



Bend Metro Park & Recreation District

February 4, 2025

# Board of Directors Agenda and Reports

[www.bendparksandrec.org](http://www.bendparksandrec.org)



*play for life*



## Our Vision

To be a leader in building a community connected to nature, active lifestyles and one another.

## Our Mission

To strengthen community vitality and foster healthy, enriched lifestyles through parks, trails and recreation.

## Our Community Pledge

To reflect our community, welcome and serve equitably, and operate with transparency and accountability.

## We Value

**COMMUNITY** by interacting in a responsive, considerate and efficient manner to create positive patron experiences and impact in the community.

**INCLUSION** by reducing physical, social and financial barriers to our programs, facilities and services, and making them more equitable for all.

**SAFETY** by promoting a safe and healthy environment for all who work and play in our parks, trails, facilities and programs.

**STAFF** by honoring the diverse contributions of each employee and volunteer, and recognizing them as essential to accomplishing our mission.

**SUSTAINABILITY** by fostering a balanced approach to fiscal, environmental and social assets to support the health and longevity of the district, the environment and our community.

*play for life*

District Office

799 SW Columbia St., Bend, Oregon 97702 | [www.bendparksandrec.org](http://www.bendparksandrec.org) | (541) 389-7275



# Board of Directors

February 4, 2025

District Office Building | 799 SW Columbia | Bend, Oregon



## AGENDA

The board will meet in person at 5:30 pm with virtual links to the work session and regular meeting. The public may provide public input in-person at the meeting or via the virtual Zoom link.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84132444317>

**Or Telephone:**

**253 215 8782**

**Webinar ID: 841 3244 4317**

## 5:30 pm CONVENE MEETING

### ROLL CALL

### STAFF INTRODUCTIONS

Cayla Gleaton and Paul Reinhardt

- Chance Becker, Facility Shift Lead
- Chris Payne, Facility Shift Lead

## VISITORS

The board welcomes input from individuals at our public meetings about district-related issues. Members of the community who wish to make public comment may attend the meeting in person or virtually. To provide a public comment in person, please fill out one of the brief cards and submit it to staff in the back of the room. To provide public comment virtually, click on the "Raise Hand" option. You will be called into the meeting in the order received. Virtual visitors should turn on their cameras and microphones. All remarks should be limited to 3 minutes or less. If there are questions, follow up will occur after the meeting. Thank you for your involvement.

## WORK SESSION

1. SDC Project List, Fee Schedule and Ordinance Update- *Kristin Toney and Deb Galardi (45 min)*
2. Rules and Regulations Ordinance Update – *Julie Brown, Joel Lee and Paul Taylor (45 min)*

## CONSENT AGENDA

1. Minutes 1/21/2025

## BUSINESS SESSION

1. Parkside Place Purchase and Sale Agreement and Surplus Property – *Rachel Colton (25 min)*

**EXECUTIVE DIRECTOR'S REPORT**

**REPORTS:** 2nd Quarter Admin Report, Planning and Development Report

**BOARD MEETINGS CALENDAR**

**GOOD OF THE ORDER**

**ADJOURN**



Accessible Meeting/Alternate Format Notification

This meeting location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format or other accommodations are available upon advance request. Please contact the Executive Assistant no later than 24 hours in advance of the meeting at [sheilar@bendparksandrec.org](mailto:sheilar@bendparksandrec.org) or 541-706-6151. Providing at least 2 business days' notice prior to the meeting will help ensure availability.

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	February 4, 2025
<b>SUBJECT:</b>	System Development Charge (SDC) Project List, Fee Schedule, and Ordinance Update
<b>STAFF RESOURCE:</b>	Kristin Toney, Administrative Services Director Brian Hudspeth, Planning & Development Director Michelle Healy, Executive Director
<b>GUEST PRESENTER:</b>	Deb Galardi, Galardi Rothstein Group
<b>PREVIOUS BOARD ACTION:</b>	June 4, 2019 - Adopted SDC Methodology, Ordinance No. 12, Resolution No. 421 – Adopting a Methodology for Calculating Park System Development Charges, Resolution No. 422 – Adopting an SDC Capital Projects List, and Resolution No. 425 – Adopting a Fee Schedule for System Development Charges
<b>ACTION PROPOSED:</b>	None - Work session
<b>STRATEGIC PLAN:</b>	
<b>Service:</b>	Service
<b>Goal:</b>	Steward fiscal Resources, and further environmental and social sustainability.
<b>Strategy:</b>	Use financial modeling and other planning tools to holistically evaluate, plan and forecast necessary expenditures for system expansion, operations, and maintenance.

**BACKGROUND**

As part of mid-term comprehensive plan update the district is updating its park SDC project list, fees, and ordinance. Galardi Rothstein Group was the consultant used in 2019 to update the district's park SDC methodology, project list and fees, and they most recently prepared an update of the city of Bend's sewer, water, and transportation SDCs. The district is again using Galardi Rothstein Group because of their familiarity with the district and the city SDC programs.

Specific project tasks are as follows:

1. SDC Analysis: Existing acreage and facility inventories were updated to reflect acquisitions and improvements since 2018. Future park acreage, trail mileage, and indoor recreation facility square footage are based on BPRD's revised project list from the 2024 Comprehensive Plan Midterm Update.
2. Develop Unit Costs and SDC Schedules: The reimbursement and improvement costs attributable to growth were divided by the total number of people to be served, which includes future residents and nonresident visitors. Updated population and visitor

projections reflect the 2024 Comprehensive Plan mid-term update assumptions and other available information.

3. Documentation: The updated SDC calculations and project list will be documented in a report that describes the methodological steps and assumptions used to determine the SDC-eligible project costs and fee schedule. The report will include the updated project list and maximum allowable fee schedule as appendices.
4. Review BPRD's SDC ordinance: The existing ordinance will be reviewed for housekeeping and other changes to align with any needed clarifications and evolving legal requirements.

Deb Galardi and staff created the new project list and the resulting fee schedule (see attachments 1 - 4). During the work session, the proposed project list and the pros and cons of the updated SDC rates and level of service implications will be presented for board feedback.

The next steps following the work session are:

- Review and update BPRD's SDC ordinance. The existing ordinance will be reviewed for housekeeping and other necessary legal clarifications or changes.
- Conduct the public hearing, first reading and second reading of the revised Ordinance. Adopt ordinance.
- Adopt resolution(s) approving the new project list and SDC fees.

#### **BUDGETARY IMPACT**

The SDC fee schedule impacts future SDC fee revenues and the funding available for SDC eligible projects in the district's adopted Capital Improvement Plan.

#### **STAFF RECOMMENDATION**

None

#### **MOTION**

None

#### **ATTACHMENTS**

1. Table A-1
2. Table A-2
3. Project List Summary
4. Updated SDC Schedule

Table A-1  
SDC Project List - New Parks, Facilities and Trails (2024-2034)

DRAFT

Park Type/Project Name	Site Name	Project Description	Timing (Years)	Quantity	Unit	Estimated Cost	Cost Adj for		
							PM \$ <sup>1</sup>	SDC \$	SDC %
<b>Neighborhood Parks</b>									
Park Search Area 9 - Neighborhood Park	Manzanita Ridge	New park development	1-5	4	acres	1,249,034	1,287,076	\$1,287,076	100%
Park Search Area 18 - Neighborhood Park	Coulter	New park development	1-5	4	acres	1,750,000	1,803,300	\$1,803,300	100%
Park Search Area 5 - Neighborhood Park	Talline	New park land acquisition & development	1-5	4	acres	1,517,500	1,563,719	\$1,563,719	100%
Park Search Area 14 - Neighborhood Park	Parkside Place	New park land acquisition & development	1-5	4	acres	2,176,400	2,242,687	\$2,242,687	100%
Park Search Area 28 - Neighborhood Park	Easton	New park land acquisition & development	1-5	4	acres	2,128,763	2,193,599	\$2,193,599	100%
Park Search Area 24 - Neighborhood Park	Stevens Ranch	New park land acquisition & development	1-5	4	acres	1,684,178	1,735,474	\$1,735,474	100%
Park Search Area 11 - Neighborhood Park	Discovery West	New park land acquisition & development	1-5	4	acres	2,788,050	2,872,967	\$2,872,967	100%
Park Search Area 15 - Neighborhood Park	Fields Farm	New park land acquisition & development	1-5	4	acres	2,400,000	2,473,098	\$2,473,098	100%
Park Search Area 20 - Neighborhood Park	Pinebrook	New park land acquisition & development	1-5	3	acres	1,500,000	1,545,686	\$1,545,686	100%
Park Search Area 26 - Neighborhood Park	Murphy Crossing	New park land acquisition & development	1-5	4	acres	1,725,000	1,777,539	\$1,777,539	100%
Park Search Area 27 - Neighborhood Park	Constellation Crest	New park land acquisition & development	1-5	4	acres	2,888,000	2,975,961	\$2,975,961	100%
Park Search Area 32 - Neighborhood Park	Caraway	New park land acquisition & development	1-5	4	acres	100,000	103,046	\$103,046	100%
Park Search Area 21 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	1,000,000	1,030,457	\$1,030,457	100%
Park Search Area 6 - Neighborhood Park		New park land acquisition & development	1-5	4	acres	3,000,000	3,091,372	\$3,091,372	100%
Park Search Area 29 - Neighborhood Park		New park land acquisition & development	1-5	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 13 - Neighborhood Park		New park land acquisition & development	1-5	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 16 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 17 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 19 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 31 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 33 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 34 - Neighborhood Park		New park land acquisition & development	1-5	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 36 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 37 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 38 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 41 - Neighborhood Park		New park land acquisition & development	1-5	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Park Search Area 8 - Neighborhood Park		New park land acquisition & development	6-10	4	acres	2,640,810	2,721,242	\$2,721,242	100%
Subtotal						107.0	\$45,157,681	\$46,533,064	\$46,533,064
<b>Community Parks</b>									
Park Search Area 35 - Community Park (Future UGB)		New park development	6-10	29	acres	245,048	252,512	\$252,512	100%
Subtotal						29	\$245,048	\$252,512	\$252,512
<b>Regional Parks</b>									
Rose Property Concept Planning		Concept planning for park development	2-3	226.5	acres	400,000	412,183	\$412,183	100%
Rose Property Development		50% of park development	6-10			10,000,000	10,304,574	\$10,304,574	100%
Subtotal						226.5	\$10,400,000	\$10,716,756	\$10,716,756
<b>Rec Facilities</b>									
Westside Recreation Center Planning and Infrastructure		Infrastructure contribution & preliminary planning	1-5			726,936	749,076	\$749,076	100.0%
Westside Recreation Center		New Recreation Center (Construction)	6-10	50,000	sqft	\$40,000,000	41,218,294	\$41,218,294	100.0%
Art Station		Construction (expanding capacity of Art program on larkspur site)	1-5	4,800	sqft	4,290,000	4,420,662	\$4,420,662	100.0%
Subtotal						54,800	\$45,016,936	\$46,388,032	\$46,388,032
<b>Trails</b>									
2- Bend Lava Trail (Formerly Arnold Canal Trail)		New trail development	6-10	2.30	miles	482,160	496,845	\$496,845	100.0%
1- 12th Street Crossing		Road Crossing	6-10	-	miles	75,000	77,284	\$77,284	100.0%
11- Discovery Trail		New trail development	6-10	0.82	miles	389,664	401,532	\$401,532	100.0%
13- High Desert Trail		New trail development	1-5	1.30	miles	617,760	636,575	\$636,575	100.0%
15- High Desert Trail Undercrossing at Knott Rd/27th Street		Under crossing	1-5	-	miles	1,500,000	1,545,686	\$1,545,686	100.0%
17- North Unit Canal Trail		New trail development	1-5	3.10	miles	245,520	252,998	\$252,998	100.0%
20- Pilot Butte Canal Trail		New trail development	1-5	1.00	miles	79,200	81,612	\$81,612	100.0%
23- Riley Ranch Nature Reserve Bike/Pedestrian Bridge		Bridge	1-5	-	miles	1,000,000	1,030,457	\$1,030,457	100.0%
24- Shevlin Park North - Tumalo Creek Bike/Pedestrian Bridge		Bridge	1-5	-	miles	125,000	128,807	\$128,807	100.0%
25- Simpson Avenue Crossing		Road Crossing	1-5	-	miles	75,000	77,284	\$77,284	100.0%
26- Skyliners Road at NW Crossing Drive		Road Crossing	1-5	-	miles	75,000	77,284	\$77,284	100.0%
27- TransCanada Trail		New trail development	1-5	0.92	miles	291,456	300,333	\$300,333	100.0%
4- Big Sky Trail		New trail development	1-5	0.20	miles	170,040	175,219	\$175,219	100.0%
5- Big Sky Trail Undercrossing at Hwy 20		Under Crossing	1-5	-	miles	1,500,000	1,545,686	\$1,545,686	100.0%
6B-Central Oregon Historic Canal Trail - Reed Market Rd to Hansen Park		New trail development	1-5	1.32	miles	104,544	107,728	\$107,728	100.0%
6C- Central Oregon Historic Canal Trail - Hansen Park to Eastgate Park		New trail development	6-10	3.61	miles	360,912	371,904	\$371,904	100.0%
9A- DRT Connector to Shevlin Park		New trail development	6-10	0.85	miles	26,928	27,748	\$27,748	100.0%
9B- DRT Kirkaldy Court to Putnam Road		New trail development	1-5	0.14	miles	4,435	4,570	\$4,570	100.0%
9C- Deschutes River Trail (DRT) Putnam to Riley Ranch Nature Reserve		New trail development	1-5	1.34	miles	42,451	43,744	\$43,744	100.0%
9D- DRT Galveston to Miller's Landing		New trail development	1-5	0.31	miles	703,600	725,030	\$725,030	100.0%
9E- DRT from COHCT to River Canyon Natural Area		New trail development	1-5	1.20	miles	120,040	123,696	\$123,696	100.0%
Trail Acquisition, Safety and Crossings		New trail development	1-5	4.00	Miles	1,558,000	1,605,453	\$1,605,453	100.0%
Subtotal						18.4	\$9,546,710	\$9,837,478	\$9,837,478
<b>Grand Total</b>							<b>\$110,366,375</b>	<b>\$113,727,843</b>	<b>\$113,727,843</b>

<sup>1</sup>Includes Project & Construction Management Costs 3.0%

Table A-2

**SDC Project List - Capacity Improvements to Existing Parks; New Recreation Facilities and Trails (2024-2034)****DRAFT**

Improvement Type/Project Name	Description	Timeline			SDC Cost	SDC Cost Adj for PM \$ <sup>1</sup>	
		(Years)	Quantity	Unit			
<b>Improved Level of Performance/ Development</b>							
Big Sky Park Expansion Phase 2	Bike park and amenities	1-5	1	LS	838,847	864,396	
Hansen Park Trailhead	New trailhead development	6-10	1	LS	80,067	82,505	
Park Search Area 3 - DRT North Trailhead	New trailhead development	1-5	1	LS	332,313	342,435	
Pine Nursery Park Phase 4 (Pending Partnership)	New fields	1-5	1	LS	50,000	51,523	
Pine Nursery Park Phase 5	Development of existing acreage	1-5	1	LS	7,728,562	7,963,954	
					Subtotal	9,029,789	9,304,813
<b>New or Expanded Amenities or Access</b>							
Hollinshead Park Master Plan and Renovation	Renovation	1-5	1	LS	259,620	267,527	
Park Search Area--Neff and Hamby Rd. Crossings	New pedestrian street crossing	6-10	1	LS	10,385	10,701	
Ponderosa Master Plan and Renovation	Park redevelopment	1-5	1	LS	363,468	374,538	
River Access at Riverbend Park	Refine and Improve access for river users	1-5	1	LS	242,000	249,371	
Farewell Bend Park - North Beach Enhancements	Refine and Improve access for river users	6-10	1	LS	141,000	145,294	
Farewell Bend Park (North)	Improve access and boat launch at north end of park	6-10	1	LS	30,250	31,171	
					Subtotal	1,046,722	1,078,603
					<b>\$ 10,076,512</b>	<b>\$ 10,383,415</b>	

<sup>1</sup>Includes Project Management (PM) Costs

3.0%



## BPRD SDC Analysis

*Project List Summary (Scenario 1)***DRAFT**

<b>Project Types</b>	<b>Net Project Costs<sup>1</sup></b>	<b>New SDC \$</b>	<b>Existing SDC \$</b>
<b>New Park/Facilities (Table A-1)</b>			
Community Parks	\$252,512	\$252,512	\$0
Neighborhood Park	\$46,533,064	\$46,533,064	\$0
Regional Park <sup>2</sup>	\$10,716,756	\$10,716,756	\$0
Recreation Facilities	\$46,388,032	\$46,388,032	\$0
Trails	\$9,837,478	\$9,837,478	\$0
Less Existing SDC Fund Balance	-\$12,416,585		\$12,416,585
<b>Subtotal</b>	<b>\$101,311,258</b>	<b>\$113,727,843</b>	<b>\$12,416,585</b>
<b>Capacity Imp - Existing Parks (A-2)</b>			
New or expanded amenities & access	\$1,352,457		\$1,352,457
Improved level of performance/development	\$9,030,959		\$9,030,959
<b>Subtotal</b>	<b>\$10,383,415</b>	<b>\$0</b>	<b>\$10,383,415</b>
<b>Total</b>	<b>\$111,694,674</b>	<b>\$113,727,843</b>	<b>\$22,800,000</b>

<sup>1</sup> Includes Project Management costs<sup>2</sup> Includes 50% of Rose Property Development (other 50% serves 10-20 year growth)

Table B-1

Updated SDC Schedule (Scenario 1)

DRAFT

Development Type	Persons per Unit	SDC <sup>1</sup>	SDC w/Admin. Charge	Current (July 1, 2024)	% Change	Existing SDC Inflated <sup>2</sup>	% Change
<b>Residential (\$/dwelling unit)</b>							
Single-Family (Avg.)	2.50	\$12,185	\$12,344	\$11,266	8%	\$11,589	5%
SQ FT Category							
<600 SQ FT	1.79	\$8,725	\$8,838	\$8,066	8%	\$8,297	5%
601-1,200 SQ FT	2.01	\$9,797	\$9,925	\$9,058	8%	\$9,317	
1,201 - 1,600 SQ FT	2.22	\$10,821	\$10,962	\$10,004	8%	\$10,290	5%
1,601 - 2,200 SQ FT	2.37	\$11,552	\$11,702	\$10,680	8%	\$10,986	5%
2,201 - 3,000 SQ FT	2.51	\$12,234	\$12,394	\$11,311	8%	\$11,635	
>3,000	2.74	\$13,355	\$13,529	\$12,348	8%	\$12,702	5%
Multifamily (Avg.) <sup>1</sup>	1.78	\$8,676	\$8,789	\$7,661	13%	\$7,880	10%
Other Housing							
Mobile Homes (\$/home)	2.26	\$11,016	\$11,159	\$10,184	8%	\$10,476	5%
Accessory Dwelling Units (\$/unit)	1.08	\$5,264	\$5,333	\$4,867	8%	\$5,006	5%
Dormitories (\$/person)	1.00	\$4,874	\$4,938	\$4,506	8%	\$4,635	5%
Overnight Visitor Accom. (\$/unit) <sup>2</sup>	1.87	\$9,115	\$9,234	\$7,776	17%	\$7,999	14%

<sup>1</sup> 2020 ACS PUMS for Deschutes County, weighted average for all multifamily households.

