

MINUTES FOR JOINT STUDY SESSION WITH CITY COUNCIL
ASHLAND PARKS & RECREATION COMMISSION

August 14, 2024

Council Chambers – 6:00 PM

1175 E Main St

Present: Commissioners Bachman (Chair), Landt (Vice Chair), Lewis, Adams, Seffinger
Councilors: Bloom, Dahle, DuQuenne, Hansen, Hyatt, Mayor Graham
Staff: Interim City Manager Cotta, City Recorder Kolodzinski, City Attorney Doug McGeary, Parks Director Houston, Deputy Director Dials, Parks Superintendent Caldwell, Senior Services Superintendent Mettler, Executive Assistant Mero

Absent: Councilor Kaplan

I. CALL TO ORDER

Bachman called the meeting to order at 6:00 PM

II. ADDITIONS OR DELETIONS TO THE AGENDA

None

III. PUBLIC FORUM

Randall Maple: Lives in Ashland. Spoke to the importance of the community of pickleball players. Noted the California Department of Corrections recently adopted pickleball and it is changing the system. Thanked APRC for repairing the pickleball court and installing the gate.

Ron Robbins: Lives in Ashland. Certified personal trainer works at the YMCA. Spoke to the physical and emotional benefits of pickleball based on medical facts from studies conducted by universities and medical journals.

Cori Frank: Lives in Ashland. Looked at the Lithia Park Master Plan and the only reference to physical recreation was bicycling. No mention of pickleball, tennis or soccer. Asked to have pickleball as an agenda item for an APRC meeting for discussion of the need for more pickleball courts in Ashland.

Pepper Trail: Lives in Ashland. He is a conservation biologist and conservation Co-Chair for the Rogue Valley Audubon Society and has been involved with the Greenway for a long time. Along with a large community, he is concerned about preserving the ecological values of the Greenway and would like them to be included in the Envision Bear Creek Greenway plan.

IV. BUSINESS

a. Envision Bear Creek Greenway

Parks Director Rocky Houston introduced Steve Lambert, Director of Roads and Parks for Jackson County. Lambert mentioned the Envision Bear Creek Greenway (EBCG) plan is built on the existing collaboration between the five cities along the greenway, the county, and ODOT - successfully managing the greenway infrastructure since 2007 under the Joint Powers agreement. EBCG plan wants to expand the vision of where the community wants to take the Bear Creek greenway after the Alameda Fire, to include all public lands along the Bear Creek Greenway corridor.

Lambert introduced Mike Sellinger of Alta Planning and Design, the contractor for the project. Sellinger gave a presentation on the EBCG. [Presentation](#) Password to view: 4aBp9tKK

Lambert spoke to the importance of the Bear Creek Greenway and to the devastation when it burned. Assured they do not want to see it mowed annually as a means of mitigating fire risk. A healthy environment and riparian zone

within the Bear Creek corridor would help decrease fire risk (a big concern for users) while preserving natural resources and wildlife habitat.

Brian Barr, Executive Director of the Rogue River Watershed Council has been working hard on the natural resource restoration plan for Bear Creek. The Freshwater Trust and Rogue Valley Council of Governments along with the Rogue River Watershed Council are the main organizations in the Bear Creek Restoration Initiative (BCRI). Barr acknowledged Alta Planning and Design, and Lambert in particular, for going the extra mile in trying to incorporate the thoughts, perspectives, and considerations of the BCRI, which is comprised of experts in restoring and rehabilitating stream habitat.

Barr shared a presentation: Vegetation Management – Envision Bear Creek [Presentation](#)

Questions/Discussion

Seffinger: Noted it seemed like Ashland residents would pay more than other cities.

Lambert: It is a flat rate \$0.20 per thousand. Homes in Ashland have a higher assessed value on average. That's why it seems like they would pay more.

Graham: Would managing to the zone goals help to improve the habitat for native fish and other species? Are there other things that could be done to restore aquatic habitat during the initial investment?

