

MINUTES FOR STUDY SESSION
ASHLAND PARKS & RECREATION COMMISSION
June 5, 2024
Electronic Meeting – 6:00 PM

Present: Commissioners Bachman (Chair), Landt (Vice Chair), Lewis, Seffinger, Staff: Interim Director Eldridge, Deputy Director Dials, Parks Superintendent Caldwell, Senior Services Superintendent Mettler, Senior Administrative Analyst Terry, Executive Assistant Mero

Absent: Commissioner Adams

I. **CALL TO ORDER** Bachman called the meeting to order at 6:00 PM

II. **PUBLIC FORUM**

Cori Frank: I know that the Master Plan is on the agenda, but I just wanted to state that I really feel a survey should be done with Ashland residents to ask what we would like in the parks. Also my standard appeal, we really need more pickleball courts. I just wanted to say over Memorial Day weekend, and we did have a lot of visitors, but at one point we had 75 people waiting and only 28 could be on the courts because of our limitations. I really think that Parks and Recreation needs to take a serious look at having a conversation about restriping a couple of courts at Hunter Park for multiuse. Thank you.

III. **HERBICIDE USE ON CITY-CONTRACTED LANDS** Interim Director Eldridge

Eldridge: We are looking at potentially allowing limited herbicide application on City contracted lands. APRC has a model Integrated Pest Management (IPM) policy that applies to all park lands. Adopted in 2010, it prohibits the use of synthetic pesticides and herbicides. APRC also has a memorandum of understanding (MOU) with Ashland's Public Works department to maintain downtown medians, parking lots, and planter boxes, none of which is parks land. We employ one full time and one temp employee 40 hours a week each to fulfill the MOU adhering to the Parks' IPM policy. At issue is the safety of these employees.

Weed eating is the primary tool our employees use to maintain the areas in the MOU. Weed eaters often kick up rocks and debris which can cause damage to passing vehicles. The packet includes a list of incidents that occurred in recent months such as cars driving up onto medians where staff are working, cars striking safety cones in work areas, and windows being broken by rocks thrown by a weedeater.

The Oregon Department of Transportation (ODOT) fact sheet in the packet states that in Oregon, 584 crashes occur in work zones every year causing injuries and an average of five deaths. We would like to modify the IPM policy to have it apply only to park lands and exclude the work we do on the 'boulevards' (the areas we maintain under the MOU with the City). Public Works (PW) director Scott Fleury is planning to attend the June APRC business meeting to talk about the safety standards and operational protocol of PW workers in medians. One of the tools for maintenance in dangerous work zones is limited use of herbicide. Anything APRC can do to limit staff time in the medians will help with employee safety.

Under APRC's IPM policy, 99.25% of park lands are synthetic-pesticide-free. Staff recommend changing the policy by adding the following language immediately after the definition of IPM at the beginning of the document:

This IPM Policy applies to lands designated as park lands (includes parks, trails, and open space) by the Ashland City Council and managed by the Ashland Parks and Recreation commission, as defined in the Ashland City Charter and Ashland Municipal Code. All other city lands managed under agreements with the City of Ashland shall be managed according to city approved operational and safety protocols.

The modification will allow us to follow best practices steps to protect our employees. We welcome discussion and Commissioner input on this proposed modification.

Discussion/Questions

Landt: Clear there's much sentiment in town to not use pesticides. Horticultural practice and choice of plants currently maximize the amount of maintenance required. Thinks using herbicide is the easy way out and doesn't reflect our community. In the long term we need to change the planting designs to be lower maintenance.

Lewis: Would a limited use of pesticides affect Bee City Status?

Eldridge: Will look into it.

Bachman: Understands the community's commitment to IPM. Safety statistics/importance outweigh a small use of pesticides. Leaning towards supporting the modification.

Lewis: How much control do we have over PW?

Eldridge: Is that in reference to Commissioner Landt's comments about changing horticultural practices?

Lewis: Is PW voluntarily following APRC's IPM policy? Is it voted on by the Council?

Eldridge: No. PW finds the way we care for the boulevards unsafe, against best practices, time consuming, etc. They would prefer that we followed their (PW) policy when our staff is fulfilling the MOU. It will be up to PW to make changes in horticultural practices/choice of plants. Noted PW director Fleury supports the current proposal.

