

**AGENDA FOR SPECIAL BUSINESS MEETING  
ASHLAND PARKS & RECREATION COMMISSION**

**September 23, 2020**

**Electronic Meeting – 6:30 p.m.**

Present: Commissioners Gardiner (Chair), Landt (Vice-Chair), Lewis; Director Black; Recreation Superintendent Dials; Senior Services Superintendent Glatt, Analyst Kiewel, Assistant Sullivan

Absent: Commissioners Bell, Heller; City Council Liaison Mayor Stromberg

**I. CALL TO ORDER**

The meeting was called to order at 6:33 p.m.

Sullivan stated that RVTV notified him earlier in the day that they will not be able to live stream the meeting due to infrastructure damage caused by the Alameda fire. The meeting will be broadcast live on television. Post Meeting Note: It was determined after the meeting that RVTV was able to live stream the meeting.

Gardiner stated that the September 9 Regular Business Meeting was canceled due to the Alameda Fire. APRC staff have been involved in post fire response activities. An update from staff will be provided later in the meeting.

**II. APPROVAL OF MINUTES**

APRC Regular Meeting – August 12, 2020

**Motion:** Landt moved to approve the Minutes from August 12, 2020 as presented. Lewis Seconded.

**Vote:** The vote was all yes

**III. PUBLIC FORUM**

None

**IV. ADDITIONS OR DELETIONS TO THE AGENDA**

Gardiner stated that item VI. 2. North Mountain Park – Lord Family Property Donation (Action) be moved before unfinished business because there are representatives for the property who are present and would like to speak on the matter.

**V. UNFINISHED BUSINESS**

1. Japanese Garden Contract Approval (Action)

Black reviewed the staff report included in the [meeting packet](#) and gave a [PowerPoint presentation](#). In addition to the items listed in the staff report, the following items were discussed:

- Landt inquired if the performance bond for this project covers 100% of the cost
  - Kiewel stated that this will be the case
- Black clarified that the project includes a small contingency. If there are cost overruns due to unforeseen circumstances it will be necessary to phase the project going forward, meaning that portions of the projects may need to be completed in the future to ensure that the total cost of constructions is covered by the available funds of \$1.38 million, which is being donated by Jeff Mangin through the Ashland Parks Foundation.
- Mangin will also be signing an agreement to provide up to \$60,000 per year for 10 years to fund increased maintenance costs of the renovated garden (including in the [meeting packet](#))
- The footprint of the garden will be increasing by approximately 7,000 square feet
- The preferred timeline is to start in October with construction taking 18-24 month

- Maintenance costs are expected to increase to \$75,000 - \$80,000 per year
- Black reviewed questions raised by members of the public when the meeting was noticed
  - A detailed construction budget was added to the packet
  - A maintenance contract was added to the packet
  - Consultation with the appropriate City department were undertaken with no issues being raised
  - A full set of detailed construction plans were secured through a landscape architect
- Black stated that staff is presenting updates to the Tree Protection Plan ([see attachment for detailed updates](#)). A summary of the updates is listed here:
  - #1 requires wood chips to be in place until the project is completed in order to protect root systems
  - #6 requires permission to be granted by the landscape architect for construction clearance and that all tree pruning will be done by a certified arborist
  - #7 stated that Lithia Park is herbicide free and herbicides are not allowed on the project
  - #8 adds language about necessary steps if a tree identified to be saved is damaged
  - #13 identified specific steps to be taken if of a certain size are damaged
  - #14 removed the use of gravel and states mulch should be used
  - #22 extends area to be chipped to the tree protection area rather than just the construction area
- Landt stated the tree protection plan being implemented for this project is beyond the standard of what is normally put in place but stated it is also reasonable. Landt added the following clarifications to be included in the tree protection plan:
  - Root pruning should be done by a certified arborist
  - #7 the second sentence should be eliminated since herbicides are not allowed in the project area
  - #13 should include roots that may be damaged by root pruning
    - Black stated the changes will be made

**Motion:** Landt moved to accept the contract as presented by staff and that includes the tree protection conditions with the changes presented tonight plus the three changes Landt suggested, deleting the second sentence in #7, adding “or pruned” in #13 and stating that all root pruning by a certified arborist and that the contract be awarded to Japanese Garden Specialty LLC. Seconded by Lewis.