<sup>2</sup> 2.6 persons (average of hotel/motel and other lodging) X 71.2% 6 mos. average occupancy

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	February 4, 2025
<b>SUBJECT:</b>	Rules and Regulations Ordinance Update
<b>STAFF RESOURCES:</b>	Julie Brown, Community Engagement Director Joel Lee, Park Stewards Manager
<b>GUEST RESOURCE:</b>	Paul Taylor, Legal Counsel, BLJ
<b>PREVIOUS BOARD ACTION:</b>	Work session presentation Oct. 1, 2024; Last reviewed and adopted Ordinance No. 11 Sept. 4, 2018
<b>ACTION PROPOSED:</b>	None - Information Only
<b>STRATEGIC PLAN:</b>	
<b>Priority:</b>	Team
<b>Goal:</b>	Support the well-being and safety of all district employees
<b>Strategy:</b>	Identify opportunities to enhance welcoming, safe and inclusive work environment

**BACKGROUND**

The purpose of this work session is to provide follow-up information about work completed since the Oct. 1, 2024 work session about the process to update the district's Park Rules and Regulations.

The Park Rules and Regulations Ordinance was last adopted in September 2018 (see Attachment A). Since then, the population of the Bend area has grown and new issues have emerged in the parks and on the trails necessitating an update to the rules. Some of those issues include electric bikes and other rolling devices, parking lot misuse and defining enforcement options. In addition, rules need to be updated to reflect current operations under temporary rules related to restroom use.

Over the last several months, district staff have worked with legal counsel and law enforcement partners to update the ordinance for board consideration. New or revised sections include:

- New definitions section.
- New Waters and Waterways section (mostly reorganizing/grouping rules already in existence).
- Inserted "Weapons" as replacement for "Firearms" in section with hunting and fireworks.

- Animals section – added maximum length of leash to be 15 feet. Also added “Only Assistance Animals” are allowed in facilities.
- Vehicles section – new language to address e-bikes and other rolling devices. Intent is to allow pedal-assist bicycles on trails and in parks; throttle-assist electric bicycles for parking areas only like a motorized vehicle. Other new language addresses vehicles blocking traffic and allows for Park Steward enforcement of general vehicle code violations.
- Restrooms section – taking temporary rules in effect since July 2024 and adding to the ordinance including: 10-minute limit, not occupied by more one person unless parent, guardian or caregiver. Also prohibits storing belongings and other unintended uses of restrooms. Added language addressing use of restroom corresponding to gender identity.
- Updates to business operations and organized events – permit processes to reflect current practices.
- Exclusions proposed to have 4 levels and more detail, informed by legal counsel.
- Appeals process has more details.

During work session, staff will share details about the proposed updates and assess if proceeding with first and second readings of the ordinance are appropriate next steps.

**BUDGETARY IMPACT**

None

**STAFF RECOMMENDATION**

None

**MOTION**

None

**ATTACHMENT**

Attachment A - Ordinance No. 11-Park Rules and Regulations

Attachment B – Ordinance No. 13-Park Rules and Regulations (DRAFT)

**ORDINANCE No. 11**

**BEFORE THE BOARD OF DIRECTORS OF THE BEND PARK AND RECREATION DISTRICT AN ORDINANCE REPLACING ORDINANCE NO. 9, PARK RULES AND REGULATIONS, GOVERNING THE CONDUCT OF THE USERS OF THE FACILITIES OF LAKES, PARKS, RECREATIONAL GROUNDS AND BUILDINGS WITHIN THE DISTRICT PURSUANT TO ORS 266.410(7)(B).**

WHEREAS, ORS 266.410(7)(b) empowers park and recreation districts such as the Bend Park and Recreation District (the "District") to make and enforce regulations governing the conduct of the users of the facilities of lakes, parks, recreational grounds and buildings within the District; and

WHEREAS, the Board of Directors of the Bend Park and Recreation District (the "Board of Directors") has held public hearings in Deschutes County consistent with the requirements of state law; and

WHEREAS, the Board of Directors deems it necessary and advisable to amend and replace the District's rules and regulations governing the conduct of the users of the District's facilities.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE BEND PARK AND RECREATION DISTRICT ORDAINS as follows:

**Section 1. Findings.** The above stated findings contained in this Ordinance No. 11 (this "Ordinance") are hereby adopted.

**Section 2. Purpose.** The purpose of this Ordinance is to adopt regulations governing conduct within and the use of property, parks, facilities, buildings, and recreation grounds within the District.

**Section 3. Rules and Regulations.** The rules and regulations contained in Exhibit A (the "Rules and Regulations"), which is attached to this Ordinance and incorporated herein by reference, are hereby adopted as the District's regulations governing the conduct of the users of the facilities of lakes, parks, recreational grounds, and buildings within the District. This Ordinance amends, replaces, and supersedes Ordinance No. 9 in its entirety and all ordinances, resolutions, and/or policies in conflict with the Rules and Regulations. Nothing in this Ordinance affects the validity of any criminal or civil enforcement actions commenced prior to the adoption of this Ordinance; all District ordinances existing at the time that such actions were filed will remain valid and in full force and effect for purposes of those actions.

**Section 4. Severability Clause.** All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by resolution of the Board to cure editorial and/or clerical errors.

Read for the first time the 21 day of August, 2018.

Read for the second time the 4 day of September, 2018.

Placed upon its passage this 4 day of September, 2018.

Yes 4 No 0

Authenticated by the Chairman of the Board this 4 day of SEPT, 2018

  
\_\_\_\_\_  
Brady Fuller, Board Chair

Attested by:

  
\_\_\_\_\_  
Don Horton, Recording Secretary

BEND PARK & RECREATION DISTRICT  
RULES AND REGULATIONS

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## ARTICLE 1. PREAMBLE

- 1.1 The Bend Park and Recreation District (“District”) is a Special District of Oregon authorized to provide park and recreation services by ORS 266.410. The District Board of Directors, in accordance with ORS 266.410(7)(b), has adopted the following rules and regulations to ensure that Bend’s park and recreation system remains beautiful, inviting, and safe for the community and our visitors. We ask for your cooperation to ensure the integrity of the park system remains intact. If you have specific questions, please call Park Services at (541) 388-5435.
- 1.2 Unless otherwise authorized by the Executive Director or a Designee, the following rules and regulations govern the conduct of the users of the parks, trails, natural areas, and recreation facilities located on District property within the City of Bend and Deschutes County. In addition to these rules, the Executive Director is authorized to establish rules and regulations applicable to specific District properties or facilities in any manner that provides for the productive, sustainable, and safe operation and use of District resources.
- 1.3 The term “Executive Director” means the District’s Executive Director who has been appointed and designated by the Board of Directors as the registered agent of the District. The term “Designee” means those persons designated by the Executive Director from time to time to monitor and enforce the District’s rules and regulations and include, but are not limited to: department directors, park stewards, facility managers, life guards, program staff, and contract security officers. “Parks”, “facilities”, “recreation areas” and “programs” means and refers to all property or programs owned or controlled by the District and operated for the public’s recreational use.

## ARTICLE 2. CONDUCT ON DISTRICT PROPERTY

- 2.1 No person shall disturb or otherwise endanger the comfort, health, peace, or safety of others.
- 2.2 No person shall violate any city, county, state, or federal laws, ordinances, or regulations while on District property. Criminal activity on District property will be reported to the Bend Police Department or Deschutes County Sheriff’s Department.
- 2.3 No person shall damage, remove, tamper with, modify, or deface District property, including vegetation, dirt, and rocks.
- 2.4 Open fires and charcoal barbeques are prohibited. Portable propane camp stoves and gas barbeques are permitted to the extent that they are operated in a safe manner.
- 2.5 No person shall litter on District property. Garbage and refuse shall not be brought to District property for disposal. Persons may not deposit or abandon any garbage, refuse, trash, waste, or other materials except in receptacles specifically provided for such purposes.
- 2.6 No person shall camp or sleep overnight on District property. To “camp” means to set up or to remain in or at a campsite. “Campsite” means a place where any bedding, sleeping bag, or other material used for bedding purposes, or any stove or fire is placed, established, or maintained for



the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

- 2.7 No person shall create a noise, within District property, by use of a sound-amplifying device or otherwise, that is unnecessarily loud at a distance of 50 feet from the source except as authorized by the Executive Director or a Designee. A noise is “unnecessarily loud” if it interferes with normal spoken communication or could reasonably disturb sleep.
- 2.8 No person shall possess or consume alcoholic beverages on District property except as authorized by the Executive Director or a Designee.
- 2.9 Glass containers are prohibited on District property.
- 2.10 Smoking, vaping, and the use of tobacco or marijuana in any form is prohibited on District property, whether or not in a vehicle.
- 2.11 The following rules and regulations apply to the use of restrooms, changing areas and locker facilities:
- a. No person over the age of six years shall enter a restroom, washroom, or locker facility designated for the opposite gender. However, those who need assistance and are accompanied by a parent, legal guardian, or caregiver may enter the restroom, washroom, or locker facility that aligns with the gender of the parent, legal guardian, or caregiver.
  - b. No person shall use a cell phone, camera, recording device, or other photographic equipment inside a restroom facility, dressing room, or changing area.
  - c. No person shall urinate or defecate on District property except in restroom toilets or portable toilets provided for that purpose.
- 2.12 The following rules and regulations apply to bodies of water located within District property:
- a. No person shall anchor in those portions of the Deschutes River located within District property.
  - b. No person shall bathe (unless in designated showers), wash clothing or other materials, or clean fish in streams, ponds, pools, or restrooms.
  - c. No person shall jump, dive, or otherwise launch oneself or any other person or object off any bridge into a river, canal, pond, or any other body of water.
  - d. Dogs are not permitted in ponds on District property except as authorized by the Executive Director or a Designee.
  - e. In addition to these rules, all persons shall obey rules posted at particular bodies of water.
- 2.13 The following rules and regulations apply to displays in parks and facilities:
- a. No person shall display sexually explicit material, as defined by Oregon law, in view of minors.

- b. No person or group engaging in an authorized event shall display sexually explicit artwork or similar displays or performances that may interfere with other patrons' enjoyment of District facilities.
- c. Artwork, displays, or performances shall be located so as to minimize disturbance to those wishing to avoid such displays or performances, minimize congestion, and promote the flow of foot traffic through the park or facility. All displays shall be placed in areas designated for that purpose.

**ARTICLE 3. HUNTING, FIREARMS & FIREWORKS**

- 3.1 No person shall possess a loaded firearm on District property within the City of Bend city limits, except in accordance with Oregon and Federal law.
- 3.2 No person shall intentionally possess a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building as defined in ORS 166.360(9), except as allowed under ORS 166.370.
- 3.3 No person shall use a weapon, as defined in ORS 166.360, except as authorized under Oregon law.
- 3.4 Fishing is permitted on District property consistent with the Oregon law, including licensing requirements under ORS Chapter 497.
- 3.5 Hunting, trapping, or removing any wild animal is prohibited unless authorized by the Executive Director, a Designee, or other government agency with jurisdiction.
- 3.6 No person shall possess or use fireworks or other explosives.

**ARTICLE 4. ANIMALS**

- 4.1 No person shall feed waterfowl or other wildlife.
- 4.2 No person shall damage, harm, injure, molest, or otherwise disturb any wildlife or wildlife dwelling except as authorized by the Executive Director, a Designee, or other government agency with jurisdiction.
- 4.3 Horses and other stock animals are prohibited, except as authorized by the Executive Director or a designee.
- 4.4 Owners or keepers of an animal (hereinafter referred to as "Owners") are responsible and liable for the animal's actions. Animals or Owners may be excluded from District property for failure to abide by District rules.
- 4.5 Owners shall maintain control of dogs by securely holding onto a physical leash (not an electronic control device) that is attached to the dog, except when in a designated off-leash area. Dogs may not be secured to a stationary object and left unattended on District property.
- 4.6 Owners shall promptly pick up and dispose of animal waste in proper receptacles.

- 4.7 Owners shall not allow an animal to damage the property of another, including by digging or burrowing, or to harass, threaten, injure, or fight with an animal or person.
- 4.8 Any dog that has a set of permanent canine teeth or that is six months of age or older, whichever comes first, must be licensed and current in vaccinations. Owners shall be found in violation of this rule if a dog is not wearing its collar and tag.
- 4.9 Owners shall also comply with all rules and guidelines posted at off-leash dog areas.

#### **ARTICLE 5. VEHICLES**

- 5.1 Motorized vehicles are prohibited except in roadways, parking areas designated for motorized vehicles, as needed for public safety purposes, or by permit.
- 5.2 Electric assisted bicycles, as defined in ORS 801.258, and when operated in accordance with these rules, are permitted on trails and pathways except as prohibited by the Executive Director or a Designee. Electric assisted bicycles are subject to all District rules applicable to bicycles.
- 5.3 No vehicle shall be parked in a loading zone on District property for more than the posted time limit.
- 5.4 No person shall park a vehicle on District property unless the operator or passengers are using District facilities or participating in District programs. No person shall park a vehicle on District property for the purpose of offering the vehicle for sale.
- 5.5 No person shall block the flow of traffic in a parking lot, or prevent emergency vehicle access, by double parking or blocking a fire hydrant, driveway or entry gate, or parking in an undesignated space.
- 5.6 No vehicle may be parked on District property between 10:00 pm and 5:00 am, except:
  - a. As authorized by the Executive Director or a Designee;
  - b. During District program or operating hours; or
  - c. In parking lots designated as having sunrise to sunset hours.
- 5.7 Vehicles left upon District property in violation of these rules or in violation of Oregon law may be towed in accordance with Oregon law.

#### **ARTICLE 6. BUSINESS OPERATIONS, LEAFLETING, AND ORGANIZED EVENTS**

- 6.1 The following activities are prohibited on District property unless specifically authorized by the Executive Director or a Designee and with evidence of such permission on their person:
  - a. Operating a fixed or mobile concession.
  - b. Soliciting, selling, offering for sale, peddling, hawking, advertising, or vending any goods or services.
  - c. Displaying commercial advertisements, signs or business cards on facility bulletin boards or elsewhere on District property without prior approval.

- 6.2 Hand-billing and leafleting is permitted as long as the method of distribution does not violate District rules and regulations.
- 6.3 No person shall organize, conduct, or participate in any event or other scheduled activity that is publicly advertised without prior authorization from the Executive Director or a Designee. All business activities on park property require a permit obtained through the District reservation system as described in the Business Operations Policy. Business activities are defined to include camps, classes, exercise classes, sale of merchandise or services, or other programmed activities under the organization, direction or supervision of an individual or organization. Scheduled District activities have priority use of District facilities.

**ARTICLE 7. SPECIFIC RECREATIONAL ACTIVITIES**

- 7.1 The use of metal detectors is prohibited on District property unless pursuant to a permit.
- 7.2 Slacklines, hammocks, and similar devices are permitted to the extent that their use is consistent with District rules, guidelines, and regulations protecting people and property. Guidelines specific to slacklines, hammocks, and similar devices are available on the District’s website or by contacting Park Services.
- 7.3 Geocaching/letterboxing is permitted to the extent that the activity is consistent with District rules, guidelines, and regulations protecting people and property. Guidelines specific to geocaching/letterboxing are available on the District’s website or by contacting Park Services.
- 7.4 Activities involving the use of airborne projectiles that may harm people or property is prohibited except as authorized by the Executive Director or a Designee. This prohibition includes, without limitation, golfing, archery, discus, javelin, shotput, and model rockets.
- 7.5 Unmanned aerial vehicles (e.g., drones) and other remote-controlled devices are permitted, except as prohibited by the Executive Director or a Designee, to the extent that they do not endanger the comfort, health, peace, or safety of others or cause harm to District property. Such devices shall be operated in accordance with such guidelines as may be adopted by the Executive Director from time to time.
- 7.6 No person shall use any rolling device including, but not limited to, bicycles, skateboards, scooters, or inline skates, in a manner that could potentially harm people, pets, wildlife, or property. Such rolling devices are not permitted on any plazas, park furniture or retaining walls, stairs or handrails, sports fields, sports courts, playgrounds, off-leash areas, areas reserved for special events, and other areas as designated by the Executive Director or a Designee.
- 7.7 No person shall tether, launch or land a hot air balloon, paraglider, parachute, or other similar device unless authorized by the Executive Director or a Designee.
- 7.8 No person shall tether, tie, or otherwise attach any device to any District bridge except as authorized by the Executive Director or a Designee.