Barr (a fisheries biologist): A wide, dense overstory of trees (fully rehabilitated forest) along as much of Bear Creek and its tributaries as possible is a key first step to enhancing native fish populations. Managing to the zone goals will get us as close to this as stream-side management can get us. Must also reconnect the stream channel to its floodplain. This is currently being done by RVCOG at Lynn-Newbry Park.

Lambert: They are working with the members of the BCRI, the ones doing the on the ground work. BCRI came up with a list of restoration projects and they are helping secure funding through grants.

Hansen: What is Jackson County's current budget for maintaining the Greenway?

Lambert: Will send that information to Director Houston for distribution.

Hansen: In the onetime capital expenditure of \$5.9 ML, is there anything that directly impacts the Ashland corridor and have you considered APRC's plan to extend the corridor?

Lambert: No, it doesn't extend south beyond North Mountain Park. To get to Emigrant Lake as originally planned is going to be very challenging and will likely take another 30 years. For Ashland, the most applicable part of the current plan is some lighting along the Greenway to enhance security and safety.

McGeary: In 2001, he worked on a public safety ordinance that most cities along the Greenway adopted. It likely needs to be updated. Will there be a master enforcement agreement?

Lambert: They embraced the concept of each jurisdiction having enforcement control of their portion of the Greenway. A goal is consistency, and it is their intention to update the existing ordinance.

Duquette: Asked for a copy of the presentations.

Graham: What is the structure of the 'local control' for this plan that seems to direct certain types of management?

Lambert: The way the plan is structured, it can set priorities for how the land should be managed, but if a jurisdiction disagrees with the management plan, they don't have to follow it. The goal is to create a stable funding mechanism with representation from the cities on the Greenway, ODOT, and Jackson County on an intergovernmental agreement and to continue the collaboration that has occurred so far.

b. Ashland City Council and Ashland Parks and Recreation Commission – Operations and Culture: Recommended Framework [Document](#)

Bachman: An informal group formed to create the draft document which may become an ordinance. Group members include Mayor Graham, Councilor Hyatt, Commissioner Justin Adams, and Commissioner Bachman. The idea is to develop a working relationship between the two elected bodies of the City of Ashland and then codify it so that future Councils and Parks Commissions will have a working blueprint for how to jointly manage the City.

Graham: The informal group was looking at how to finish the transition to a Council – Manager form of government from a Mayor – Administrator form of government, so that if issues arise there isn't a lot of time wasted going back to look at the charter, MOUs, etc. The hope is to create an ordinance and then a resolution to be ratified by APRC, eliminating the need for MOUs.

Bachman read from the hyperlinked [Document](#) Elected Leadership Culture section: "Foster a collaborative culture across the elected leadership of the City that is based on mutual respect and a shared understanding of this unique governance structure". This would include onboarding and training elected officials and hosting Joint APRC/Council Study Sessions three times annually. Would also create alignment for Advisory Committee structure and process by developing a citywide internal policy followed by all Advisory Committees.

McGeary: Is the expectation that if APRC assigns a Committee, they will follow the same rules as other City Committees?

Bachman: Yes, speaking only for myself, that is the expectation. Parks wants to be a department within the City umbrella with the exception that we governed by a separately elected body.

Cotta: City staff are currently working on a Committee handbook to standardize how we treat Committees and so that staff liaisons understand their roles and expectations, as well as time limits around work for Committees.

Seffinger: Will there be consistency in the roles that liaisons are allowed to assume, such as voting/non-voting?

McGeary: Yes. I am in the process of making rules that all Committees will be required to follow.

Graham: We will need to decide how to gather feedback from APRC on this issue before it goes before the Council.

Bachman read from the section: Human Resource Functions: "Hiring of the Parks and Recreation Director is the responsibility of the APRC with the help of an outside hiring firm". City Manager (CM) provides input to job description, skill set requirements, gives feedback on applications and sits on Department Head interview panel. CM has contract signing authority. APRC Director and/or interested Commissioners will be included in the same manner as other Dept. Directors in the hiring of the CM.

Bloom: It is tradition that Dept. Heads sit in on CM interviews. Commissioners are not Dept. Heads, so will Councilors sit in on Parks Director interviews?