**Discussion:** Landt stated that this is a significant moment and that it has taken a number of years to get to this point. Landt added that this is an exciting moment and a very positive step for the community.

Lewis stated his excitement for the project and the process and looks forward to the ribbon cutting.

Gardiner inquired about the timeline of the contract moving forward and Kiewel clarified that the contract will go before the City Council on October 20, 2020.

**Vote:** The vote was all yes.

## VI. NEW BUSINESS

### 1. Emergency Response Updates (Information)

Black reviewed the staff report included in the [meeting packet](#). In addition to the items listed in the staff report, the following items were discussed:

- Black stated the following:
  - City of Ashland state of emergency for COVID-19 is still in effect
  - The EOC was activated as a result of the fire and APRC staff have been involved in response efforts
  - Black was unable to enter Ashland the day of the fire because roads were closed. Dials attended the EOC as a representative as APRC
  - Both Dials and Glatt were onsite at the Ashland Middle School where an emergency shelter was set up. Once I-5 was opened, people at the shelter were directed to go to the Jackson County Expo
  - The following day, Black began working with other community partners, such as OSF and ASD, to identify shelter needs

- APRC also took the lead in setting up a website and phone line where people can call seven days a week to seek information on available community resources. The number is 541-552-2500. The website is [www.ashland.or.us/ashlandresponse](http://www.ashland.or.us/ashlandresponse)
- APRC and City of Ashland staff have lost homes in Talent, Ashland and Phoenix.
- Black has taken the lead on identifying land in Ashland that could support the placement of FEMA trailers for longer term housing needs
- APRC maintenance staff has assisted with clearing the Bear Creek Greenway corridor of hazard trees and putting out hot spots
- APRC has seen an increase of concerns from the community regarding the level of maintenance of open space lands controlled by APRC
  - APRC follows the City of Ashland standards for weed abatement and in some instances goes above and beyond
  - When APRC takes on new properties, a significant amount of fuels reductions is undertaken
  - Community concerns are not being dismissed. Staff is taking these concerns seriously and is responding to every concern that is raised
- Black clarified that all employees impacted by the fire are back to work
- APRC will continue to be part of the solution and will be standing ready to assist in the long-term recovery from the Alameda Fire
- Landt stated the following:
  - It would be necessary to install pavement or cut all vegetation to reduce wildland fire to zero risk, which is not legal or feasible
  - The fire moved down the Bear Creek corridor, which is a riparian area that provides ecological values
  - This was an unusual event that included 100-degree weather for weeks, humidity approaching zero and 40-mile per hour winds
  - There needs to be a balance between fire mitigation and protecting the environment
  - Newly acquired APRC open space properties, such as Acid Castles, are better maintained than when these lands were in private ownership. Public ownership of open space lands provides a higher level of fire mitigation standards
- Lewis stated that the City of Ashland and APRC have been doing fuels reduction in the watershed for decades and hopes that grant funding can be expanded to increase wildfire mitigation efforts
- Gardiner stated an appreciation for all APRC staff for their efforts in the Alameda response efforts

## 2. North Mountain Park – Lord Family Property Donation (Action)

This item was discussed prior to Unfinished Business. Black reviewed the staff report included in the [meeting packet](#) and gave a [PowerPoint presentation](#). In addition to the items listed in the staff report, the following items were discussed:

- The Lord family approached APRC to donate 6.02 acres of land that is adjacent to North Mountain Park
  - Black responded that APRC has been operating with a moratorium on bringing additional land into the APRC parks/open space system unless maintenance funds are identified
  - The Lord family stated they are willing to provide funds for maintenance
- The 0.66 acres (outlined in pink on the [PowerPoint](#)) is not included in the donation. This land will be maintained by KBA Homes
- The driveway that runs through the donated property will not be maintained by APRC. If the driveway is used by APRC and damaged, APRC would be responsible for fixing the damage
- APRC will seek partnership with other organizations, such as the Freshwater Trust, for the long-term maintenance of the riparian section of the property
- The Lord family has agreed to establish an endowment with the Ashland Parks Foundation in the amount of \$100,000
  - These funds will cover maintenance for 31-35 years (not as stated in the staff report)
  - Staff is recommending Commissioners accept the land donation and the maintenance endowment. The property will be managed as open space rather than a manicured park