## ARTICLE 8. PERMITS

- 8.1 The Executive Director or a Designee shall have the authority to issue permits, or to grant exceptions or waivers to any of the terms of these rules and regulations for authorized events and activities.
- 8.2 Permit-holders shall keep the permit on their person at all times while engaging in the permitted activity.
- 8.3 Permit-holders must abide by all District rules and regulations unless granted an exception or waiver by the terms of the permit. Permit-holders are required to abide by the conditions of the permit at all times.
- 8.4 Permit-holders shall be liable for any loss, damage, or injury to any person, or property caused by a permit-holder's use of District facilities pursuant to the permit.
- 8.5 The Executive Director or a Designee has the authority to revoke a permit upon finding of violation of any rule, regulation or ordinance, or for other cause.

## ARTICLE 9. CLOSURES

- 9.1 Parks are closed from 10:00 pm until 5:00 am unless otherwise posted. Parking lots at Shevlin Park, Sawyer Park, Riley Ranch Nature Reserve, and others as designated by the Executive Director or a Designee are closed from sunset until sunrise. It shall be unlawful to enter or remain on District Property during closed hours, except:
  - a. A person may enter upon a closed District property for a reasonable amount of time to retrieve their personal property or vehicle;
  - b. Pedestrians may travel through District property to destinations outside of District property;
  - c. District staff and emergency responders may enter closed areas in the course of executing their duties; or
  - d. By permit.
- 9.2 The Executive Director or a Designee may close or limit the use of District property to ensure the safety and security of the public and property when fires or other hazardous conditions exist.
- 9.3 No person shall refuse an order to evacuate District property in time of an emergency.

## ARTICLE 10. EXCLUSIONS

- 10.1 A peace officer or the Executive Director or a Designee may exclude a person from District property, subject to Oregon law, for any of the following:
  - a. Violation of District rules and regulations;
  - b. The person has been cited to appear, arrested, or otherwise taken into custody in a "Civil Exclusion Zone" for any of the offenses contained in the City of Bend Code;
  - c. As ordered by a court of law; or

- d. The person is deemed a public threat to visitors or to any District staff or property.
- 10.2 The Executive Director or a Designee shall determine the length of the exclusion period. If an excluded person violates the exclusion order, local law enforcement may be called, and the person may be arrested for criminal trespass.
- 10.3 Verbal or written exclusions will begin immediately. The excluded person will have 10 calendar days from the effective date of the notice to appeal the exclusion. Appeals are governed by the District's Exclusion Policy, which is available by contacting Park Services. The appeal must be in writing and delivered to the District Exclusion Appeals Hearing Panel ("Panel"). The appeal shall set forth the reason(s) that the exclusion is invalid or improper and shall request a written review. The Panel shall issue a written decision no later than 30 calendar days following receipt of the appeal.
- 10.4 If, as part of a written appeal, the excluded person requests a hearing, it shall be conducted by the Panel within 30 calendar days of the request. The Panel will render the final decision in writing within 15 business days of the hearing date. If a hearing is requested, no written decision shall be issued until after the hearing.
- 10.5 At any time during the exclusion, an excluded person may submit a petition in writing to the Panel for a temporary waiver of the exclusion.

#### **ARTICLE 11. ENFORCEMENT OF RULES AND REGULATIONS**

- 11.1 The Executive Director, a Designee, or any peace officer as defined under ORS 133.005(3) is vested with authority to enforce these rules and regulations and to take the following action:
  - a. Issue citations or exclusions as provided by the District's Park Conduct and Exclusion Policy and Oregon law to any person who violates any provision of the District's rules and regulations.
  - b. Refuse entrance to a District facility or program, or to require a person to leave a District property, facility, or program.
- 11.2 No person shall refuse to leave any District property, facility, or program after being directed to leave by a peace officer or the Executive Director or a Designee. Entering or remaining unlawfully in or upon District property may subject a person to exclusion or prosecution for criminal trespass in the second degree pursuant to ORS 164.245.
- 11.3 No person shall interfere with any District personnel or peace officer enforcing these rules and regulations. Intentionally acting in a manner that prevents or attempts to prevent District personnel or a peace officer from enforcing these rules and regulations may subject a person to exclusion or prosecution pursuant to ORS 162.247.
- 11.4 Pursuant to ORS 266.450, violation of these regulations is a misdemeanor punishable by exclusion; or upon conviction by a fine not to exceed \$100 or imprisonment not to exceed five days, or both.
- 11.5 Should any word, sentence, paragraph, clause or phrase of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of

this ordinance, which shall remain in full force and effect.

# BEND PARK & RECREATION DISTRICT

## ORDINANCE 13

### RULES AND REGULATIONS

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Date Adopted: \_\_\_\_\_



## ARTICLE 1. PREAMBLE

- 1.1 Bend Park and Recreation District is an Oregon special district authorized to provide park and recreation services by ORS 266.410. The District Board of Directors, in accordance with ORS 266.410(7)(b), has adopted the following rules and regulations to ensure that Bend's park and recreation system remains inviting for residents' and visitors' safe use and enjoyment. These rules and regulations apply to and shall be enforced at all properties owned or managed by District.
- 1.2 Through these rules and regulations, District aims to promote and protect the health, welfare and safety of all patrons at District properties.
- 1.3 District strives to be a responsible steward of public resources by preserving the system's health and integrity from overuse and abuse to ensure that future generations have access to the same exemplary park system that Bend enjoys today.
- 1.4 District wants everyone to feel welcome and invited into environments where all individuals are treated with respect and dignity and hold those responsible when these essential tenets are not followed.

## ARTICLE 2. DEFINITIONS

- 2.1 "Assistance Animal" has the meaning assigned to that term in ORS 659A.143.
- 2.2 "Campsite" means a place where any bedding, sleeping bag or other material used for bedding purposes or any tent or other shelter is placed for the purpose of maintaining a temporary place to live or sleep.
- 2.3 "Chair of the Exclusion Appeals Panel" means the returning member from the most recent prior second appeal hearing, whose role is to issue written decisions of second appeals from the Exclusion Appeals Panel.
- 2.4 "City" means the City of Bend.
- 2.5 "Decisionmaker" means the deciding person or Panel at the applicable level of the appeals process as further described in Article 16.5 and 16.6.
- 2.6 "District" means Bend Park and Recreation District.
- 2.7 "District Facility" means any building, structure or improved property leased, managed, owned or operated by the District.
- 2.8 "District Park" means any neighborhood park, community park, regional park, special use park, plaza, trail, path, athletic field, sports complex, or undeveloped property leased, managed, owned or operated by the District.
- 2.9 "District Program" means any recreational program, activity or special event sponsored by the District.

- 2.10 “District Property” means all real and personal property owned or in which the District has a property interest, including as an easement holder, or over which the District has a management responsibility.
- 2.11 “District Waters” means all rivers, streams and other waters and waterways: (a) located on District Property; or (b) over which the District has management authority pursuant to a public easement or other agreement.
- 2.12 “Ejection” means a directive that a person temporarily (i.e., for the remainder of the day or less) leave District Property.
- 2.13 “Enforcement Officer” means any peace officer, park steward, executive director, or a designee, or any other person with authority to enforce these Rules.
- 2.14 “Exclusion” means an order excluding a person from all or a portion of District Parks, Facilities and Programs pursuant to Article 14 of this Ordinance.
- 2.15 “Exclusion Appeals Panel” means the appeal Decisionmaker as further defined in Article 16.6.
- 2.16 “Excluded Person” means a person who is denied access to or barred from all or part of District Property for a length of time.
- 2.17 “Executive Director” means District’s Executive Director, who has been appointed and designated by the Board of Directors as the District’s chief executive officer. Unless otherwise stated, for the purposes of these Rules Executive Director includes Enforcement Officer.
- 2.18 “Fireworks” has the meaning assigned to that term in ORS 480.111(7).
- 2.19 “Notice of Exclusion” means a notice issued pursuant to Article 14 of this Ordinance excluding an individual from all or part of District Property, Parks, Facilities, or Programs for a period of time.
- 2.20 “Owner” means an animal’s legal owner or handler.
- 2.21 “Rolling Device” means a bicycle, skateboard, scooter, e-bike, e-scooter, inline skates, or other e-micro-equipment that uses wheels for movement.
- 2.22 “Rules” means these District rules and regulations.
- 2.23 “Smoking Instrument” has the meaning assigned to that term in OAR 333-015-0030(23).
- 2.24 “Inhalant Delivery System” has the meaning assigned to that term in OAR 333-015-0030(14)(a).
- 2.25 “Weapon” has the meaning given that term in ORS 166.360(10).

### **ARTICLE 3. GENERAL CONDUCT RULES**

- 3.1 District Property shall be used in accordance with these Rules and all applicable city, county, state or federal laws, ordinances and regulations. Criminal activity on District Property will be reported to the Bend Police Department or Deschutes County Sheriff’s Office. Violations of these Rules are subject to enforcement by an Enforcement Officer.

- 3.2 Without limiting the generality of Article 3.1, while on District Property, no person shall:
- A. Discriminate against, disturb, disrupt, harass, or otherwise endanger the comfort, health, peace or safety of another person, including by engaging in any behavior that is threatening, intimidating, abusive or harassing of others.
  - B. Disobey a site-specific code of conduct, any posted signs and notices, or any reasonable written directive of the Enforcement Officer.
  - C. Disobey any reasonable verbal directive or request of the Enforcement Officer based on District policies or during an emergency situation.
  - D. Possess or consume alcoholic beverages without a permit.
  - E. Damage, remove, tamper with, modify, or deface District Property, including vegetation, dirt, equipment, and rocks, except in designated play areas.
  - F. Litter or otherwise deposit or abandon any garbage, waste, or other materials except in receptacles specifically provided for such purposes. Garbage, yard debris and other refuse shall not be brought on to District Property for disposal.
  - G. Sleep overnight or establish a Campsite. The owner of an unauthorized Campsite will either be notified to remove the Campsite or the camping materials will be removed in accordance with state law.
  - H. Connect to District utilities for personal use.
  - I. Walk, stand, sit, climb on, or jump from any monument, statue, building, fountain, railing, fence, roof or other structure not intended for that purpose.
  - J. Use a Smoking Instrument or an Inhalant Delivery System of any kind on District Property.
  - K. Create or maintain any open flame, to include charcoal barbeques. Portable propane camp stoves and gas barbeques are permitted to the extent that they are operated in a safe manner and do not damage District Property or present a fire danger.
- 3.3 The Executive Director has authority to implement these Rules as follows:
- A. The Executive Director may adopt a location-specific code of conduct when necessary to interpret or clarify these Rules and/or to protect the health, welfare and safety of all persons or property at a District Park or District Facility. The Executive Director's authority to adopt a location-specific code of conduct may not be delegated.
  - B. The Executive Director may grant exceptions to any of these Rules in a permit or lease issued pursuant to Article 12.

#### **ARTICLE 4. WATERS AND WATERWAYS**

- 4.1 All District Waters shall be used in accordance with applicable Oregon State Marine Board rules and regulations.

- 4.2 No person shall anchor or tie watercraft to any bridges, structures, or landforms in or adjacent to District Waters.
- 4.3 No person shall bathe, wash clothing or other materials, or clean fish in District Waters.
- 4.4 No person shall jump, dive or otherwise propel themselves or any other person or object into District Waters from any tree, bridge or other structure.
- 4.5 No person shall use surfboard or bodyboard leashes while surfing in the Bend Whitewater Park.
- 4.6 No person shall possess glass containers while in, on or around District Waters.

**ARTICLE 5. DISPLAYS**

- 5.1 No person shall display sexually explicit material, as defined by Oregon law, in view of minors.
- 5.2 No person or group, whether or not engaging in an authorized event, shall display or perform sexually explicit artwork or other obscene material in a manner that reasonably might interfere with other persons’ enjoyment of District Properties.
- 5.3 Artwork, displays or performances shall be located so as to minimize disturbance to those wishing to avoid such displays or performances, minimize congestion, and promote the flow of foot traffic through District Properties.
- 5.4 No unattended or staked signs may be placed on District Property.

**ARTICLE 6. WEAPONS, HUNTING AND FIREWORKS**

- 6.1 No person shall possess a loaded firearm on District Property within City limits except in accordance with state and federal law.
- 6.2 No person shall possess a loaded or unloaded firearm or any other instrument used as a dangerous weapon while in or on a public building as defined in ORS 166.360(9), except as permitted by ORS 166.370.
- 6.3 No person shall use a Weapon while on District Property except as authorized pursuant to state law.
- 6.4 Fishing is permitted on District Property consistent with state law, to include state licensing requirements described in ORS Chapter 497.
- 6.5 No person shall hunt, trap or remove any wild animal from District Property.
- 6.6 No person shall possess or use Fireworks or other explosives on District Property unless express written permission is granted by Executive Director and the State Fire Marshall.

**ARTICLE 7. ANIMALS**

- 7.1 Feeding waterfowl and other wildlife is prohibited.
- 7.2 No person shall damage, harm, injure, molest or otherwise disturb any wildlife or wildlife dwelling.

- 7.3 Horses and other stock animals are prohibited.
- 7.4 Owner of an animal is responsible and liable for the animal's actions. Animal or Owner may be excluded from District Property for failure to abide by District Rules, including for harm threatened or caused by Owner's animal.
- 7.5 Owner shall maintain control of dog by securely holding onto a physical leash (not an electronic control device) that is attached to the dog, except when in a designated off-leash area. The leash must be no longer than 15 feet in length. Dog may not be secured to a stationary object and left unattended.
- 7.6 Owner shall promptly pick up and dispose of animal waste in proper receptacles. Dog waste bags shall not be left unattended to be removed at a later time.
- 7.7 Owner shall maintain control of their dog at all times and not allow an animal to damage District's or another's property, including by digging or burrowing, or to harass, threaten, injure, or fight with an animal or person for any reason.
- 7.8 Any dog that has a set of permanent canine teeth or that is six months of age or older, whichever comes first, must be licensed and current in vaccinations in accordance with state and county law. Owner shall be found in violation of this rule if a dog is not wearing its collar and tag.
- 7.9 Dogs are not permitted in ponds on District Property.
- 7.10 Owner shall comply with all site-specific rules and guidelines posted at off-leash dog areas.
- 7.11 Only Assistance Animals are allowed in District Facilities.

## ARTICLE 8. VEHICLES

- 8.1 All vehicles must be operated in accordance with the Oregon Vehicle Code while on District Property. This Article shall be interpreted in concordance with Oregon Vehicle Code.
- 8.2 No person shall operate a motor vehicle, bicycle, electric-assisted bicycle, or other Rolling Device in a manner that endangers or would be likely to endanger any person or property.
- 8.3 No person on a bicycle shall fail to yield the right of way to all pedestrians, fail to give an audible warning before overtaking and passing a pedestrian, or operate an electric assisted bicycle on a sidewalk in violation of ORS 814.410.
- 8.4 Motor vehicles, including electric-assisted bicycles with throttles, are prohibited except in roadways and parking areas designated for motor vehicles, except as otherwise allowed by state law, these Rules, or applicable permit. The foregoing shall not apply to District or public safety vehicles.
- 8.5 Bicycles and pedal-assist electric-assisted bicycles are permitted on pedestrian trails and pathways unless prohibited by the Executive Director to ensure the safety of District users. Bicycles and pedal-assist electric-assisted bicycles must yield to all other trail and pathway users.

- 8.6 Except where expressly permitted, such as at skate and bike parks, Rolling Devices are not permitted on any plazas, retaining walls, furniture, stairs, handrails, sports fields, swimming pools, sports courts, playgrounds, off-leash areas, recreation facilities, areas reserved for special events, and other areas as prohibited by site-specific rules.
- 8.7 Rolling Devices may only be locked to designated bicycle racks, and not to trees, benches or other amenities not designated for that purpose.
- 8.8 Motor vehicles may not park on vegetated areas. Motor vehicles must utilize parking lots on District Property in accordance with posted site-specific rules, such as those designating loading zones, time limits, spaces for District staff only, and handicapped spots.
- 8.8 District parking spaces are only for persons while they are lawfully using District Property.
- 8.9 No vehicle may be parked on District property between 10:00 p.m. and 5:00 a.m., except during District Program or Facility operating hours; or in parking lots as otherwise posted (e.g., designated sunrise to sunset hours).
- 8.10 No person shall drive a motor vehicle or a combination of motor vehicles in a manner that impedes or blocks the normal and reasonable movement of traffic.
- 8.11 Vehicles parked on District Property in violation of these Rules or state law may be towed in accordance with state law.