Seffinger: Discussed this issue when we developed the IPM policy. Tried to plant low maintenance plants and even used artificial turf out of concern for worker's safety. Also allowed for some herbicide use in specific areas like the baseball fields. Finds worker safety paramount.

Landt: APRC staff can still alter horticultural practices without changing the plants/design as in the median north of the train trestle where plants have been allowed to grow together reducing the amount of land for weeds. The medians south of the train trestle have a lot of space between the plants and more weeds.

Lewis: As always, we make exceptions like the NMP ballfields, Fresh Water Trust, and we need to be flexible. We did a monumental thing establishing the IPM policy before lawsuits over the use of glyphosate were rampant. Safety is very important.

Dials: Doesn't believe using pesticides will affect Bee City Status.

Bachman: We are done with this item, working toward reaching a decision at the meeting next week. Would like to hear from PW director Fleury.

IV. PUBLIC ART IN ASHLAND PARKS REVIEW PROCESS Interim Director Eldridge

Eldridge: At the March 6, 2024 APRC Special Meeting, Commissioners asked staff to work across departments and committees (in particular the Public Art Advisory Committee (PAAC) and the Historic Preservation Advisory Committee (HPAC)) to formulate a systematic process for identifying locations and approving selections for public art in City parks. Community Development Manager Brandon Goldman drafted a process which is included in this evening's meeting packet. The proposed process allows for:

- Consultation with Parks staff for public art in parks
- Formal presentation of potential sites to APRC Commissioners for approval at a public meeting
- Formal presentation of draft RFP to APRC Commissioners for approval at a public meeting
- APRC Commissioner representative required on the Selection Panel
- Final approval by the APRC Commissioners to recommend the artwork in the context of the proposed location to City Council.

Eldridge sent a draft of the proposed policy to Commissioners and Commissioner Landt responded with some proposed key edits.

Bachman: Asked Landt to share his proposed edits, walk them through the document.

Landt: Proposes these edits:

- Added the words “Public Arts Advisory Committee” to the acronym PAAC.
- Removed a reference to a particular project to make the policy more general
- Removed a line of commentary unnecessary to the policy.
- Clarified that Commissioners will review and approve the art.
- Added line 10 which offers an alternative should the Commissioners not approve a project rather than starting the whole process over.

Discussion/Questions

Seffinger: Absented herself from the discussion. As an artist, she finds uncomfortable the limitation of a Commissioner deciding a public arts project.

Lewis: The changes seem reasonable, give them a lot of control. Art is subjective but they need to look at the big picture of what is acceptable to go into parks.

Landt: Though the policy will apply to all parks, considers Lithia as the most important for utilizing the policy. Wants to give the public the opportunity to see art proposed for Lithia.

Bachman: Commissioners have the discretion in how to apply the policy. Also sensitive toward the artist's perspective.

Eldridge: Suggested changing the language in Landt's added line in the policy giving Commissioners the opportunity to ask for a modification in the proposed art (#10).

Landt: Agrees. Asked staff to make the change.

V. DAVID'S CHAIR PROGRAM IN LITHIA PARK Deputy Director Dials

Dials: The City, Parks Department, and Travel Ashland are considering rolling out the David's Chair program later this year. She is seeking feedback from the Commissioners on the program, liability, and risk management.

David's Chair gives people with ALS and other mobility challenges the ability to go places they otherwise can't access. It is a 501 C (3) and is free to users. APRC has an existing collaboration with David's Chair through a Paragolfer chair at Oak Knoll Golf Course.

David's Chair received a \$25,000 grant from the Ashland Community Health Foundation towards the purchase of a chair for Ashland. It costs \$6,000 – \$7,000 yearly to operate a chair. Combined funding could come from the City, Travel Ashland, and potentially the Ashland Parks Foundation.

Regarding risk and liability concerns, City County Insurance Services (CIS) and City Legal recommend:

- Liability limits set at two million with three million aggregate.
- CIS may charge additional premiums.
- The City Legal team will ensure that the risk transfer favors the City.
- Waivers will be part of the process when customers use the chair.
- APRC process will include training of volunteers with support from David's Chair.
- With feedback from David's Chair, APRC will recommend route(s) for using the chair. The routes will be tested prior to program rollout and APRC will produce a map(s).
- The final check of a person using the chair will be done by a guardian or family member, not a volunteer.