- Landt stated current fire mitigation standards call for a 30-foot buffer around property. Landt stated this requirement could and should change to require larger buffer area and asked how a change in fire mitigation requirements will impact the cost of maintenance
  - Black stated that the costs would likely double, but it may be possible to utilize programs such as Community Justice crews to minimize annual expenses. Black stated there is potential for the endowment to last 17 years or less if maintenance requirements changed
    - Black stated support for moving forward with accepting the donation even if annual maintenance costs increase as 17 years of maintenance costs is still a significant contribution
    - Mark Knox of KBA Homes stated the possibility of establishing a deed restriction for the 0.66 inholding would be required to be responsible for a 30-foot fire mitigation buffer adjacent to the 0.66 inholding
- Black confirmed that access to the property would be by foot only. There are not any plans to establish a parking area or provide access using the driveway. Black clarified that pedestrians would be allowed on the existing driveway
- Black stated the fencing would remain in place
- Black stated that he will work with the property owner to establish responsibility for the gate at the end of the driveway
- Lewis stated that the indigenous flora/fauna should be taken into consideration when developing management and maintenance strategies
- Hannah Archambault, of the Lord family, read a statement about her grandmother, Cynthia Downes Lord ([link to full statement](#)).
  - Cynthia Lord moved to Ashland in 1960 with her husband Erving Lord who was a Professor of English at Southern Oregon College (SOC) along with their three young children. Lord was active in the community, supporting The Mt. Ashland Ski Area, OSF and donated land that is now Glenwood Park. She was active in both local and regional land use issues such as the passage of SB 100 and the Bear Creek Greenway. She also donated funds which facilitated access to Lower Table Rocks. Lords was a member of numerous environmental organizations. She loved the land and believed in public access to open spaces. Cynthia and the Lord family hope that the Ashland Community will love the land as much as they do.
- Black stated the plan to name of the property after Cynthia Lord and will work out the details with the Lord family
- Landt stated appreciation to the Lord family and sees the preservation of this land as a continuation of Cynthia Lord's legacy
- Gardiner stated that the donation of land for open space is extraordinary and feels honored as a Parks Commissioner to be charged with being a steward of open space in Ashland
- Landt stated the Parks Commission has declined property donations in the past and that this donation is being accepted because of the establishment of the endowment and that this particular piece of property fits criteria identified within the Open Space Plan

**Motion:** Landt moved to approve the donation of the Cynthia Lord property as proposed by staff. Seconded by Lewis.

**Vote:** The vote was all yes.

### 3. Ice Rink Operations Plan (Action)

Dials and Flora reviewed the staff report included in the [meeting packet](#). In addition to the items listed in the staff report, the following items were discussed:

- Staff is recommending opening the Ashland Rotary Centennial Ice Rink for the 2020-2021 season with modifications that comply with the Oregon Health Authority (OHA) COVID-19 Phase 2 Reopening Guidance for Venue and Event Operators and Outdoor Recreation Organizations
- Staff projects that opening the ice will cost a total of \$7,000 due to operation restrictions that will be put in place to comply with OHA guidelines
  - Projections prior to COVID-19 included \$143,000 in revenue and \$92,000 in expenses for a net profit of \$51,000
- Flora detailed the measures that will be taken by staff to ensure the safety of the on-site staff and the public which are included in the [meeting packet](#)
- Staff is recommending offering the following programs:
  - Two-hour recreational skating sessions
  - Private and semi-private skating lessons for people from the same household