#### **ARTICLE 9. RESTROOMS**

- 9.1 Park restrooms and portable toilets are to be used for their intended purposes of the promotion of personal hygiene, hand washing and elimination of human waste.
- 9.2 Individual restrooms, changing rooms and restroom stalls are not to be occupied by more than one person and for no longer than 10 minutes, with the exception of those with a disability or are accompanied by a caregiver.
- 9.3 Facility locker rooms are provided only to clean one's body and to store personal belongings for the time when the facility user is inside the building.
- 9.4 Any person over the age of six must use the restroom, locker room, or changing room that corresponds to their gender identity. Nongendered restrooms, locker rooms, and changing rooms are available to all users. Persons may request a reasonable accommodation from District staff as needed.
- 9.5 No person shall use a cell phone, camera, recording device, or other photographic equipment inside a restroom facility, locker room or changing area.
- 9.6 No person shall urinate or defecate on District Property except in restroom toilets or portable toilets.
- 9.7 Persons must abide by posted restroom hours.
- 9.8 Restrooms and portable toilets shall not be used to store belongings.

## ARTICLE 10. SPECIFIC RECREATIONAL ACTIVITIES

- 10.1 The use of metal detectors is prohibited on District Property.
- 10.2 Slacklines, hammocks and similar devices are permitted to the extent that their use is consistent with District Rules, site-specific rules, and respectful of persons and property. Guidelines are available on District's website or by contacting Park Stewards.
- 10.3 Geocaching/letterboxing is permitted to the extent that the activity is consistent with District Rules, site-specific rules, and respectful of persons and property. Guidelines are available on District's website or by contacting Park Stewards.
- 10.4 Activities involving the use of airborne projectiles that may harm people or property are prohibited. This prohibition includes, without limitation, golfing, archery, discus, javelin, shotput and model rockets.
- 10.5 Unmanned aerial vehicles (e.g., drones) and other remote-controlled devices are permitted to the extent that they do not endanger the comfort, health, peace, or safety of others or cause harm to District Property. To the extent permitted by applicable law, the Executive Director may prohibit the use of an unmanned aerial vehicle on District Property that endangers persons or property. Such devices shall be operated in accordance with state and federal law and such guidelines as may be adopted by the Executive Director. Guidelines are available on District's website or by contacting Park Stewards.
- 10.6 No person shall tether, launch or land a hot air balloon, paraglider, parachute or other similar device on District Property.

## ARTICLE 11. BUSINESS OPERATIONS AND ORGANIZED EVENTS

- 11.1 Business Operations on District Property require a permit obtained through District reservation system as described in the Business Operations in Parks and Facilities Policy. Business activities are defined to include concession sales, equipment rental, instructional activities, or other programmed activities under the organization, direction, or supervision of an individual or organization including:
  - A. Operating a fixed or mobile concession; or
  - B. Soliciting, selling, offering for sale, peddling, hawking, advertising or vending any goods or services; and/or
  - C. Displaying commercial advertisements, leafleting, signs, or business cards on facility bulletin boards or elsewhere on District Property.
- 11.2 No person shall organize, conduct or participate in any organized event or other scheduled activity that is publicly advertised without prior authorization from the Executive Director. An organized event or other scheduled activity that is publicly advertised on District Property requires a reservation obtained through the District reservation system as described in the Event Rentals in Parks Policy.

**ARTICLE 12. PERMITS**

- 12.1 The Executive Director shall have the authority to issue permits or to grant exceptions or waivers to any of the terms of these Rules for certain events and activities and in cases where District Property is leased to a third party to operate.
- 12.2 Permit-holders shall keep the permit on their person at all times while engaging in the permitted activity.
- 12.3 Permit-holders must abide by all District Rules unless granted an exception or waiver by the terms of the permit. Permit-holders are required to abide by all permit conditions at all times.
- 12.4 Permit-holders shall be liable for any loss, damage, or injury to any person or property caused by a permit-holder's use of District Property pursuant to the permit.
- 12.5 The Executive Director has the authority to revoke a permit upon finding of a violation of any of these Rules, laws, or other authority, or, in his or her sole discretion, to promote safety and welfare in the District.

**ARTICLE 13. CLOSURES**

- 13.1 District Property is closed to the public from 10:00 p.m. until 5:00 a.m. except during District Program or Facility operating hours, as otherwise posted, or as authorized by the Executive Director. Parking lots at Shevlin Park, Sawyer Park, Riley Ranch Nature Reserve, and others as designated by the Executive Director are closed from sunset until sunrise. It shall be unlawful to enter or remain on District Property during closed hours, except:
- A. A person may enter upon a closed District Property for a reasonable amount of time to retrieve their personal property or vehicle; or
  - B. Pedestrians or bicyclists may travel through District Property on designated trails or walkways to destinations outside of District Property; or
  - C. By permit.
- 13.2 The Executive Director may close or limit the use of District Property to ensure the safety and security of people and property or to curtail misuse or Rules violations.
- 13.3 No person shall refuse an order to evacuate District Property in case of an emergency.

**ARTICLE 14. ENFORCEMENT OF RULES AND REGULATIONS**

- 14.1 Nothing in this section shall be constituted to authorize the Ejection or Exclusion of person for lawfully exercising free speech rights or other rights protected by the state or federal constitutions. A person lawfully exercising these protected rights but who commits an act that is not protected can be subject to Ejection or Exclusion as provided for in this section.
- 14.2 The Enforcement Officer is vested with authority to enforce these Rules and to take the following action:
- A. Issue Ejections, citations, or Exclusions as provided by these Rules to any Person who violates any provision of the District Rules; and/or



- B. Refuse entrance to a District Facility or Program, or to require a Person to leave a District Property, Facility or Program.
- 14.3 No person shall refuse to leave any District Property, Facility or Program after being directed to leave by an Enforcement Officer. Entering or remaining unlawfully in or upon District Property may subject a person to Exclusion or arrest and prosecution for criminal trespass.
- 14.4 Any Enforcement Officer may protect the safety or health of the public or protect District Property. This authority includes actions that temporarily:
- A. Permit or limit specific activities or uses in designated portion of a District Property;
  - B. Designate a location within a District Property for a single use to avoid conflicts between users;
  - C. Restrict access to or close a portion of a District Property; and/or
  - D. Exclude a person from District Property.
- 14.5 No person shall interfere with any Enforcement Officer enforcing these Rules. Interference with an Enforcement Officer may result in Exclusion.
- 14.6 Pursuant to ORS 266.450, violation of these Rules is punishable by Exclusion; or a misdemeanor punishable by a fine not to exceed \$100 or imprisonment not to exceed five days, or both.
- 14.7 Action to impose punishment shall be brought in the name of the District in any court having jurisdiction of misdemeanors under state law. The action shall be brought in the County in which the District, or greater portion of the area of the District, is located pursuant to ORS 198.600(2).

### **ARTICLE 15. EXCLUSIONS**

- 15.1 ORS 266.410(8) established the authority for District to exclude a person for violations of any District Rule.
- 15.2 An Enforcement Officer may direct any person to temporarily leave District Property (i.e., an Ejection) for a minor violation, disruptive conduct, or violation of these Rules, city or county code or state law, or in emergency situations where the person needs to leave the area, for their safety or the safety of others, for the remainder of the day. An Ejection does not constitute a formal Exclusion as defined in this policy and this policy does not require that the Ejection is in writing.
- 15.3 An Enforcement Officer may exclude a person from District Property, subject to state law, for any of the following:
- A. Violation of District Rule
  - B. The person is subject to Civil Exclusion from District Property pursuant to Bend Municipal Code 5.40.010 et seq.; and/or
  - C. As ordered by a court of law.
- 15.4 If an Excluded Person violates a written Exclusion, local law enforcement may be called and the person may be arrested for criminal trespass.

- 15.5 Exclusions are effective as of the date indicated in the Notice of Exclusion.
- 15.6 An Enforcement Officer may exclude any person who violates any provision of District Rules from any District Facility, Program or Property. There are four classes of Exclusion based on the severity, frequency and number of violations as stated below, or other mitigation or enhancement factors, such as compliance with Enforcement Officers' directives, likelihood of recurrent violations, or risk to persons' safety. Additional information gathered subsequent to an initial exclusion decision may result in a modification that increases or decreases the longer length of exclusion.
- 15.7 Class 1 Exclusion: The length of Exclusion from District Property shall be 30 days for:
- A. The violation results in minimal impact to people and property.
- 15.8 Class 2 Exclusion: The length of Exclusion shall be between 31 and 90 days for:
- B. Multiple violations supporting the Exclusion or repeated Class 1 Violation with minimal impact to people and property; or
  - C. Violation of Class 1 Exclusion; or
  - D. Failure to comply with Enforcement Officers' directives.
- 15.9 Class 3 Exclusion: The length of Exclusion shall be between 91 and 180 days for:
- A. Violations significantly impacting persons or property, such as threatening language, vandalism, theft or threat of bodily harm to another person; or
  - B. Behavior that evidences criminal activity; or
  - C. Violation of Class 2 Exclusion; or
  - D. Failure to comply with Enforcement Officers' directives.
- 15.10 Class 4 Exclusion: The length of Exclusion shall be between 181 days and one year for:
- A. Activity that is the basis for serious criminal charges; or
  - B. Actual violence or harm to people or property; or
  - C. Evidence of bias crime as described by ORS 147.380; or
  - D. Failure to comply with Enforcement Officers' directives.
- 15.11 The places of Exclusion shall be determined based on the nature of the violation and in the interest of protecting persons and District Property in the sole discretion of the Enforcement Officer.
- 15.12 The Notice of Exclusion shall be written by the Enforcement Officer on the Exclusion form and signed by the Enforcement Officer issuing the Exclusion, and it shall be delivered to the Excluded Person. A refusal to accept delivery where actual notice has occurred shall not exempt the Excluded Person from the Exclusion. The Notice of Exclusion shall contain all of the following:

- A. The date of the violation, start date of the Exclusion, length of Exclusion, place of Exclusion, and the class of Exclusion; and
- B. Information on the right to an appeal and how to request an appeal; and
- C. A warning of the consequence for failure to comply.

## ARTICLE 16. APPEALS

### 16.1 Timeline and Notice:

- A. The Excluded Person must postmark or send via email a written appeal within 10 calendar days of the effective date of the Notice of Exclusion to appeal the Exclusion. Appeals must be addressed or delivered to: District Office, Attention: Park Stewards, 799 SW Columbia Street Bend, OR 97702 or emailed to [exclusions@bendparksandrec.org](mailto:exclusions@bendparksandrec.org).
- B. The Decisionmaker must issue a written decision upholding, overturning, or modifying the Exclusion within 30 days of the Decisionmaker's receipt of the written appeal.
- C. If the appeal contains a request that the Exclusion be stayed pending appeal, the Decisionmaker must issue a response within 10 days of the Decisionmaker's receipt of the written appeal containing the request for the stay.

### 16.2 Content of Request for Appeal: The request for appeal must contain a statement setting forth the reasons that the Exclusion is invalid or otherwise improper, any evidence the appellant believes will be useful to the Decisionmaker in making a decision, a current address, and email or telephone number in order to be notified of the decision, and, if a stay is requested, any reasons the Exclusion should be stayed pending appeal. The appellant may request to participate in the hearing by telephone or by video.

### 16.3 Evidence on Appeal:

- A. On appeal, the Decisionmaker shall consider: if the preponderance of evidence (i.e., more than likely not) shows that the person committed the violation for which the person was excluded; the seriousness of the Rules violation for which the person has been excluded, including whether the conduct rose to criminal conduct; prior incidences of violation; the impact of the violation on persons and property; any mitigating factors; and any other criteria the Decisionmaker determines to be relevant.
- B. The Decisionmaker may rely upon any evidence that a reasonable person would deem as appropriate, including testimony from the Enforcement Officer who issued the Exclusion, witnesses, and from the Excluded Person. Evidence may be presented in person, via telephone, video, email, or letter at the discretion of the person providing the evidence.

### 16.4 Review of Stay of Exclusion: In reviewing the stay of an Exclusion pending appeal, the Decisionmaker shall consider all of the criteria described in Article 16.3 as well as any reason that the Excluded Person may need to be in a District Property pending appeal.

### 16.5 Appeal Decisionmaker:

- A. Class 1 Exclusions are appealed to the Park Steward Manager, if the Exclusion is issued by an Enforcement Officer other than the Park Steward Manager. In the event the Park Steward Manager issues the Notice of Exclusion, then the appeal shall be heard by the Community Engagement Director.
  - B. Class 2, 3, and 4 Exclusions are appealed to the Exclusion Appeals Panel.
- 16.6 Exclusion Appeal Panel: The Exclusion Appeals Panel shall consist of three District employees who are not Park Stewards, Enforcement Officers, or employees directly employed by the department in which the appeal applies. There shall be one returning member from the most recent prior second appeal hearing. The carryover member will serve as the Chair of the Exclusion Appeals Panel and shall write its final decision. Exclusion Appeals Panel members shall not serve on more than two consecutive appeal panels. The decision of the Exclusion Appeals Panel shall be by a majority vote.
- 16.7 Written Decision: The Decisionmaker shall issue a written decision per the timeline described in Article 16.1. The decision shall either uphold the Exclusion, overturn the Exclusion, or modify the Exclusion by shortening the Exclusion period or limiting the places the Exclusion affects.

### **ARTICLE 17. MISCELLANEOUS**

- 17.1 It is hereby the legislative intent of the Bend Park and Recreation District Board of Directors that the provisions of the Ordinance are severable, and if any word, sentence, paragraph, clause or phrase of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of this ordinance, which shall remain in full force and effect.
- 17.2 These Rules are hereby made part of District Rules. All pronouns contained in these Rules and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. Any reference to a particular law, statute, rule, regulation, code, or ordinance includes the law, statute, rule, regulation, code, or ordinance as now in force and hereafter amended. The provisions of these Rules are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of these Rules is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion shall (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of these Rules. Nothing in these Rules affects the validity of any criminal or civil enforcement actions commenced prior to the effective date of these Rules; all District Rules existing at the time that such actions were filed will remain valid and in full force and effect for purposes of those actions. These Rules may be corrected by resolution of the Board to cure editorial and/or clerical errors.



# Board of Directors

January 21, 2025

District Office Building | 799 SW Columbia | Bend, Oregon



The board met in Executive Session prior to the regular meeting pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions. This session was closed to all members of the public except for representatives of the news media.

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

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

## **BOARD PRESENT**

- Donna Owens
- Jodie Barram
- Cary Schneider
- Deb Schoen
- Nathan Hovekamp

## **STAFF PRESENT**

- Michelle Healy, Executive Director
- Matt Mercer, Director of Recreation
- Kristin Toney, Administrative Services Director
- Julie Brown, Director of Community Engagement
- Sheila Reed, Assistant to the Executive Director
- Sasha Sulia, Director of Park Services
- Kathleen Hinman, Director of Human Resources
- Brian Hudspeth, Director of Planning and Development
- Henry Stroud, Principal Planner

## **VISITORS**

**Craig Lacy:** Mr. Lacey shared his knowledge of the history of the Deschutes River and fish statistics. He shared his concern for the fish passage design and asked that the board to urge two-way passage by ODFW.

**Jerry Freilich:** Mr. Freilich spoke of his expertise and advocated for upstream and downstream passage for fish. He recommended that Pacific Power be brought to the table to contribute financially.

## **WORK SESSION**

1. UDWC Fish Passage – *Kris Knight*

Mr. Knight, Executive Director of the Upper Deschutes Watershed Council (UDWC), provided an update on the Mirror Pond Dam fish passage project. He reminded the board that fish passage at the Newport Avenue dam was a goal in the 2015 Mirror Pond Vision, developed by the district, the City of Bend, and other partners. Since then, Pacific Power has decided to maintain the dam, making it the last remaining fish barrier in Bend.

Knight highlighted past fish passage improvements, including the Whitewater Park and the fish ladder at the North Canal Dam. In 2021, the district and the City of Bend established the Mirror Pond Fish Passage Advisory Committee, which supported a feasibility study and alternatives analysis. The study was funded by contributions from the district, Pacific Power, and a grant secured by the Upper Deschutes Watershed Council.

In 2023, the committee selected a nature-like fishway as the preferred solution, which was supported by both the district board and the Bend City Council. Mr. Knight reported securing nearly \$400,000 in grants from the Oregon Watershed Enhancement Board and Oregon Department of Fish and Wildlife (ODFW) to fund engineering design, which will begin in 2025 and be completed by 2026.

UDWC, ODFW, and Pacific Power are finalizing roles and responsibilities for design and construction. While the project primarily focuses on upstream fish passage, efforts will be made to encourage downstream movement. Knight acknowledged challenges posed by the hydro facility's turbines and noted potential design solutions.

Board members expressed appreciation for the project's progress and community collaboration. Director Schoen asked about downstream passage, and Mr. Knight explained that turbine screening would be a separate effort. Director Owens confirmed that the district's role is to support the project, while Director Barram offered letters of support for future grants. Director Hovekamp stressed the need to consider potential dam removal in the design, which Mr. Knight confirmed was a key factor in selecting the nature-like fishway.

Board members reiterated their support for the project, recognizing its importance in restoring fish passage in Bend.

## 2. Snow Removal Update – *Mike Duarte and Sasha Sulia*

Mike Duarte provided an update on snow removal, emphasizing the district's objective to ensure public access to parks and facilities in a safe and timely manner while complying with the City of Bend ordinances.

Sasha Sulia shared data on snow removal operations, noting that staff clears 45 miles of sidewalks and maintains 35 parking areas, covering nearly 35 acres. In total, snow removal efforts span 84 parks and trails.