City Legal interprets the Ashland Municipal Code (10.68.210) as allowing for the use of the chair. We don't believe there would need to be any changes to the draft Lithia Park Master Plan (referenced Recommendation 19).

The track chair would be stored in the old Lithia Cabin next to the Director's office. It requires a 110 outlet that would need to be installed at a minor cost. Staff realizes there are vandalism concerns to be addressed. APRC volunteers would run the program only when there are volunteers available.

Bachman: Once a person has been assisted into the chair, are they accompanied by the volunteer to keep them on the established route(s)?

Dials: No. The volunteer is only assisting with checking the chair in and out.

Bachman: Might be an issue if the customer goes off route.

Dials: Customers would register online at the David's Chair website. APRC trained volunteers would give customers the details of operating the track chair. Volunteers would not do any chair transfers. This is noted in the online paperwork, so customers are aware they need to bring someone to help with the transfer.

We see the program as seasonal, likely May to October, depending on weather. The chair will be stored off site when offline. The City, Travel Ashland, and APRC plan to roll out the program once liability and legal issues are finalized and will include a press release highlighting the program/partnership with a call for volunteers. All initial volunteers will be trained by individuals from David's Chair.

Discussion/Questions:

Interim City Manager Sabrina Cotta: City and Travel Ashland are very supportive/excited. Works well with APRC's vision for inclusivity and allowing and making parks accessible to all. It fits with the City's vision of being a welcoming city. An honor to be considered given David's Chair focus on the coast. Travel Ashland has stepped up as a partner.

Seffinger: Recommended Pioneer Street trail as a good trial route. Previously tried to establish it as an ADA accessible part of the park. It is dog friendly. Close to parking with views of the creek.

Lewis: Excited by the idea. Appreciates the inclusivity of the plan.

Landt: What level of City Council involvement has occurred so far?

Cotta: They have heard what Dials presented tonight but there has been no involvement.

Landt: Liability issues are a concern. Does having volunteers running the program make the liability more problematic?

Dials: According to CIS and Legal, if the volunteers are properly trained it should not be an issue.

Landt: Who oversees the volunteers?

Dials: Our Volunteer and Event Manager Sulaiman Shelton.

Landt: Does he have the bandwidth to do that?

Dials: Shelton has said that his workload will lighten in August. Plan is to do a soft roll out then.

Landt: What about next year when Shelton is busy during the proposed months of operating David's Chair?

Dials: Shelton said he needs to find a 'champion volunteer' to champion the program.

Landt: Seems like there will be an expectation that if we have this program there will need to be volunteers available.

Dials: The program only operates if there are volunteers available.

Landt: Who will pay for the initial upgrades required. And who will pay for ongoing costs? Like the unsecured storage place that also needs electricity.

Dials: For the upgrades, we will and if we can't I hope the City and Travel Ashland will step up. Ongoing costs of maintaining the chair are the responsibility of David's Chair.

Bachman: Next steps?

Dials: We are hoping to move forward later this summer. Program potentially rolls out in August when Sulaiman has a lighter load. The chair won't be in town until mid-July. Follow up/finalize with Risk, Legal Department, waivers signed, routes determined, volunteer capacity, etc.

Bachman: Okay with risk management as we are covered under the umbrella of the City. Concerned about degradation of the trails. We need some Parks staff oversight during the operation of the chair. Will need to bring the issue back to the Commission. Supports the program as we should look at everything we do through the lens of DEI and Access and wants to make sure we do it right.

Landt: Agrees with Chair Bachman and would have preferred the idea came before APRC before it was a done deal.

Seffinger: Use the Pioneer extension as an experimental route. It is close to the Parks office and is already used by the disabled. It is a safe area for volunteers, and we wouldn't have to worry about tearing up the surface.

Bachman: Leave the route design to staff. We need to get familiar with the operation of the chair. Not sure it should go on the boardwalk over the creek upstream from the cabin.

Dials: We have tested the chair in that area and took it over the boardwalk. We will design a route and bring it back to the Commissioners. The Pioneer Street suggestion is a good option. It would also be good to allow the chair users to see parts of the park like the area above the cabin. 

Seffinger: Commends Rachel's presentation and the work she has done. We have worked on making the park accessible for many years.

Bachman: Appreciates that the project is a collaboration with the City. Believes that is the direction we need to go.