Graham: The thinking is no. Noticed a conflict. Need to talk through it.

Hyatt: Doesn't seem appropriate to put a Commissioner on the same panel as a Dept. Director. Very different roles. Thinks the Commissioner piece should be removed (strike, "and/or APRC commissioners").

Seffinger: Will the Parks Director always be hired by an outside agency?

Bachman: Yes, as will the CM and the City Attorney (CA). All three positions report to an elected body.

Bloom: Why should either body, Council or Commission, tie ourselves to a singular process?

Cotta: An appropriate edit might be, "with the help of an outside firm or direct appointment." Would like to avoid having the HR Dept. have to conduct the recruitment for an appointed official.

McGeary: There are a number of reasons why you might want to make a direct appointment. Someone would still have to make the decision that the candidate has the requisite skills for the job. If not HR, do you want that to be the Council/Commission's responsibility?

Graham: I don't think this document speaks to that. If either body decides to do a direct appointment, they will have to figure out the process.

Bachman read from the Human Resource Functions section: "Termination of the Parks Director is the responsibility of the Ashland Parks and Recreation Commission with the assistance of City of Ashland HR and Legal Depts".

[Document](#)

Bachman asked to add language that would allow the APRC Chair and/or Vice Chair to sit in on the Council's Executive Session when they deliberate whether or not the Parks Director should be terminated.

Dahle asked McGeary if there were legal issues with that and the answer was no.

Bloom: Is this redundant given the initial step of a combined Joint Executive Session?

Landt: It is highly unlikely that this circumstance will ever arise, however, he feels the APRC should be represented every step of the way since it involves the possible termination of the Parks Director.

Bachman read from the Human Resource Functions section: "Performance appraisal of the Parks Director is the responsibility of the APRC, with the support of the HR Dept. and in accordance with the City of Ashland Performance Appraisal Process." CM will be able to give input. Employees who have concerns with the Parks Director should start by reporting to HR, then Legal, then the APRC Chair. If the Parks Director has an HR complaint against them, then HR/Legal will engage APRC to learn what they are doing to address the complaint.

Cotta: If staff is going to be able to make a report to the APRC Chair, there needs to be a follow up of what the Chair is going to do with that complaint.

McGeary: If the APRC Chair is maybe the source of the problem, you need to deal with that as well. The final words should come from the HR expert and that could be CIS or your insurance company.

Hyatt: Should the solution come from the HR policy? That way if the HR policy changes in future you don't have to review and revise this document as well. That is her preference. Also the preference of McGeary and Cotta.

Duquenne: Referenced the statement from the document, "legal will engage APRC to share information." Wanted to know shared with who?

Bachman: That statement means making sure the entire APRC is aware that there is a problem.

Duquenne asked that be clarified in the document.

Dahle: It should be included that the information should also be shared with the CM to avoid surprises.

Bachman read from the Human Resource Functions section: "The Parks and Recreation Director will supervise Parks and Recreation Department staff in accordance with the City of Ashland HR Department policy, protocols, and procedures as outlined in Ordinance 3235". The CM will work with the Parks and Rec Director in the same way the CM works with other Dept. heads with the exception that this relationship is collaborative, not supervisory.

Bachman mentioned they added 'declared' to the following statement: "In the case of a declared emergency, the CM directs the use of all Parks staff to respond to the emergency".

Graham: Wonders about the addition of the word 'declared.' Declaring an emergency by the CM takes time and the convening of the Council, correct?

Cotta: Yes, but we already have the declarations drawn up so it would just be a matter of getting the body together.

Graham: But the emergency might require an immediate response.

Cotta: Yes, the declaration would not be the first priority.

McGeary: There is an objectivity when one uses the word declared, otherwise anyone could call something an emergency. From a legal standpoint, I prefer adding the word declared.

Bachman read from the Policy Alignment section: The procedure to address conflicting policy goals between the APRC and the City Council is as follows: [Document](#)

Bachman read from the Legal Department section: APRC will be represented in the process of hiring the CA and CM as follows: [Document](#)

Bloom: Did the authors consider a candidate might get the misimpression that they are going to have fifteen bosses?