Mr. Duarte discussed the district's snow removal strategies, which include thorough planning and coordination, the use of technology, and real-time monitoring. He outlined the equipment utilized for these operations and explained that crews are composed of staff from the landscape, trails, and natural resources teams, with additional support from the facilities, shop, and building recreation facilities teams.

He stated that when snowfall reaches two inches or more, all district parking lots are plowed, sidewalks are cleared, and ice melt is applied as needed. Post-storm operations continue for several days to address any lingering snow and ice.

Ms. Sulia reviewed the process for determining delays or closures, referring to the Recreation Facility and Program Snow and Ice Procedures. This process includes assessment protocols, decisions on delayed openings or early closures, and communication strategies to inform the public.

Mr. Duarte highlighted the challenges of snow removal, which include unpredictable weather, poor road conditions, traffic, labor and scheduling constraints, and the need for seven-day-a-week coverage with on-call staff.

Director Schneider inquired about prioritization, to which Mr. Duarte responded that recreation facilities, the district office, event rental locations, and high-use parks and trails receive priority. The board expressed their appreciation for the teams' efforts in maintaining accessibility and safety.

Director Hovekamp asked if any measures could be taken to address the issue of soft-surface trails becoming icy from use, particularly in conditions where ice persists beyond the snowmelt.

Director Barram inquired about the adequacy of equipment storage for snow removal. Mr. Duarte explained that various pieces of equipment are housed at different facilities, and the current arrangement meets operational needs effectively. Additionally, he noted that some buildings are heated, which helps keep adjacent sidewalks clear.

### 3. Board Stipends – *Sheila Reed*

Ms. Reed presented a proposal for board stipends, citing best practices to reduce barriers to participation, particularly for individuals with financial constraints. She referenced research from other park districts, particularly Tualatin Hills, and proposed a stipend of up to \$50 per meeting, capped at four meetings per month (\$200 total), with a quarterly reimbursement process.

Board members discussed the logistics, including tax implications and the option for members to donate their stipends. Director Schoen asked whether the stipend would be issued as a W-2 or 1099, with Ms. Toney confirming it would be a 1099. Directors also discussed the flexibility of stipend use, allowing members to allocate funds at their discretion.

Director Schoen emphasized her desire to make board service more accessible, particularly for working parents and young professionals. She noted that child care assistance had been ineffective in the past at other agencies, as parents preferred not to bring their children to board meetings. Other board members supported the stipend as a modest but meaningful step toward increasing participation.

Discussion also covered the possibility of simplifying the stipend process by offering a flat rate instead of tracking meetings. Ms. Reed clarified that special districts must follow Oregon statute, which specifies stipends as "per meeting" and expressed concern of a flat amount exceeding the actual participation of the b. The board also reviewed flexibility in setting meeting limits and the option to reassess the stipend amount in future budget cycles.

The board expressed general support for the proposal and agreed to bring it to a future business session for a formal decision. Director Owens voiced personal reservations but acknowledged the potential benefits for increasing diversity and accessibility on the board.

**CONSENT AGENDA**

1. Minutes 1/7/2024

***Director Schoen made a motion to approve the consent agenda. Director Schneider seconded. The motion was approved unanimously, 5-0. (Hovekamp, Schneider, Schoen, Owens and Barram)***

**EXECUTIVE DIRECTORS REPORT**

Executive Director Healy provided the following updates:

- Matt’s Retirement – Matt will retire on July 1 but will remain part-time to assist with project work. Recruitment for his replacement is set to begin in late February.
- Sylvan Park Playground Outreach – An email was sent with details on the current outreach efforts for the Sylvan Park playground project. A community survey is available online until January 31, marking the start of the outreach process.
- HOA DRT at River’s Edge – Park Services is in discussions with the HOA regarding puddling on the trail caused by water runoff from the golf course. A community member attempted grading work, which did not resolve the issue. Plans are in place to conduct surfacing work to improve drainage.
- Transportation Fee – Kristin and Executive Director Healy met with city staff on Friday to discuss Phase 2 of the transportation fee, which the city aims to adopt in April. Efforts are underway to determine how to manage the portion of the system maintained by the district. Any financial offsets will be addressed through the intergovernmental agreement (IGA), with further updates to come.
- Bend Whitewater Park Maintenance – A report was received detailing maintenance needs for Bend Whitewater Park. The district is currently reviewing the report and will provide additional information after completing the review and addressing outstanding questions.

**GOOD FOR THE ORDER**

- Director Barram highlighted an upcoming Wildfire Home Protection Strategy class for City of Bend and BPRD staff on February 4, the course covers wildfire mitigation strategies. She encouraged staff to participate, emphasizing its value for both home and work environments.

**ADJOURN: 6:53 pm**





Prepared by,  
Sheila Reed  
Assistant to the Executive Director

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Jodie Barram, Chair

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Donna Owens, Vice-Chair

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Deb Schoen

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Cary Schneider

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Nathan Hovekamp

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	February 4, 2025
<b>SUBJECT:</b>	Parkside Place Purchase and Sale Agreement and Surplus Property
<b>STAFF RESOURCE:</b>	Rachel Colton, Park Planner Michelle Healy, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	Previously discussed in executive session
<b>ACTION PROPOSED:</b>	Approve purchase and sale agreement for the Parkside Place park site and surplus Litchfield property
<b>STRATEGIC PLAN:</b>	
<b>Priority:</b>	Service
<b>Goal:</b>	Support the recreational needs of an evolving community through programming, parks, trails, and facilities
<b>Strategy:</b>	Maintain adopted levels of service targets for parks, trails, and facilities

**BACKGROUND**

In 2016, the Oregon Legislature passed House Bill 4079 that created a pilot program allowing two cities to expand their urban growth boundaries (UGB) without going through the standard UGB expansion process to promote the development of affordable housing. On June 19, 2018, the board passed Resolution No. 414 in support of the city of Bend's application for a UGB expansion project for affordable housing at what is now known as the Parkside Place project (Exhibit A – Location Map). The state approved the application in 2018, and since then staff have been working with the city and two developers (Hayden Homes LLC is the second and current developer) during the land development process for Parkside Place.

Parkside Place is an approximate 37-acre development that will contain a mix of 346 single family, town home and multi-family housing units of which 40%, or 139 units, will be affordable with costs not to exceed 80% of the Area Median Income (AMI). Thirty of the 139 affordable units will be for sale and be eligible for waivers from the district's system development charges (SDCs) if waivers are available at the time of development. The remaining rental units are not eligible for waivers because they exceed the 60% AMI income limits set by the district's SDC waiver program.

Parkside Place includes a proposed, approximately 4.09-acre neighborhood park (Exhibit B – tract E) and three tracts (Exhibit B – tracts A, B and F) that Hayden Homes will transfer to the district for ownership and operation of the Big Sky Trail. The proposed park site is located within park search area 14, identified in the district's comprehensive plan would address identified park needs within the district's service boundaries.

District staff have negotiated a draft purchase and sale agreement for the neighborhood park and trail properties. Key details of the agreement include:

- **Property** – Per the city approved Parkside Place master plan, a minimum of 3.71 acres of open space is required and the developer is providing 5.55 acres. The district would purchase the difference in acreage between what is required and what is provided, or 1.84 acres. The total property the district would receive includes an approximately 4.09-acre park site, and three trail properties totaling approximately 38,756 square feet, for a total land area of approximately 4.98 acres.
- **Purchase Price** – The purchase price is based upon the appraised value of the proposed park site. The total purchase price is \$801,504.
- **Park and Trail Development** – The developer will be responsible for the design and construction of the Big Sky Trail in tracts A, B and F. The district will be responsible for the design and construction of the park and Big Sky Trail in tract E.
- **Maintenance** – The district will maintain the park and the Big Sky Trail through Parkside Place.

### **Litchfield Property**

The Litchfield property is located approximately one-third of a mile west of the proposed park site in the Parkside Place development and is within park search area 14 (Exhibit A – Location Map). If the district purchases and builds a larger neighborhood park in Parkside Place, the development of the Litchfield property for a neighborhood park would be unnecessary. The district purchased the Litchfield property site in 2016 for \$218,000 using system development charge (SDC) funds. It was appraised in February 2024 and valued at \$620,000. This value reflects a raw land value of approximately \$720,000 minus an assumed cost of \$100,000 to improve Livingston Drive. Staff estimate that the development of Livingston Drive will cost closer to \$200,000, reducing the value to approximately \$520,000.

### **BUDGETARY IMPACT**

The district's 2025-2029 Capital Improvement Plan (CIP) identifies \$2,176,400 in SDCs for the project with \$571,900 of approved funding for property acquisition in the current fiscal year. The remaining funds for design and development are identified in fiscal years 27-29. If the board approves the purchase and sale agreement, with a proposed purchase price of \$801,504, the district will allocate additional SDC funds in the next CIP to ensure the district can purchase the property in fiscal year 25-26. District staff will be recommending updates to this project in the 2026-2030 CIP to better align with anticipated acquisition, design, and construction timing. The draft PSA contemplates district acquisition of the property no later than June 30, 2026.

If the Litchfield property is designated as surplus by the board, the potential sale of this property would offset a portion of the total cost of the Parkside Place park site, however, those proceeds are dependent upon future board approval of a sale.

### **STAFF RECOMMENDATION**

Staff recommend authorizing the executive director to negotiate and execute a PSA with Hayden Homes LLC for the Parkside Place property and designate the Litchfield property as surplus.

**MOTION**

*I move to: (1) authorize the executive director to negotiate and execute a Purchase and Sale Agreement with Hayden Homes LLC for the acquisition of land for parks and trails in the Parkside Place development for an amount not to exceed \$801,504, plus all related closing, legal and due diligence costs; and (2) find that the 1.5-acre Litchfield property is not needed for public use and that the public interest may be furthered by sale of the property.*

**ATTACHMENT**

Exhibit A - Subject Property

Exhibit B – Tentative Subdivision Map

### Legend

Planned Trail



Existing Trail



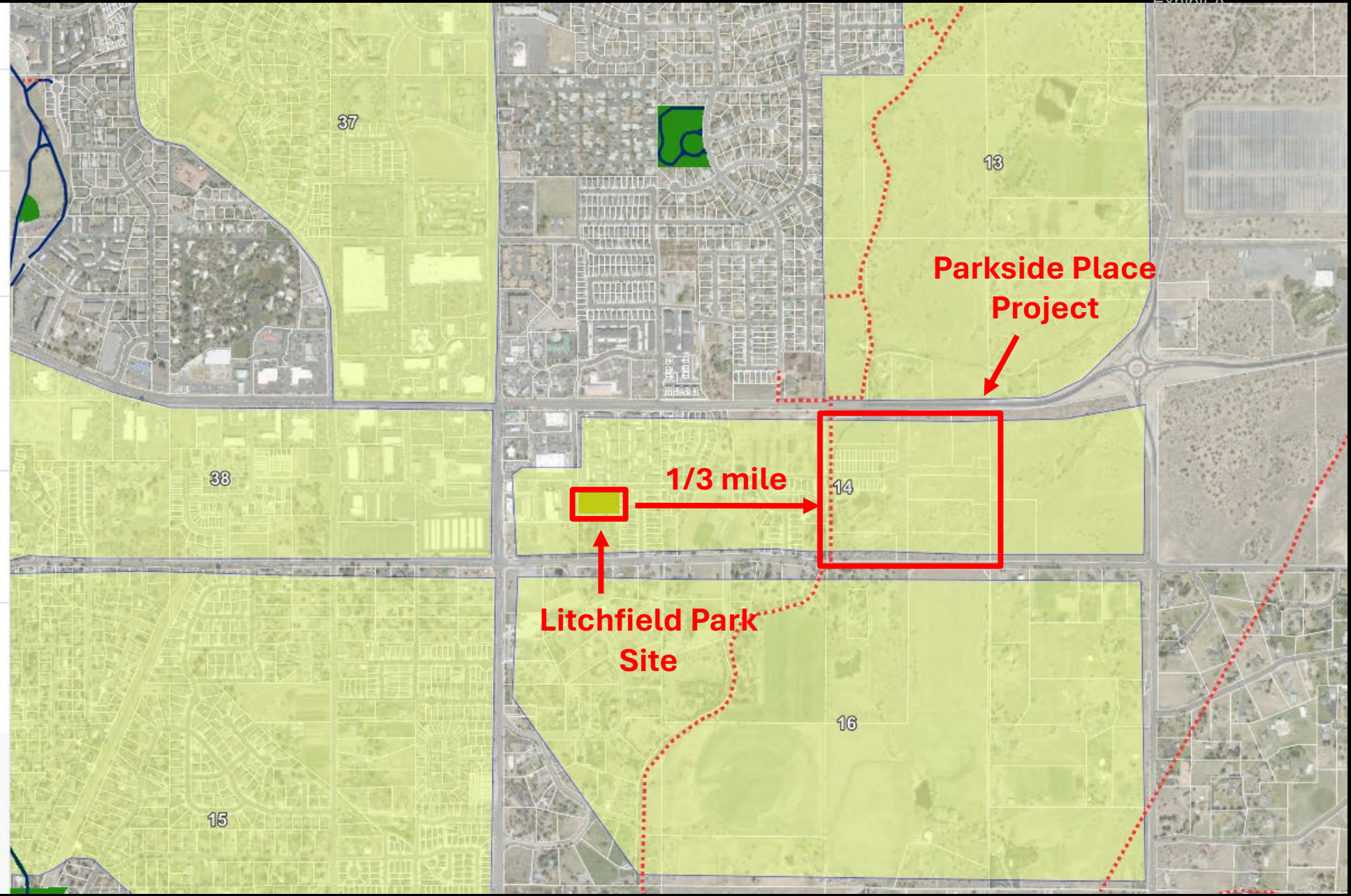
District Property



Park Search Area



Tax Lot



# ADJACENT PROPERTY OWNERS

TAX MAP	TAX LOT	OWNER
171235CD	900	MARIA FIDELIA MARCOULIER TRUST
171235CD	4401	ROBSON, DANIEL & HABLE, KRISTINE
171235CD	4400	HEPP, GAVIN M & EMILY A
171235CD	4300	BRUSH, MELISSA J
171235CD	4200	JANET K HILDRETH REVOCABLE LIVING TRUST
171235CD	4100	WALKER, KIRK W & TERRI H
171235CD	100	ENGLISH, GARY S
171235CA	300	ENGLISH, GARY S
171235	900	CTH INVESTMENTS LLC ET AL
171235	1100	DOGFISH INVESTMENTS LLC
171235	1205	CLEAVENGER, DOUGLAS CLARK & JANE MARIE
171235	1201	TE AMO DESPACIO LLC ET AL
171235	1401	BABCOCK, DENNIS & BABCOCK, KENNETH
171235	1600	EASTSIDE BEND LLC
171235	1601	EASTSIDE BEND LLC
181202	100	SNOW, WILLIAM P & SANDRA R S
181202	201	HAROLD K MARKEN REV TRUST ETAL
181202	200	DOROTHY R SULLIVAN TRUST
181202	303	CRAIG A CHRISTIANSEN REV TRUST ET AL
181202	301	LELAND & SHIRLEY LANDERS TRUST

## TRACT NOTES

TRACT	PURPOSE	PHASE
A	OPEN SPACE	1
B	OPEN SPACE	1
C	OPEN SPACE	1
D	LIFT STATION	1
E	OPEN SPACE	4
F	OPEN SPACE	4
G	OPEN SPACE	4
H	OPEN SPACE	4
J	PRIVATE ALLEY	4
K	PRIVATE ALLEY	5
L	OPEN SPACE	5
M	PRIVATE ALLEY	6
N	PRIVATE ALLEY	7
P	OPEN SPACE	7
Q	OPEN SPACE	7

## OPEN SPACE NOTES

PHASE	TOTAL AREA (ACRES)	OPEN SPACE (ACRES)	OPEN SPACE (% OF TOTAL AREA)
1	10.26	1.07	10.4%
2	3.66	0.00	0.0%
3	3.07	0.00	0.0%
4	9.38	4.24	45.2%
5	3.29	0.23	7.0%
6	3.88	0.00	0.0%
7	3.56	0.05	1.4%
<b>TOTAL</b>	<b>37.10</b>	<b>5.59</b>	<b>15.0%</b>

