to celebrate with the proposed amendment and easement. He said the area is identified as a opportunity area and a mechanism to provide additional housing; a tradeoff to avoid sprawl. He said he has personally walked and jogged these trails for 25 years, and the public comments received have resonated. He said this community has been too cavalier about removing trees and said he is torn on voting in favor in this motion for the chance of getting more out of the agreement.

Directors Owens, Barram and Schoen all spoke in favor of the motion and the benefits of having some ownership of the trail.

VISITORS

Cory Bittner: Mr. Bitner, representing Pahlisch Homes, said he would like to express his support for the trails and said this is an amazing opportunity to do something special for connectivity and access. He said there are no immediate plans to develop on the COID property, but when they do, the community will be involved in the process.

Lana Benrath: Ms. Benrath said she has used these trails for a long time for various activities. She said she understands that Bend needs homes, but these will not be affordable homes. She commented that the property reminds her of Shevlin Park and she does not see adding homes to the property as a benefit. She added that she does not understand how the park district has not thought of purchasing the space and not just accept the trail easement.

Aimee Jameson: Ms. Jameson requested the board consider naming the Shevlin West Park in honor of Bill and Jessica Valentine, who both died of pancreatic cancer and were longtime residents of Bend.

Stacy Nyman: Ms. Nyman expressed support for naming the Shevlin West park for the Valentines, she said there is a memorial service this Sunday at 1 pm in Sunriver that is open to the public.

Director Barram made a motion to authorize the executive director to finalize and execute an amendment to the 2002 trail agreement between the district and COID, and to finalize and execute a new trail easement for the trail connecting Brookwood Blvd to the DRT. Director Owens seconded. The motion was approved unanimously, 4-0.

2. Approve Business Use in Parks policy – *Matt Mercer and Michael Egging*

Mr. Mercer said this is an update to the policy that allows for better decision making with various requests that staff receive. Mr. Egging shared the related policies: Park Rules and Regulations Ordinance, Business Operations in Parks & Facilities Board Policy and Concession/Sales in Parks and Facilities.

Mr. Egging shared some examples of business use in parks and spoke about concessions operations. He said the district will decide what, where and when concessions are appropriate and will normally be awarded through a competitive process. He added that there is also a pilot program option. He explained instructional programs are by application and accepted at any time, staff determines suitability of activity for park based in impact, permits approved on a first-come, first-served basis with the priority for recurring users in good standing. Merchandise and other services are not allowed unless part of an approved park rental or event or permitted concession operation.

Mr. Egging said the following considerations are used to make decisions:

- Complement and support park use and do not negatively impact park experience
- Nature and scope of operation
- Infrastructure to support
- Conflicts with other users
- Impact on park resources
- Impact on neighborhood
- Plan to manage and mitigate impacts

Mr. Egging explained that fees charged are associated with the cost recovery methodology to recover direct cost and additional revenue to help offset park maintenance costs or can include a flat rental fee or percentage of revenue. Mr. Mercer added that this policy and others will be looked at more frequently as things continue to change.

Director Hovekamp suggested adding a stipulation under permits for food and beverage that consideration is given to packaging to mitigate trash.

Director Hovekamp made a motion to adopt the Business Use in Parks Policy as presented and as amended to include a stipulation substantially in line with consideration given to minimizing product packaging and the generation of trash which can end up as litter on parkland or in the river and to abolish the board-approved 2014 Business Operations in Parks and Facilities and 2010 Concessions/Sales in Parks and Facilities policies. Director Owens seconded. The motion was approved unanimously, 4-0.

3. Approve park name for Shevlin West park site – Rachel Colton

Ms. Colton gave a description of the park site located in Northwest Bend in the Shevlin West neighborhood. She reviewed the naming process, including public engagement, staff recommendation, naming committee review and board approval tonight. She reviewed the potential names that include:

- Manzanita Ridge
- Wild Rose Park

- Cascade View Park
- Coyote Ridge Park
- Mt. Hood Park
- Summit West Park

Ms. Colton referred to the public comment tonight that suggested naming the park Valentine Park and reviewed the district criteria for naming a park after a person or people. She mentioned the recommendation in the policy that naming a park for a person or people should occur at least a year after the death of the person or people and the suggestion tonight does not meet that criteria, she added that the board did have the ability to make the decision. The board shared their support for the year wait period.

Director Owens made a motion to approve Manzanita Ridge Park as the name for the Shevlin West neighborhood park property. Director Barram seconded. The motion was approved unanimously, 4-0.

4. Approve Resolution No. 2023-08 for land acquisition – *Michelle Healy*

Executive Director Horton said the property for approval tonight has been discussed in executive session. He reviewed the details of the property and said the purchase price is less than the appraised price. He explained the current zoning and said the masterplan for development will have to be approved by the county.

Director Barram commented that a property of this size is an opportunity for future development for the community and a good use of public funds. Director Schoen said she appreciates the work that staff has put into this and the opportunity to see the property. Director Hovekamp added his appreciation that the resources are available to take advantage of these types of purchases.

Director Hovekamp made a motion to approve Resolution 2023-08 authorizing the executive director to proceed with the purchase of the Rose & Associates L.L.C., property for an amount not to exceed \$3.9 million, plus all related closing costs. Director Owens seconded. The motion was approved unanimously, 4-0.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Horton said there is one vacancy on the Park Naming Committee the board will appoint at the July meeting. The board will have only one meeting in July and no meetings in August. He shared that he and Ms. Healy met with Eric King and Russ Grayson, City of Bend, and they requested a meeting with the board to further discuss the authority to make decisions on MUPTE projects. The meeting could also include a discussion of each agency's needs and celebration of collaborative successes. Director Barram made a suggestion that there be the same opportunity for all of the other governmental agencies involved with MUPTE. Executive Director Horton said this should be added as a topic to the monthly meetings with the city when the district board leadership changes next month.

PROJECT REPORT
BOARD MEETINGS CALENDAR
GOOD OF THE ORDER

- Director Owens thanked the staff for responding to the emails on the Canopy Trail.
- Director Barram said the Big Sky Bike Park opening and Larkspur Health Fair were really great events to attend.
- Director Hovekamp said he appreciates the public input on the COID land and asked people to stay engaged. He said there is a lot to celebrate and apologized for his tone during the topic. He said he is quite pleased that there will be continued access to these trails.
- Director Schoen said she appreciated all the public input and hopes the community stays engaged.

ADJOURN 8:10 pm

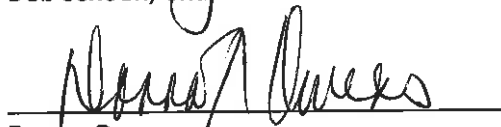


Prepared by,

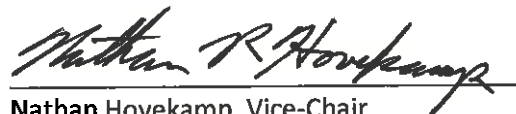
Sheila Reed
Executive Assistant



Deb Schoen, Chair



Donna Owens



Nathan Hovekamp, Vice-Chair

Zavier Borja

Jodie Barram