- Stick and Puck hockey program (casual hockey skating and shooting with nets on ice)
- Staff is recommending the following activities not be scheduled at the ice rink for the 2020-2021 season:
  - Group ice skating lessons
  - Group and team hockey lessons
  - Adult hockey programs facilitating games
  - Specialized youth recreational skating programs
  - School group field trip programs for November and December of 2020
  - Special events such as First Frost and hockey tournaments
  - Free ice skating and hockey programs that are not supervised by APRC staff
- Timeline for hiring, training and opening the Ashland Rotary Centennial Ice Rink:
  - September 14-October 2: Announce and collect applications for seasonal ice rink staff
  - October 5-9: Review applications and schedule online interviews
  - October 12-23: Interview candidates and select finalists for available positions
  - October 26-November 13: Begin scheduling and implementing staff training program through virtual meetings
  - November 2: Begin setup of ice rink and operations trailer
  - November 16-20: Facilitate in-person ice rink operations training in small groups adhering to public health guidelines
  - November 21: Open ice rink to the public
- Flora clarified hockey games will not be allowed as it is a contact sport and not allowed under current OHA guidelines
- Landt stated that prior to COVID, a net gain in income was projected for ice rink operations and inquired why the new projections show the ice rink operating with a loss of \$7,000
  - Dials stated that the tent that typically covers the ice rink will not be installed will result in fewer operational days
  - Black stated that this loss will be covered by funds that were earmarked to hire seasonal maintenance staff, which did not occur. A portion of the unused funds also allowed the reduction of furlough days for all APRC staff from 12 days to nine days
- Landt questioned this new expense in the midst of a tight budget year
- Black stated that this new expense can be absorbed into the revised budget because temps were not hired and there will also be reimbursements for staff time for emergency related activities
- Black stated that opening the ice rink can help bring people downtown in a safe manner and could be financially beneficial to surrounding businesses
- Lewis stated staff has shown that the cost benefit ratio supports providing this safe and family-friendly activity
- Landt stated that the Commission recently decided not to charge restaurants and the artisan markets for the use of the space on the Calle to support those businesses. Opening the ice rink has the potential to support a larger number of businesses while providing an outdoor activity for the community
- Dials stated that in a post COVID environment, the ice rink cover is expected to be installed
- Landt stated he is hopeful that the operational expenses can be limited to \$7,000 and that if this proposal were brought in a normal year, he would be against it

**Motion:** Landt moved to approve the ice rink operations plan as presented by staff. Seconded by Lewis.

**Vote:** The vote was all yes

## VII. ITEMS FROM COMMISSIONERS/STAFF

- Landt gave the following statement

“In late June, an art installation/visual statement supporting racial equality and justice under the banner of *Say Their Names* appeared on the fence along the bike path traversing Railroad Park. There was no request for permission to install it, but APRC made no effort to remove it, thus tacitly supporting it. And it was consistent with public statements APRC has made on Facebook and via other media supporting the concept of black lives matter.

In late August, the installation was torn down by persons unknown. This was heartbreaking for the group that put it up. In an upwelling of community support, the very next day, members of the community brought replacement t-shirts and signs. Others brought sign-making materials that were shared on the Park lawn. By the end of the day, a new installation, with similar sentiment, mostly covered the fence. In the following days, more shirts and signs were added until the fence was again fully covered with art and statements supporting racial equality and justice.

Now another month has passed. The signs and shirts remain but the long-term fate of the installation is in question as other groups request equal time and space.

I propose that staff work with the community, including those responsible for the installation, to find a path forward in support of the cause that initiated the Railroad Park installation in the first place.”

- Black stated that he will reach out to community members to identify a solution and will consult with the City Attorney on a permanent installation. Black will report back
- Gardiner added that there is support from City Councilors to address the situation as presented by Landt
- Kiewel stated she will check with Finance and bring a report on Food & Beverage income as soon as possible

#### **VIII. UPCOMING MEETING DATES**

1. APRC Study Session—October 7, 2020
  - Location Zoom—6:30 p.m.
2. APRC Regular Business Meeting —October 14, 2020
  - Location Zoom—6:30 p.m.

#### **IX. ADJOURNMENT**

The meeting adjourned at 8:32

#### **Executive Session**

Executive Session called to order at 8:32 pm and adjourned at 9:04 pm

Respectfully Submitted by  
Sean Sullivan, Executive Assistant