NOTE: LOT 346 IS RESERVED FOR A MULTI-UNIT DEVELOPMENT  
SEE MULTI-UNIT SITE PLAN

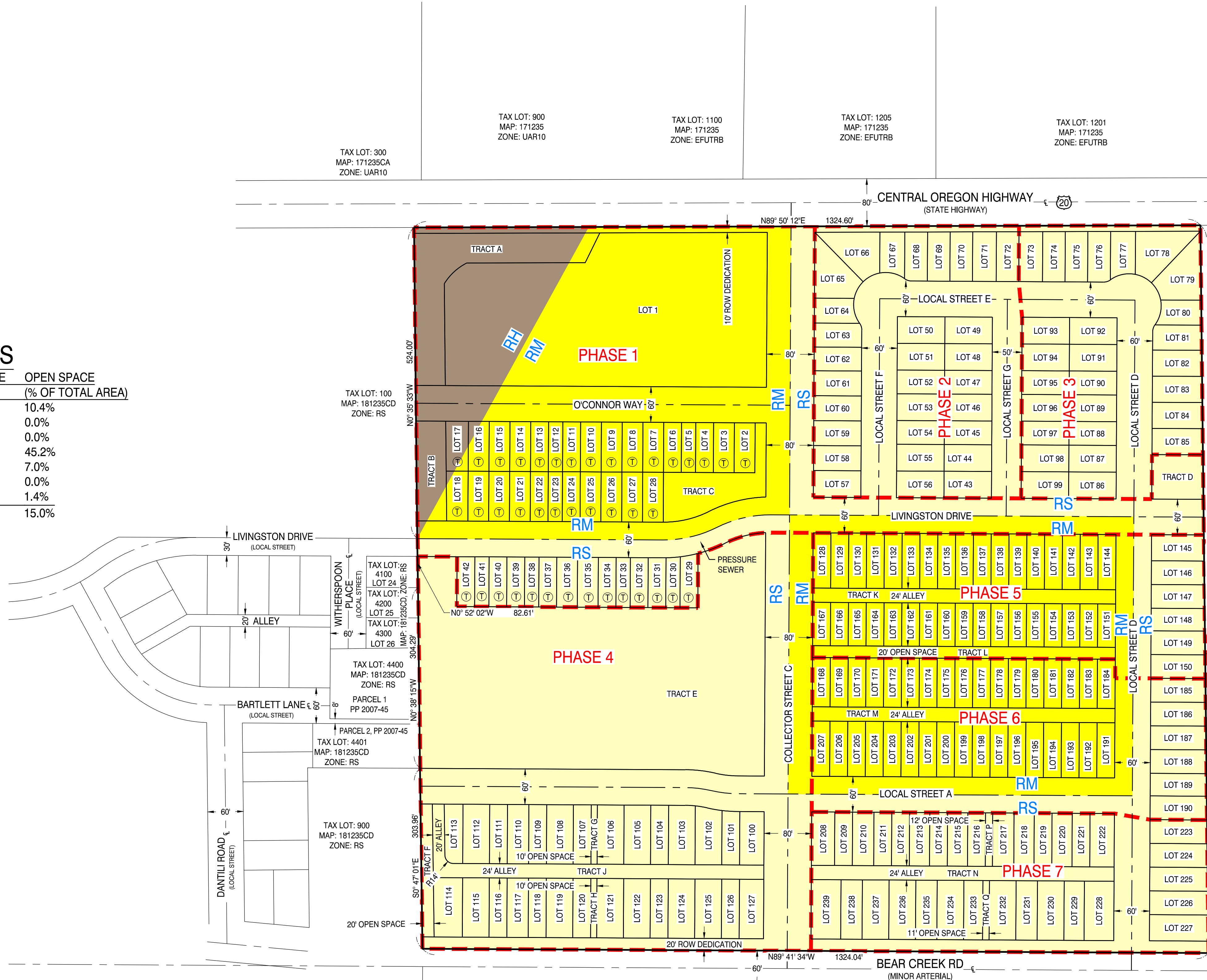
### LEGEND

- PROPOSED PHASING LINE
- Ⓣ TOWNHOME LOT

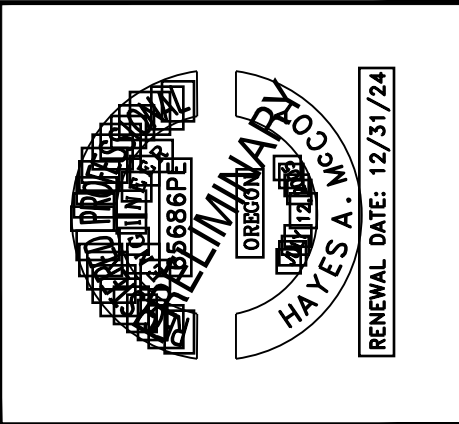
### ZONING AND UNIT DISTRIBUTION LEGEND

- RS- RESIDENTIAL URBAN STANDARD DENSITY
- RM- RESIDENTIAL URBAN MEDIUM DENSITY
- RH- RESIDENTIAL URBAN HIGH DENSITY

SCALE: 1" = 100'  
FOR 34"x22" SHEETS



## TENTATIVE PLAT OVERALL



DATE:	
No. REVISION:	
DRAWING STATUS:	<input checked="" type="checkbox"/> SUB-APP <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
DATE:	05/11/23

**H.A. MCCOY**  
ENGINEERING & SURVEYING, LLC  
1180 SW Lake Road, Suite 201, Beaverton, OR 97006  
HAYES@HAM-ENG.COM  
541-943-7554

PROJECT: PARKSIDE PLACE  
PROJECT LOCATION: BEND, OR  
CLIENT: HAYDEN HOMES LLC

SHEET TITLE: TENTATIVE PLAT OVERALL

JOB NO.	20-101
DRAWN BY:	JJW
DRAWING:	P1.1

FILE: Z:\HAM\_Eng\20-101\_21455\_Hay\_20 - Hayden\Planning\Sub-APP\202511-20101-TentPlat.dwg 5/11/2023 10:15 AM - Owner

FY2024-2025

# Quarterly Administrative Update

2nd Quarter

July 2024 - December 2024

Prepared For:  
BOARD OF DIRECTORS



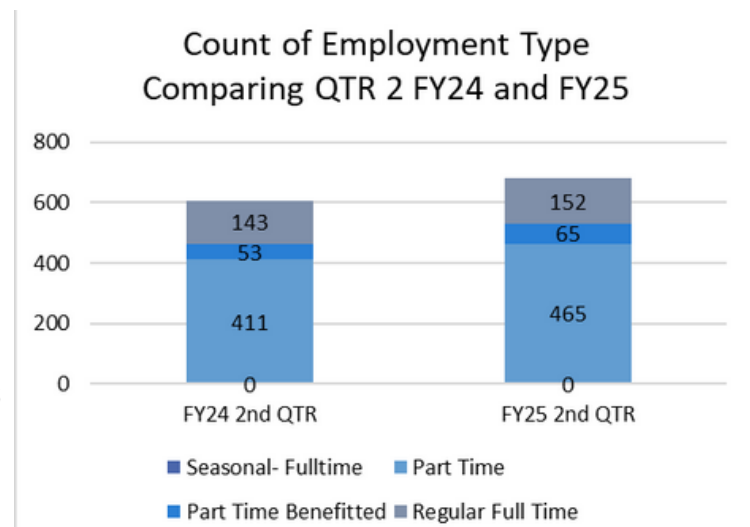
Prepared by Kristin Toney Administrative Services Director

# 2nd Quarter of FY2024-2025

The district is showing it is in line with prior years and in line with the budget as it begins the fiscal year. We are in compliance with our budget authority for all funds. Recreation has the major part of its summer programming in the first quarter while capital expenditures and equipment purchases ramped up. Construction spending has slowed as we head into the 3rd quarter but should pick back up in 4th. The majority of tax revenues are collected in the second quarter.

## This Quarter in the numbers

- Expended about 36.5% of budget
  - 48% of the personnel budget
  - 44.8% of Materials and Services
  - 15.7% of capital
- Received 72.6% of Estimated Revenues

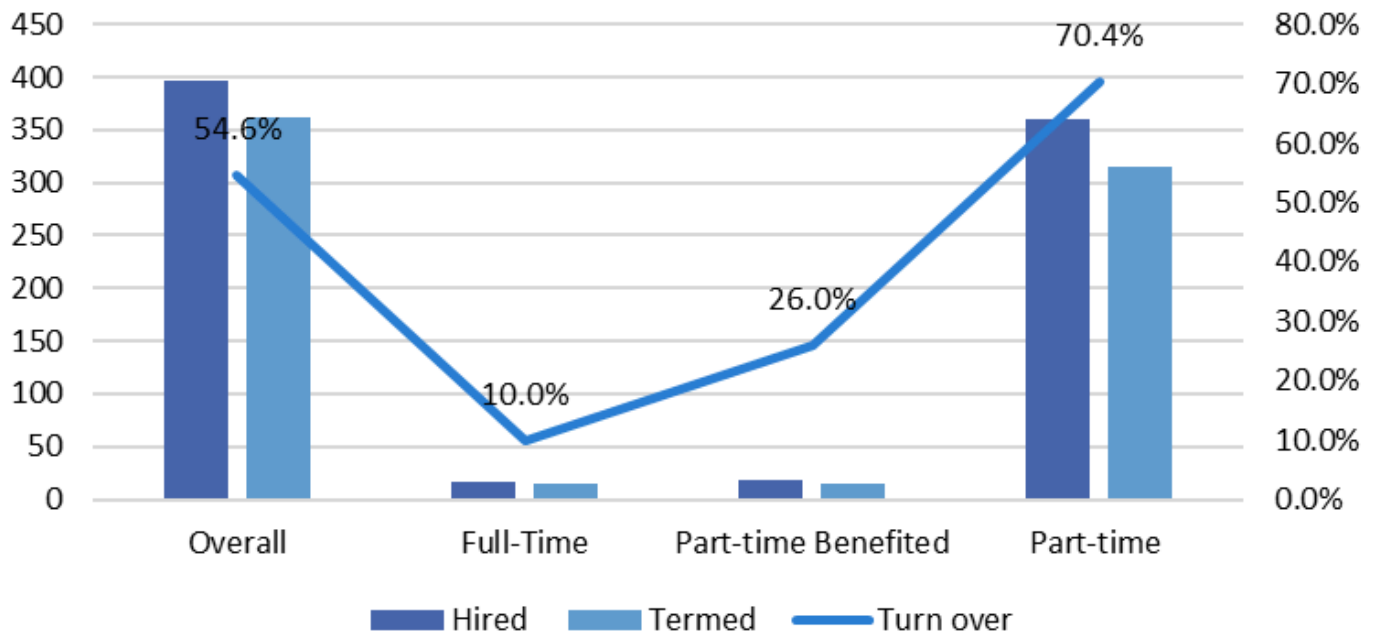




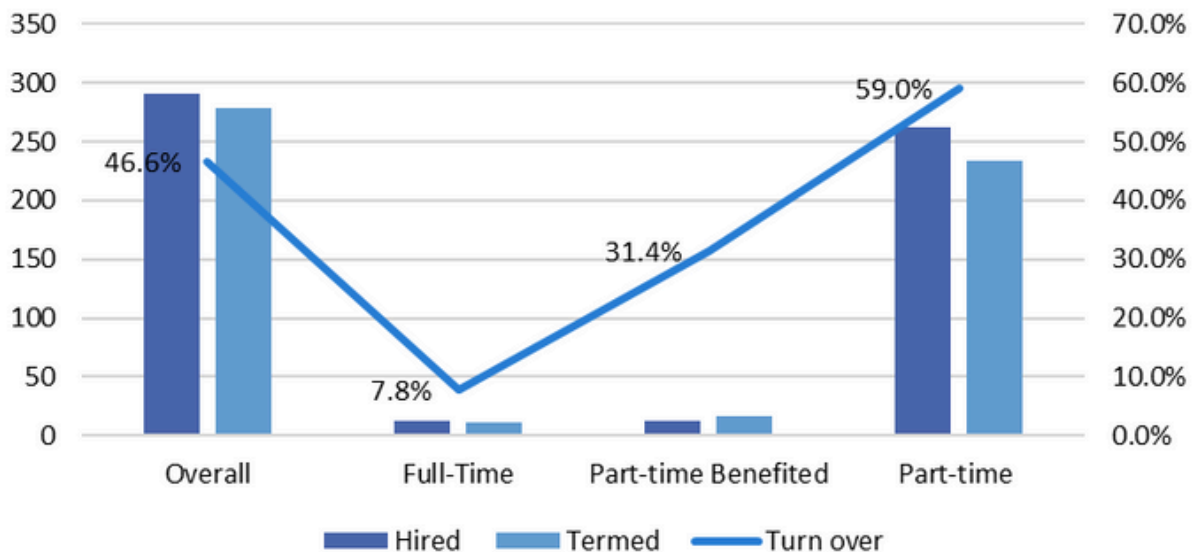
# Staff in the Numbers for 2nd Quarter



## 2nd QTR FY25 Turnover by Employee Type

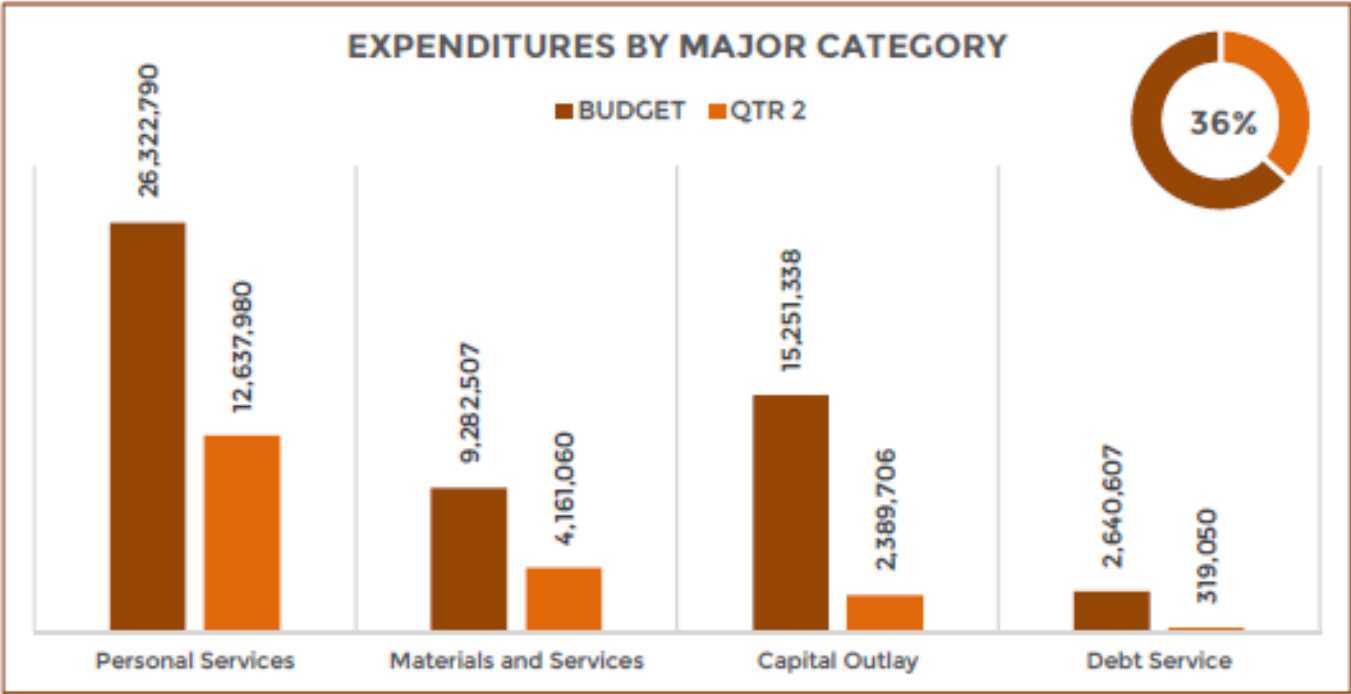
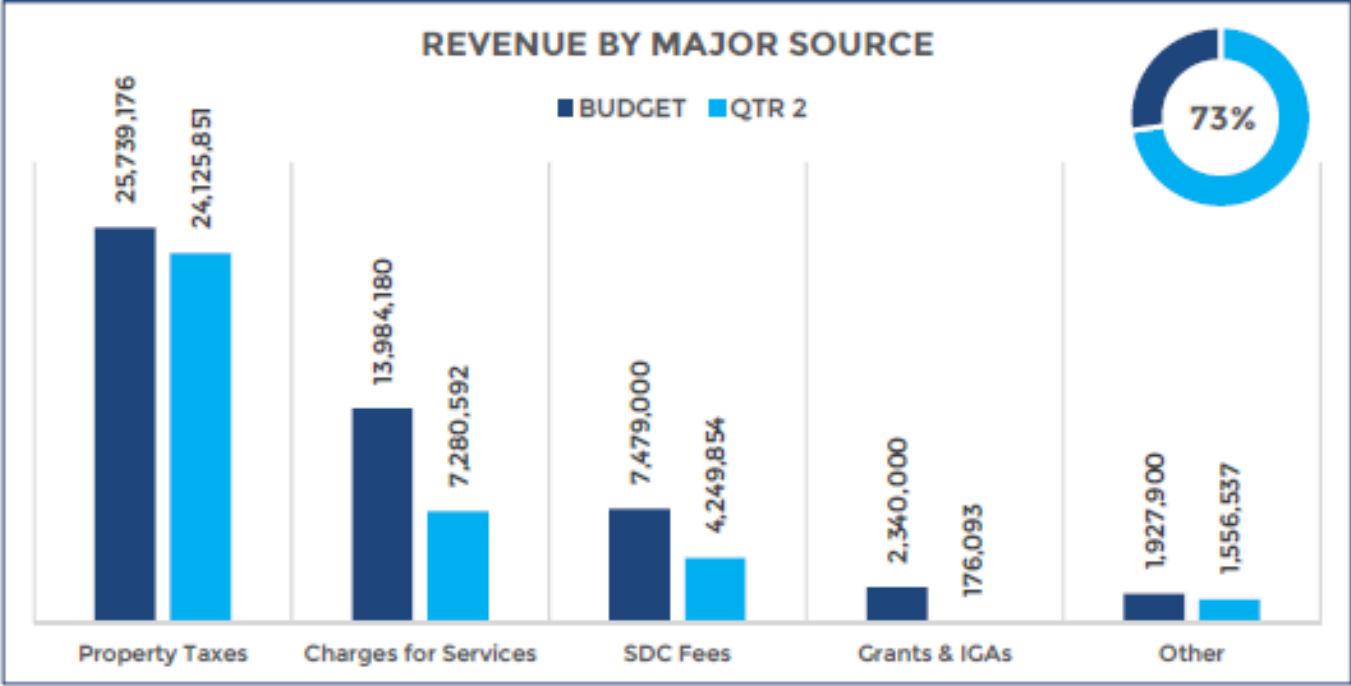