VI. REVIEW OF LITHIA PARK MASTER PLAN AND PROPOSED ADDENDA Commissioner Landt

The Lithia Park Master Plan (LPMP) was completed about five years ago following two years of public meetings and comment, plus input from APRC staff and elected officials. The draft plan was brought before the Commissioners who decided it needed further work. They decided to delay approval then came the Japanese Garden and COVID, so the LPMP was put on the back burner. We need to move forward. Landt created the addenda, to be discussed tonight. Most important change may be to the consultant's one-way revision for Winburn Way. A big lift considering all the dissension to the road diet of North Main. Landt suggests keeping Winburn two-way but narrowing the lanes nine or ten feet and adding a sidewalk. It would cost more to have the sidewalk within the footprint of the 30' cross section. This is an example of what is in the addenda. Other addenda:

- Recommendation 6: Ideal solution from an environmental and fish standpoint would be to remove the swimming reservoir dam. Big political, regulatory and financial considerations. What things can be done in the meantime. All the shallow water in the reservoir warms the water temp below and creates algae.
- Recommendation 7: Use FEMA's well defined 100 year flood plain instead of top of bank. Do not follow recommendation to plant non-native plants on the eastern bank above the playground.
- Recommendation 8: Improve water quality of the ponds. Consultants did not consider DEQ regulations so recommendations may not be possible.
- Recommendation 13: Remove invasive vegetation and replace with plants for spring/fall color. Should instead prioritize plants that will grow quickly to provide shade for cooling in the riparian zone.

Landt initially worked with Michael Black and Mike Gardiner on the suggested addenda. He has since added to them. Would Commissioners like him to continue or have they already read them enough that he is being redundant?

Questions/Discussion

Seffinger: Thanked Landt for all the impressive work he has done. She has read the proposal and doesn't need additional presentation.

Bachman: Agrees with Seffinger.

Lewis: Doesn't need any more presentation.

Eldridge: Suggested two motions. One to approve the historical document. The other to approve the addenda.

Landt: Would like to have one motion preferably with addenda inserted into the original document following the item it pertains to. Asked if Eldridge had strong feelings against this idea.

Eldridge: Not really, but some editing is needed, which staff can do. Do you want the addenda added to the back of the LPMP?

Landt: Ideally, he would like to have the addenda follow the recommendation in the original document.

Eldridge: While ideal that might represent extreme formatting problems.

Landt: If you can get me a clean copy, I believe I can do it. It can be done after the plan is approved.

Eldridge: Referenced the IPM Policy that has the changes listed on the final page as the simplest way to do it.

Landt: I will try to do it and if I can't the fallback is to put the addenda at the end of the plan.

Bachman: Prefers a single motion with staff support on the formatting and support from Vice Chair Landt.

Seffinger: Regarding trails in the riparian zone above the park there is a problem with poison oak. Also, what about the proposal to have bike trails in that area? The dog walkers in the community would also like to have a dedicated

dog walking path on the hillside above the offices if there won't be a sidewalk (on Winburn Way) anytime soon. Will those issues be addressed in the LPMP?

Landt: Once we get the LPMP approved we need to prioritize all the changes. It will take many years and many dollars to complete. His main priority is Winburn Way and making it safe for dog walkers/pedestrians. It has been a goal for a long time.

Bachman: Key to remember that the LPMP is a living document and will change requiring reprioritization as time, public input, and money allow.

Landt: Has recently had input from Eldridge and Adams.

VII. LOOKAHEAD REVIEW

Eldridge: For the June Business Meeting next week we will be adding two additional items, the third quarter financial update, and a review of the accomplishments and deliverables for FY 2023. For July we will be giving an update on the new website and in August there will be results from a pickleball survey. Planning has initially reviewed the application for annexation of E. Main St. Park into the City of Ashland and found it complete. The application will be formally reviewed in July. It is scheduled to go before the City Council on September 3. Coincides nicely with the potential grant award to build Phase 1 of E. Main St. Park, which we should hear about in September.

Bachman: Noted that the July 3 Study Session has been canceled.

VIII. ITEMS FROM COMMISSIONERS/STAFF

None

IX. ADJOURNMENT

Commissioner Bachman adjourned the meeting at 7:38 PM.

Respectfully submitted, Nancy A. Mero APRC Executive Assistant