Graham: Yes, we did. The reality is that having two governing bodies affects the CM and CA. Maybe the right answer is to have just the APRC Chair and Vice Chair on the panel or some other process. It is open for discussion.

Bloom: CM and Legal Dept. candidates need to understand that they represent the City as a whole, but we don't want there to be confusion about to whom they report. Wonders if it's appropriate for there to be anyone other than the Council in the room for that process.

Graham: We wanted there to be representation of the APRC. Maybe scale it back to just the Chair and/or Vice Chair. It is a hybrid process and there's no elegant way to make that happen.

Bachman: APRC would be involved just to give feedback, not to engage in the decision process.

Hyatt: Within our group we were not in alignment on this issue. The goal is to make sure APRC is represented in the process. Thinks a panel of 13 is too many but feels candidates should experience being before the Council and vice versa.

Duquenne: APRC representation could be achieved by having the Parks Director present. Don't need to involve the Commissioners. Not their role. Keep it simple and streamlined.

Cotta: Look at the County process. Interview process for Administrator was with the County Commissioners but they also held an informal meet and greet for the rest of the elected officials. Less intimidating and clear who they are reporting to for the candidate.

Seffinger: Thinks APRC's involvement in hiring the CA is different than the CM. Attorney has to have confidentiality and be able to represent both bodies.

Landt: Agrees with Seffinger.

Dahle: Agrees. Finds it important to have two different panels.

Bloom: Would APRC then have voting input, and would that require a public vote to amend the charter?

Bachman: The Commission has no intention of voting, would just like to give input to the Council.

McGeary: It is important to make clear who the CA. represents, especially with two elected bodies.

Bachman read from the Legal Department section: "The APRC Chair will be provided an opportunity to offer feedback in performance review processes for the CA and the CM in a manner that is consistent with how Department Heads engage in performance review processes per HR policies".

Hyatt: I think this puts a Commissioner at the level of a Dept. Head, which we have already discussed. Also doesn't think it is appropriate for an APRC Commissioner to have input on the CM's performance review.

Bachman: Totally agree. We need to separate the processes for the CM and CA.

Bachman read from the Legal Department section: "Conflicts between APRC, the Parks and Rec Director, the CM and/or the City Council in regard to the interpretation of code, charter, and other governing documents will be resolved through the following process:" [Document](#)

Graham: The language is almost identical to the one we just went through, which was talking about policies. The governing documents piece is under Legal. The policy section has a different ending.

Bloom: Policy is one thing. My concern is about code, charter and governing docs. The City Council passes ordinances. If there's a disagreement, the resolution would lie with Legal saying it could be interpreted differently.

Bachman: The idea is to work together to avoid this. A disagreement would eventually come down to the charter.

Graham: Maybe this should pertain only to the charter.

Bloom: I would be happy with that. The charter is clear that the Commission has the authority to manage and control Parks, but their authority is not equal to the Council's. Worries about diluting the Council's authority.

Bachman: Maybe this could be attained through a policy and not be an ordinance.

Adams: Historically this situation has involved issues where Parks has general authority. Gave a hypothetical example of a CM not signing a contract for a Parks project because the charter gives the CM contractual authority over the entire City.

Landt: Doesn't see harm in keeping this broad. Parks initiates ordinances about parks that go to Council for approval. Can imagine conflicts. Good to have a mechanism for dealing with disagreements.

Hansen: Don't need to future proof every potential conflict. Don't want to burden the voters with decisions that could be handled internally. Going to the voters is expensive and time consuming. Would like to see the final bullet, "In the event that the elected bodies cannot agree on the interpretation, items can be referred to the voters" struck.

Cotta: Separate charter issues from the rest as those issues get decided by vote of the citizens.

Dahle: We have Legal to decide this kind of issue. The CA is charged with equally representing both bodies.

Seffinger: In the past, there have been issues with authority over budgeting. Is that addressed in this document?