## 2nd QTR FY24 Turnover by Employee Type



# Our Q2 Financial Highlights

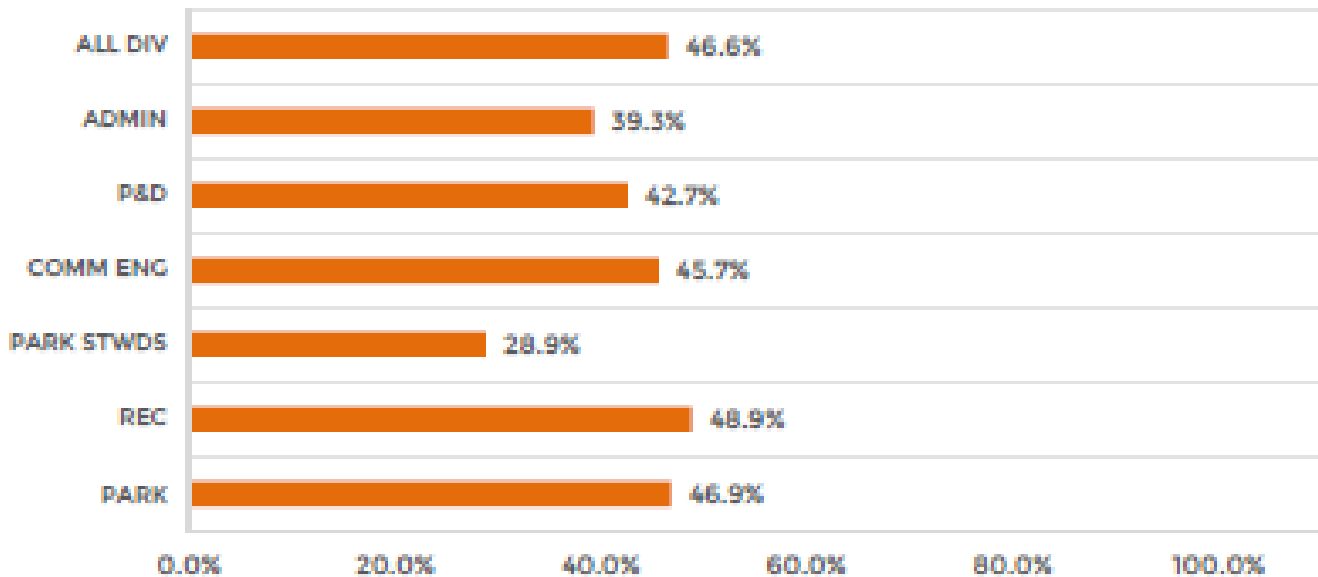
We have normal and expected spending for this point in the year.



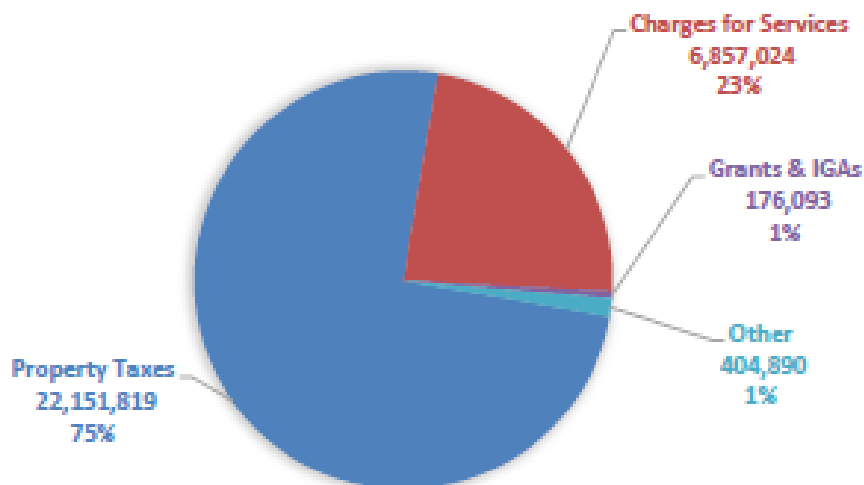
\*\* Unaudited information and just a snapshot of the activity booked 7/1- 12/31 as of 1/15

# Q2 General Fund Highlights

**% OF BUDGET EXPENDED BY DIVISION  
FY 2025**



**% REVENUE BY MAJOR SOURCE  
FY 2025**



# Helpful Links



- The FY2024-2025 Budget can be found at:
  - <https://www.bendparksandrec.org/about/finance/>

**BEND METRO PARKS AND RECREATION DISTRICT  
DISTRICT WIDE SUMMARY**

Schedule of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual  
Fiscal Year 2025  
through Period 06 ended Decmeber 31, 2024

	BUDGET	ALL FUNDS ACTUAL	VARIANCE TO BUDGET	% OF BUDGET
<b>Revenues</b>				
Property taxes	\$ 25,739,176	\$ 24,125,851	\$ (1,613,325)	93.7%
Charges for services	13,984,180	7,280,592	(6,703,588)	52.1%
System development fees	7,479,000	4,249,854	(3,229,146)	56.8%
Grants, contributions, and sponsorships	2,250,000	78,019	(2,171,981)	3.5%
Intergovernmental	90,000	98,074	8,074	109.0%
Investment earnings	1,572,000	1,453,346	(118,654)	92.5%
Reimbursement for interfund services	170,000	-	(170,000)	0.0%
Miscellaneous	185,900	103,191	(82,709)	55.5%
Total revenues	<u>51,470,256</u>	<u>37,388,927</u>	<u>(14,081,329)</u>	<u>72.6%</u>
<b>Expenditures</b>				
Personal services	26,322,790	12,637,980	13,684,810	48.0%
Salaries & wages	18,752,930	9,058,892	9,694,038	48.3%
Benefits	5,485,870	2,644,046	2,841,824	48.2%
Taxes	2,083,990	935,043	1,148,947	44.9%
Materials and services	9,282,507	4,161,060	5,121,447	44.8%
Capital outlay	15,251,338	2,389,706	12,861,632	15.7%
Debt service	2,640,607	319,050	2,321,557	12.1%
Principal	2,002,540	-	2,002,540	0.0%
Interest	638,067	319,050	319,017	50.0%
Total expenditures	<u>53,497,242</u>	<u>19,507,796</u>	<u>33,989,446</u>	<u>36.5%</u>
Excess (deficiency) of revenues over expenditures	<u>(2,026,986)</u>	<u>17,881,131</u>	<u>19,908,117</u>	<u>-882.2%</u>
<b>Other Financing Sources and uses</b>				
Transfers in	7,215,000	-	(7,215,000)	0.0%
Transfers out	(7,215,000)	-	7,215,000	0.0%
Operating contingency	(4,250,000)	-	4,250,000	0.0%
Reserves	(40,418,685)	-	40,418,685	0.0%
Total other financing sources and uses	<u>(44,668,685)</u>	<u>-</u>	<u>44,668,685</u>	<u>0.0%</u>
Net change in fund balance	(46,695,671)	17,881,131	64,576,802	
Fund balances, July 1, 2024	<u>47,873,492</u>	<u>55,533,088</u>	<u>7,659,596</u>	
Fund balances, June 30, 2025	<u>\$ 1,177,821</u>	<u>\$ 73,414,220</u>	<u>\$ 72,236,399</u>	
<b>% of Budget</b>		36.5%		
<b>Appropriation by Function/Program</b>				
Director's office and administrative services	\$ 4,661,508	\$ 2,034,540	\$ 2,626,968	43.6%
Planning and design	15,511,440	2,568,869	12,942,571	16.6%
Community engagement	2,003,560	950,164	1,053,396	47.4%
Rental program	527,890	204,012	323,878	38.6%
Park services	9,899,942	4,787,294	5,112,648	48.4%
Recreation services	18,252,295	8,643,867	9,608,428	47.4%
Debt service	2,640,607	319,050	2,321,557	12.1%
<b>Appropriation Total</b>	<u>\$ 53,497,242</u>	<u>\$ 19,507,796</u>	<u>\$ 33,989,446</u>	<u>36.5%</u>

**BEND METRO PARKS AND RECREATION DISTRICT**

**DISTRICT WIDE BY FUND**

Schedule of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual  
Fiscal Year 2025  
through Period 06 ended Decmeber 31, 2024

	BUDGET	01 GENERAL FUND	09 SDC FUND	13 GO BOND FUND	02 FACILITY RESERVE	03 EQUIPMENT RESERVE	15 RENTAL FUND	TOTAL ALL FUNDS	VARIANCE TO BUDGET	% OF BUDGET
<b>Revenues</b>										
Property taxes	\$ 25,739,176	\$ 22,151,819	\$ -	\$ 1,974,032	\$ -	\$ -	\$ -	\$ 24,125,851	\$ (1,613,325)	93.7%
Charges for services	13,984,180	6,857,024	-	-	-	-	423,567	7,280,592	(6,703,588)	52.1%
System development fees	7,479,000	-	4,249,854	-	-	-	-	4,249,854	(3,229,146)	56.8%
Grants, contributions, and sponsorships	2,250,000	78,019	-	-	-	-	-	78,019	(2,171,981)	3.5%
Intergovernmental	90,000	98,074	-	-	-	-	-	98,074	8,074	109.0%
Investment earnings	1,572,000	340,627	558,362	13,415	480,810	14,145	45,987	1,453,346	(118,654)	92.5%
Reimbursement for interfund services	170,000	-	-	-	-	-	-	-	(170,000)	0.0%
Miscellaneous	185,900	64,263	-	-	-	38,928	-	103,191	(82,709)	55.5%
<b>Total revenues</b>	<b>51,470,256</b>	<b>29,589,826</b>	<b>4,808,216</b>	<b>1,987,446</b>	<b>480,810</b>	<b>53,074</b>	<b>469,555</b>	<b>37,388,927</b>	<b>(14,081,329)</b>	<b>72.6%</b>
<b>Expenditures</b>										
Personal services	26,322,790	12,474,622	-	-	-	-	163,358	12,637,980	13,684,810	48.0%
Materials and services	9,282,507	4,035,753	32,064	-	10,247	42,342	40,654	4,161,060	5,121,447	44.8%
Capital outlay	15,251,338	-	1,246,361	-	586,520	556,824	-	2,389,706	12,861,632	15.7%
Debt service	2,640,607	6,184	-	312,866	-	-	-	319,050	2,321,557	12.1%
<b>Total expenditures</b>	<b>53,497,242</b>	<b>16,516,559</b>	<b>1,278,426</b>	<b>312,866</b>	<b>596,767</b>	<b>599,166</b>	<b>204,012</b>	<b>19,507,796</b>	<b>36,311,003</b>	<b>36.5%</b>
Excess (deficiency) of revenues over expenditures	(2,026,986)	13,073,268	3,529,790	1,674,581	(115,957)	(546,093)	265,542	17,881,131	19,908,117	-882.2%
<b>Other Financing Sources and uses</b>										
Transfers in	7,215,000	-	-	-	-	-	-	-	(7,215,000)	0.0%
Transfers out	(7,215,000)	-	-	-	-	-	-	-	7,215,000	0.0%
Operating contingency	(4,250,000)	-	-	-	-	-	-	-	4,250,000	0.0%
Reserves	(40,418,685)	-	-	-	-	-	-	-	40,418,685	0.0%
<b>Total other financing sources and uses</b>	<b>(44,668,685)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>44,668,685</b>	<b>0.0%</b>
Net change in fund balance	(46,695,671)	13,073,268	3,529,790	1,674,581	(115,957)	(546,093)	265,542	17,881,131	64,576,802	
Fund balances, July 1, 2024	47,873,492	11,138,979	22,522,832	124,982	19,415,495	774,936	1,555,865	55,533,088	7,659,596	
Fund balances, June 30, 2025	\$ 1,177,821	\$ 24,212,247	\$ 26,052,622	\$ 1,799,562	\$ 19,299,538	\$ 228,844	\$ 1,821,407	\$ 73,414,220	\$ 72,236,399	
<b>% of Budget</b>		46.6%	13.1%	14.6%	12.8%	58.3%	38.6%	36.5%		
<b>Appropriation by Function/Program</b>										
Director's office and administrative services	\$ 4,661,508	\$ 2,003,878	\$ -	\$ -	\$ -	\$ 30,662	\$ -	\$ 2,034,540	\$ 2,626,968	43.6%
Planning and design	15,511,440	736,353	1,278,426	-	554,091	-	-	2,568,869	12,942,571	16.6%
Community engagement	2,003,560	950,164	-	-	-	-	-	950,164	1,053,396	47.4%
Rental program	527,890	-	-	-	-	-	204,012	204,012	323,878	38.6%
Park services	9,899,942	4,241,114	-	-	32,430	513,750	-	4,787,294	5,112,648	48.4%
Recreation services	18,252,295	8,578,865	-	-	10,247	54,754	-	8,643,867	9,608,428	47.4%
Debt service	2,640,607	6,184	-	312,866	-	-	-	319,050	2,321,557	12.1%
<b>Appropriation Total</b>	<b>\$ 53,497,242</b>	<b>\$ 16,516,559</b>	<b>\$ 1,278,426</b>	<b>\$ 312,866</b>	<b>\$ 596,767</b>	<b>\$ 599,166</b>	<b>\$ 204,012</b>	<b>\$ 19,507,796</b>	<b>\$ 33,989,446</b>	<b>36.5%</b>

**GENERAL FUND  
SUMMARY**

Schedule of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual  
Fiscal Year 2025  
through Period 06 ended Decmeber 31, 2024

	BUDGET	GF ACTUAL	VARIANCE TO BUDGET	% OF BUDGET
<b>Revenues</b>				
Property taxes	\$ 23,593,124	\$ 22,151,819	\$ (1,441,305)	93.9%
Charges for services	13,385,180	6,857,024	(6,528,156)	51.2%
System development fees	-	-	-	-
Grants, contributions, and sponsorships	115,000	78,019	(36,981)	67.8%
Intergovernmental	90,000	98,074	8,074	109.0%
Investment earnings	250,000	340,627	90,627	136.3%
Reimbursement for interfund services	170,000	-	(170,000)	0.0%
Miscellaneous	125,900	64,263	(61,637)	51.0%
Total revenues	<u>37,729,204</u>	<u>29,589,826</u>	<u>(8,139,378)</u>	<u>78.4%</u>
<b>Expenditures</b>				
Personal services	25,976,900	12,474,622	13,502,278	48.0%
Salaries & wages	18,513,000	8,947,076	9,565,924	48.3%
Benefits	5,406,760	2,604,086	2,802,674	48.2%
Taxes	2,057,140	923,460	1,133,680	44.9%
Materials and services	8,938,407	4,035,753	4,902,654	45.2%
Capital outlay	-	-	-	-
Debt service	504,875	6,184	498,691	1.2%
Principal	492,540	-	492,540	0.0%
Interest	12,335	6,184	6,151	50.1%
Total expenditures	<u>35,420,182</u>	<u>16,516,559</u>	<u>18,903,623</u>	<u>46.6%</u>
Excess (deficiency) of revenues over expenditures	<u>2,309,022</u>	<u>13,073,268</u>	<u>10,764,246</u>	<u>566.2%</u>
<b>Other Financing Sources and uses</b>				
Transfers in	615,000	-	(615,000)	0.0%
Transfers out	(6,500,000)	-	6,500,000	0.0%
Operating contingency	-	-	-	-
Reserves	(5,792,431)	-	5,792,431	0.0%
Total other financing sources and uses	<u>(11,677,431)</u>	<u>-</u>	<u>11,677,431</u>	<u>0.0%</u>
Net change in fund balance	(9,368,409)	13,073,268	22,441,677	
Fund balances, July 1, 2024	<u>10,546,230</u>	<u>11,138,979</u>	<u>592,749</u>	
Fund balances, June 30, 2025	<u>\$ 1,177,821</u>	<u>\$ 24,212,247</u>	<u>\$ 23,034,426</u>	
<b>% of Budget</b>		46.6%		
<b>Appropriation by Function/Program</b>				
	BUDGET	ACTUAL	VARIANCE TO BUDGET	% OF BUDGET
Director's office and administrative services	\$ 4,606,508	\$ 2,003,878	\$ 2,602,630	43.5%
Planning and design	1,723,502	736,353	987,149	42.7%
Community engagement	2,003,560	950,164	1,053,396	47.4%
Rental program	-	-	-	-
Park services	9,037,042	4,241,114	4,795,928	46.9%
Recreation services	17,544,695	8,578,865	8,965,830	48.9%
Debt service	504,875	6,184	498,691	1.2%
<b>Appropriation Total</b>	<u>\$ 35,420,182</u>	<u>\$ 16,516,559</u>	<u>\$ 18,903,623</u>	<u>46.6%</u>

**GENERAL FUND  
BY DEPARTMENT**

Schedule of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual  
Fiscal Year 2025  
through Period 06 ended Decmeber 31, 2024

	01-01	01-02	01-06	01-10	20-**	30-**	TOTAL	VARIANCE	% OF	
	BUDGET	ADMIN	PLANNING & DESIGN	PARK STEWARDS	COMMUNITY ENGAGEMENT	RECREATION SERVICES	PARK SERVICES	GENERAL FUND	TO BUDGET	BUDGET
<b>Revenues</b>										
Property taxes	\$ 23,593,124	\$ 22,151,819	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,151,819	\$ (1,441,305)	93.9%
Charges for services	13,385,180	-	-	-	-	6,857,024	-	6,857,024	(6,528,156)	51.2%
System development fees	-	-	-	-	-	-	-	-	-	-
Grants, contributions, and sponsorships	115,000	-	-	-	-	78,019	-	78,019	(36,981)	67.8%
Intergovernmental	90,000	-	-	-	-	98,074	-	98,074	8,074	109.0%
Investment earnings	250,000	340,627	-	-	-	-	-	340,627	90,627	136.3%
Reimbursement for interfund services	170,000	-	-	-	-	-	-	-	(170,000)	0.0%
Miscellaneous	125,900	16,032	2,000	-	-	35,885	10,346	64,263	(61,637)	51.0%
Total revenues	37,729,204	22,508,478	2,000	-	-	7,069,003	10,346	29,589,826	(8,139,378)	78.4%
<b>Expenditures</b>										
Personal services	25,976,900	1,331,195	699,090	224,778	486,438	6,668,522	3,064,599	12,474,622	13,502,278	48.0%
Salaries & wages	18,513,000	910,121	476,116	160,829	327,092	4,990,339	2,082,578	8,947,076	9,565,924	48.3%
Benefits	5,406,760	334,961	173,061	46,813	126,075	1,157,813	765,363	2,604,086	2,802,674	48.2%
Taxes	2,057,140	86,113	49,912	17,136	33,270	520,370	216,658	923,460	1,133,680	44.9%
Materials and services	8,938,407	672,683	37,263	143,873	95,075	1,910,343	1,176,515	4,035,753	4,902,654	45.2%
Capital outlay	-	-	-	-	-	-	-	-	-	-
Debt service	504,875	6,184	-	-	-	-	-	6,184	498,691	1.2%
Total expenditures	35,420,182	2,010,062	736,353	368,651	581,513	8,578,865	4,241,114	16,516,559	18,903,623	46.6%
Excess (deficiency) of revenues over expenditures	2,309,022	20,498,415	(734,353)	(368,651)	(581,513)	(1,509,862)	(4,230,768)	13,073,268	10,764,246	566.2%
<b>Other Financing Sources and uses</b>										
Transfers in	615,000	-	-	-	-	-	-	-	(615,000)	0.0%
Transfers out	(6,500,000)	-	-	-	-	-	-	-	6,500,000	0.0%
Operating contingency	-	-	-	-	-	-	-	-	-	-
Reserves	(5,792,431)	-	-	-	-	-	-	-	5,792,431	0.0%
Total other financing sources and uses	(11,677,431)	-	-	-	-	-	-	-	11,677,431	0.0%
Net change in fund balance	(9,368,409)	20,498,415	(734,353)	(368,651)	(581,513)	(1,509,862)	(4,230,768)	13,073,268	22,441,677	
Fund balances, July 1, 2024	10,546,230	11,138,979	-	-	-	-	-	11,138,979	592,749	
Fund balances, June 30, 2025	\$ 1,177,821	\$ 31,637,394	\$ (734,353)	\$ (368,651)	\$ (581,513)	\$ (1,509,862)	\$ (4,230,768)	\$ 24,212,247	\$ 23,034,426	
<b>% of Budget</b>		39.3%	42.7%	28.9%	45.7%	48.9%	46.9%	46.6%		
<b>Appropriation by Function/Program</b>										
Director's office and administrative services	\$ 4,606,508	\$ 2,003,878	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,003,878	\$ 2,602,630	43.5%
Planning and design	1,723,502	-	736,353	-	-	-	-	736,353	987,149	42.7%
Community engagement	2,003,560	-	-	368,651	581,513	-	-	950,164	1,053,396	47.4%
Rental program	-	-	-	-	-	-	-	-	-	-
Park services	9,037,042	-	-	-	-	-	4,241,114	4,241,114	4,795,928	46.9%
Recreation services	17,544,695	-	-	-	-	8,578,865	-	8,578,865	8,965,830	48.9%
Debt service	504,875	6,184	-	-	-	-	-	6,184	498,691	1.2%
<b>Appropriation Total</b>	\$ 35,420,182	\$ 2,010,062	\$ 736,353	\$ 368,651	\$ 581,513	\$ 8,578,865	\$ 4,241,114	\$ 16,516,559	\$ 18,903,623	46.6%





## PLANNING & DEVELOPMENT PROJECT UPDATES February 2025

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### COMMUNITY AND REGIONAL PARK PROJECTS

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**Pine Nursery Park Phase 5:** The engineering and building permit applications are anticipated to be submitted this month, as well as an application for a Travel Oregon grant. If awarded, the grant money will help fund existing path renovations and new paths that will improve access and connectivity.

*This project will construct the final features identified in the approved development plan for this highly used community park. Project work includes athletic field lighting, artificial turf infields, pickleball courts, new trail connectivity, ADA access improvements, off-leash dog area improvements, maintenance area improvements, landscaping and irrigation. Budget permitting, the project may also include full-court basketball, pickleball court lighting and pedestrian trail lighting.*  
<https://www.bendparksandrec.org/project/pine-nursery-park-phase-5/>



**Sawyer Park Upgrades:** Coordination regarding the memorandum of agreement (MOA) for the cultural and historic resource mitigation with the National Park Service (NPS), Oregon Parks and Recreation Department (OPRD) and the Confederated Tribes of Warm Springs is ongoing. When the MOA is complete, BPRD will host a public meeting to share information about it. City permit coordination is also in progress.

*Decades of use and increased visitors to the park has created the need for an improved entrance and parking lot. The plans include relocating the parking area closer to O.B. Riley Road, adding accessible parking, habitat restoration, improving trail accessibility, and the addition of a permanent restroom, picnic shelter and river overlook. This project is funded in part by grants from the Land and Water Conservation Fund and the Local Government Grant Program.*  
<https://www.bendparksandrec.org/project/sawyerparkupgrades/>

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### NEIGHBORHOOD PARK PROJECTS

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**Manzanita Ridge:** Construction has begun at Manzanita Ridge Park. Tree protection, silt fencing and construction fencing has been installed. Work is anticipated to be complete in the fall of this year.

*This property will provide a new neighborhood park for surrounding residents in Shevlin West. The preferred concept design includes open lawn, picnic facilities, a shade shelter, play areas, soft surface and paved trails, benches, bike parking, and ADA designated street parking. A trailhead for the Manzanita Trail is also located in the park.*  
<https://www.bendparksandrec.org/project/shevlin-west/>

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## TRAIL PROJECTS

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**North Unit Canal Trail – Phase 1:** The district has awarded Wilson Curb Inc. a contract for \$89,235.50 for the construction of the trail crossing improvements at Brinson Road. This portion of the project is scheduled to be completed early spring of this year. The district is also in active negotiation with several private landowners for trail easement acquisitions between Canal Row Park and Deschutes Market Road.

*This trail in northeast Bend is planned to be a 10-foot-wide multi-use trail with a primarily compacted gravel surface, similar to other canal trails in Bend, while some portions will have asphalt surface. Phase 1 includes development of the trail between Canal Row Park and the future extension of Yeoman Road, which will also provide access to Pine Nursery Park. The segment of the trail that passes through the new Pahlisch Homes Petrosa subdivision will be transferred to BPRD for management upon completion and will offer connections to interior trails for Fieldstone Park.*

<https://www.bendparksandrec.org/project/northunitcanaltrail/>



**Riverfront Street Deschutes River Trail Improvements:** The City of Bend has decided to proceed with the one-way design concept of Riverfront Street after receiving strong support from the public and BPRD. The project will now be entering the design phase, which will refine the one-way preliminary design for construction-ready design documents. Funding for construction has still not been identified, so a further timeline cannot be provided at this time.

*Riverfront Street, between Galveston Avenue at Drake Park, to Miller’s Landing Park, is a local street with a sidewalk that has functioned as the DRT for many years. It is one of the last remaining “gaps” along the trail through downtown Bend. In 2023, BPRD and the city signed an intergovernmental agreement as a joint effort lead by the City of Bend and supported by BPRD. The renewed project will seek to improve conditions for trail users as well as replace the street and other public infrastructure as needed.* <https://www.bendparksandrec.org/project/deschutes-river-trail-riverfront/>



**Manzanita Trail:** The district has acquired a 3.44-acre piece of property and the final easements necessary to complete the trail between Discovery Park and Shevlin Park. A portion of the trail was completed in the fall of 2024 and the trail is planned to be fully constructed later this spring.

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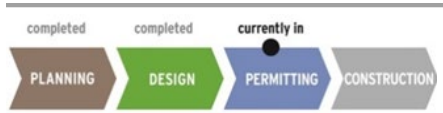
## COMMUNITY/REGIONAL PROJECTS

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**Miller’s Landing Park River Access Project:** Construction is in full swing on the two access points at Miller’s Landing Park. Work is expected to last through the winter with completion by summer of 2025.

*After opening in 2014, the access points no longer serve the population as intended. The new design improves river access for boaters and river users with mobility restrictions by redeveloping the boardwalk, and the access point at the north end of the park will be improved for swimming, wading and slower-current water recreation. The preferred concept design was completed and approved under the 2023 McKay, Miller’s, and Columbia Park River Access and Restoration project. Funding for the construction of this project includes grant funds from the Bend Sustainability Fund, the Oregon State Marine Board Waterway Access Grant Program, Oregon’s Local Government Grant Program, and a donation from the Joseph & Elizabeth Hoffart Charitable Foundation.* <https://www.bendparksandrec.org/project/millers-landing-river-access-project/>



**Art Station:** District staff are currently reviewing 90% documentation. Permit application is in process, and the project is expected to go out to bid this spring.

*This new facility will be built adjacent to the basketball court at Larkspur Park. It will have an entry space, three classrooms, office space, and restrooms. The surrounding natural space and trails will be a beneficial asset to the Art Station for inspiration and space to create, while preserving the landscape and trail experience to the fullest extent possible.*

<https://www.bendparksandrec.org/project/art-station/>



**Bend White Water Park Maintenance and McKay Park River Access Project:** Staff has reviewed the informational report prepared by the consultant team. Next steps include additional data analysis and site survey, and meeting coordination with regulatory agencies.

*Completed in 2016, the Whitewater Park is due for review and maintenance. The first phase of this project will use survey and engineering analysis to compare the current functions of the park with the original design intent. Once the reports are complete, the district will determine a scope of work for a project to update and improve the whitewater park features. The project also includes improving river access for all users at McKay Park. The preferred concept design was completed and approved in 2023 under the McKay, Miller's, and Columbia Park River Access and Restoration project.*

<https://www.bendparksandrec.org/project/bend-whitewater-park-maintenance-and-mckay-park-access/>



**Columbia Park River Access Project:** Final design documents and permit applications are in the works, with an anticipated start date for construction in winter 2025/2026.

*The preferred concept design includes bank improvements to enhance the natural area within this reach of river frontage. Also included is a small hardened access point for river users to enter and exit the river, or to sit and relax by the water. This project was prioritized from the 2018 Deschutes River Access and Habitat Restoration Plan and the preferred concept design was completed under the 2023 McKay, Miller's, and Columbia Park River Access project.*



**South East Bend Regional Park Site (aka Rose Property):** The Hearings Officer reviewing the zone change request issued a recommendation for approval on January 18, 2025. Next, county staff will schedule a public hearing before the Board of County Commissioners and a hearing is anticipated in February or March. The commissioner's decision is followed by a 90-day appeal period before the ordinance becomes effective.

*Purchased in 2023, this large property of approximately 450 acres was acquired for future community park needs as the city expands in the southeast area.*

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## ASSET MANAGEMENT PROJECTS

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**Park Services Complex:** Design direction for the project has been confirmed and the design development phase is anticipated to kick off this month. The design team is developing their scope and fees to finish out the project.

The district has executed a purchase and sale agreement (PSA) with the City of Bend for the purchase of their existing utility shop on Boyd Acres Road to become the new Park Services site. This PSA allows the city to occupy the facility until their new facility is complete, which is anticipated at the end of 2025. The district is developing a design for tenant improvements to be constructed once the district takes ownership of the property.



**Hollinshead Park ADA and Preferred Concept Design:** The design team continues to work on, and refine, construction documents. Construction is estimated to begin in 2027.

Knowing the importance of this historic property, community members and BPRD staff worked together in 2010 to develop a preferred concept plan for the future of the property. Improvements for the park include a new permanent restroom, ADA-compliant pathways, renovation of the parking area, enclosing the off-leash area, a “history walk” with interpretive signs in collaboration with the Deschutes Historical Society, and a maintenance report to preserve the park’s structures.

<https://www.bendparksandrec.org/project/hollinshead-park/>



**Sylvan Park Playground Renovation:** With site survey complete, staff began the public outreach campaign by opening a public survey to collect feedback from neighbors about current use of the playground and suggestions on possible play opportunities. The survey is seeing good response to date and will close on January 31. Survey feedback, along with the opportunities and constraints of the site, will be used to develop the design concepts for the playground replacement.

The small wood-based playground was built in 1993, no longer serving the needs of the neighborhood. The district will replace the playground and surfacing, and create an accessible route to the playground from the parking area.

<https://www.bendparksandrec.org/project/sylvan-park-playground-renovation/>



**Boys and Girls Club Wall Renovation:** Schematic design is complete. Drawings are currently in review by staff and the consultant is preparing the cost estimate.

The Boys & Girls Club is a historic building on the National Register of Historic Places. The structure is owned by Bend Park and Recreation District, operated by the Boys & Girls Club on property owned by the Bend-La Pine School District. The entry to the building from NW Wall Street utilizes an exterior staircase for access to the second floor. The structural wall supporting the staircase is failing and needs to be replaced.

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## OTHER PROJECTS AND FUTURE DEVELOPMENT

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**Park Search Area Planning:** District planners regularly work with local developers or private property owners to acquire property for new parks and trails in district Park Search Areas as defined by the 2018 Comprehensive Plan: 2024 Midterm Update.

- **Park Search Area 14 (Parkside Place):** District staff have been negotiating a Purchase and Sale Agreement (PSA) with Hayden Homes, LLC for the neighborhood park and trail properties within the Parkside Place subdivision development. The draft PSA will come to the board for review and consideration on February 4, 2025. Per the draft PSA, the district acquisition of the property will occur no later than June 30, 2026. After property acquisition, outreach and project design will commence.

*Parkside Place is an approximate 37-acre development that will contain a mix of 346 single family, town home and multi-family housing units of which 40%, or 139 units, will be affordable with costs not to exceed 80% of the Area Median Income. The development includes a proposed approximately 4.09-acre neighborhood park and three trail tracts that align with the planned location of the Big Sky Trail.*

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**Discovery Park Art Corridor:** After the district approved the installation of up to four art pieces along the Outback Trail in Discovery Park, Brooks Resources applied for and received a \$100,000 grant from Visit Bend's Sustainability Fund for the installation of three art pieces; two sculptures and a community labyrinth. The labyrinth has been completed, with the other two sculptures expected to be installed in 2025. ***A dedication ceremony will be held at 4pm on April 2<sup>nd</sup> in Discovery Park.***

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**SDC Waivers for Affordable Housing:** Park SDC waivers for 637 units have been approved through coordination with the City of Bend's Affordable Housing Committee at a cost to the district of about \$4.16 million in waived SDC fees. The board approved an additional 150 waivers for 2025 and 2026, none of which have been used yet. Staff and legal counsel have completed the necessary deed restriction documents for 15 of the developments, totaling 426 units. In addition, BPRD has approved SDC waivers for three temporary shelter projects, totaling 32 units.

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**Diversity, Equity and Inclusion (DEI) Initiative:** The DEI committee is working on a communication framework and determining 2025 priorities.

## Board Calendar 2025

*\*This working calendar of goals/projects is intended as a guide for the board and subject to change.*

### **FEBRUARY 7-9** – SDAO Conference

### **FEBRUARY 18**

#### **WORK SESSION**

- Deschutes River Trail Connection/South UGB Bridge – *Henry Stroud (60 min)*

#### **CONSENT**

- Approve Updated User Fees and Charges Policy

#### **BUSINESS SESSION**

- Approve Search Area 20 Neighborhood Park Purchase and Sale Agreement – *Sara Anselment (20 min)*
- Public Hearing and First Reading Park Rules and Regulation Ordinance – *Julie Brown (20 min)*
- Approve Board Stipends – *Sheila Reed (15 min)*

### **MARCH 4**

#### **WORK SESSION**

- Strategic Plan Action Item Update – *Rachel Colton (15 min)*

#### **BUSINESS SESSION**

- Resolution No. XX - Update SDC project list – *Kristin Toney and Deb Galardi (15 min)*
- Public Hearing and First Reading of SDC Ordinance- *Kristin Toney and Deb Galardi (15min)*
- Approve Natural Area Property Purchase and Sale Agreement – *Quinn Keverer (20 min)*
- Juniper Swim and Fitness 50 Meter Pool Cover Recommendation – *Matt Mercer (30 min)*
- Second Reading Park Rules and Regulation Ordinance – *Julie Brown (10 min)*

### **Future Topics**

Website Update/Data Sharing – *Julie Brown*

IGA with NUID for canal trail – *Henry Stroud*

Approve SE Neighborhood Park Purchase and Sale Agreement – *Henry Stroud (20 min)*

DEI Update – *Bronwen Mastro*

Placer AI presentation – *Henry Stroud*

Sports and Field Use Policy – *Matt Mercer and Becky Rexford*

Fees and Charges Policy Update – *Matt Mercer*

Employee Engagement Survey Results – *Sheila Reed (30 min)*

CAPRA Update – *Michael Egging (20 min)*