Bachman: Believes the process is clear that whatever budget is allocated to Parks is controlled by Parks.

Duquenne: Thinks the final bullet should remain. Ultimately the voters voices should be heard. Specific to the charter.

Graham: There are pathways for either body to bring a charter amendment to the people. The question is how to handle the disagreement in the interim. Have it read that charter questions will be interpreted by the CA and followed until the issue goes to the voters.

Dahle: Voters always have the right to the final say. There are mechanisms in place that assure this will happen.

Landt: To my knowledge there is no official way for Commissioners to put a City charter amendment on the ballot.

McGeary: Good point. I will have to look into that.

Bloom: I don't think there would be an ordinance that would allow the Commission to refer items to the voters to change the charter, the charter would need to be changed to allow the Commission to have the authority to do so.

Bachman: That could be true – an open legal question. The process is that the informal working group will take the information from tonight and probably give something to the Legal staff in the next couple of weeks to draft an ordinance. Then each body will have their say in their own venue to agree with it or not.

Bachman read from the Legal Department section: The City Attorney will brief both the City Council and APRC in Executive Session in the event of pending or realized litigation impacting items that pertain to their area of oversight.

Bachman: This came up because the Commission felt like they were not always kept up to date on issues that might impact Parks employees, business, etc.

Bachman read from the Legal Department section: "The Legal Department provides a parliamentarian at public meetings of both the APRC and City Council."

Bachman read from the Legal Department section: "Ongoing maintenance relationship between Parks and Recreation department and other City Departments." [Document](#)

Bachman: This can be a budgetary challenge for parks.

Financial considerations: Specific work packages "contracted" by the City of Ashland with its Parks and Recreation Department, that have funding streams outlined in the budget, will be reviewed and addressed as appropriate in the coming budget cycle if needed.

Graham: Next steps, the four in the working group will work together with Legal to decide which of these pieces belong in the ordinance and which pieces belong in a supporting resolution. Then the information will come back to the two bodies for discussion within their body. Once agreement is reached between the two bodies, the ordinance will come before Council for approval and then be ratified by the APRC. When the new ordinance is in place, the existing MOUs would be concurrently removed. The ordinance would also formally create the Parks and Rec Dept. This evening we simply need to agree to this process.

Bachman: There would still be interdepartmental agreements, but not in the form of an MOU. If departments share employees that should be an HR/Finance policy.

Cotta: That's how we typically do cost allocation for individual positions. Covered in the budget process.

Landt: Noted the section on ongoing maintenance relationship is not fleshed out like the other sections.

Graham: Noted there has previously been tension in this area. It is an operational question which we think staff should answer. After they have worked out a process, staff can tell the working group how they are going to manage that tension.

Seffinger: Not sure this process answers the question of how buildings are used, who uses them, manages them, and maintains them.

Duquenne: Finds the document very broad, has concerns. Still needs a lot of work.

Graham: Recommended the working group get together and incorporate the suggestions from tonight, then meet again jointly in a study session in September.

Duquenne: Appreciates the reasons for the proposed ordinance, mutual respect, collaboration, etc. but it needs work and a deeper dive before anything gets codified.

Graham: Asked the two bodies if they would like to see a draft ordinance or an updated document?

Cotta: Recommends an updated document. Reviewed the next steps:

- The small group will meet and incorporate edits
- Joint study session in September to work through the workshopped document
- Legal, Rocky and she will work on getting an ordinance drafted and bring it to their respective bodies. Suggest she attend the APRC session and Rocky attend the Council session.
- Go forward with a vote per normal ordinance routine

Graham: Independent from the ordinance are the issues of requesting an HR policy that directs hiring processes for the CM, parks Director, and CA be supported by external recruiting firms and developing the interdepartmental process for maintenance work and building use.

Several people expressed gratitude for all the hard work going into this process.

V. ADJOURNMENT

Chair Bachman asked for unanimous consent to adjourn the meeting. Hearing no objection, Bachman adjourned the meeting at 9:00 PM.

Respectfully submitted,
Nancy A. Mero
APRC Executive Assistant