

EXHIBIT NNNN



MINUTES
Parks & Trails Advisory Board Meeting
Wednesday, September 23, 2020 Virtual
Zoom Meeting 3:00 PM

BOARD MEMBERS PRESENT: Kathleen Walker, Board Member, Don Robertson, Board Member, Michael Weinberg, Board Member, Susan Drew, Board Member, and Sam Schroyer, Board Member

BOARD MEMBERS ABSENT: Makoto Lane, Board Member

STAFF PRESENT: Sarah Richardson, Community Services

MEDIA PRESENT:

1. Roll Call

2. Meeting Format Notice

Meeting Format Notice:

The Parks and Trails Advisory Board will conduct this meeting electronically using the Zoom video conference platform.

Members of the public may listen, view, and/or participate in this meeting using Zoom.

Using Zoom is free of charge. See the instructions below:

- To login to the electronic meeting online using your computer, [click this link](#):
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- If you would rather access the meeting via telephone, dial 1-669-900-6833. When prompted, enter the following meeting number: 817 6994 4265
- If you do not have access to a computer or telephone and would like to take part in the meeting, please contact the Sandy Community Center (503-668-5569) by Tuesday, September 8th before 2:00pm, and arrangements will be made to facilitate your participation.

3. Public Comment

4. Consent Agenda

4.1. Meeting Minutes

5. Changes to the Agenda

6. New Business

6.1. The Views - Planned Development

Shelley Denison from the Planning Dept. shared an overview for The Views development. As of this morning the Planning Director and applicants Lawyer removed the development from the Planning Commission agenda until November. Need a future street plan etc. That gives the board some time to continue to look over the application.

Don Robertson, Board Chair, noted they are planning to form an HOA and paying a fee in lieu. Asked how long the fee can be deferred. Shelley noted they can defer until they apply for a building permit. They are asking to split the fee between single family and multi family units. Requesting to pay the Single Family fee up front and to defer the Multi family unit fee. Ultimately the city will receive more money.

Don Robertson clarified that they are not proposing to give the city any of the undeveloped or open space area to the city (active and passive spaces). Shelly Denison confirmed this. Don Robertson asked if they are proposing any amenities for the space. Shelley Denison said yes and they include play structure, basketball court, gazebo viewpoint, and trails. Not considered above and beyond. Don Robertson asks if they are proposing to restrict public access. Don Robertson has had experience with both scenarios (restriction and easement). Don Robertson said it is their choice but can say from experience that unless it is gated the public will likely access it. Inevitably, the HOA may get tired of managing and providing secure access and they will ask to turn it over to the city. City needs to be sure that whatever they build is up to code and can sustain public use. Planning is also concerned that might happen.

Kathleen Walker asked if they are townhomes and yes they are townhomes or row houses. Are all the other lots meeting the criteria for meeting single family residential? Shelley noted they are allowed within a Planned Development to deviate from the quantitative development standards. Some of the lots are smaller and some are larger than normally allowed. Part of the Planned Development process is making sure the applicant makes a good case for deviating from those standards and why deviating is warranted given other design elements. Code describes them as "outstanding design". One of the reasons the application is being deferred to the November meeting.

Kathleen Walker asked if parkland dedication is based on Single Family Residential. Sarah Richardson noted she can forward the full narrative to the board. Kathleen Walker asking about methodology to determine park acreage etc. Noted it is originally zoned as SFR but the density they are getting with townhomes should have a factor for parkland development. Shelley Denison wondering if this might be an issue with the code. Noted that they use the underlying zoning district to calculate parkland dedication but with the Planned Development the underlying zoning district doesn't matter as much when it comes to density. The logic behind using the underlying zoning district is about how many people are in the neighborhood who will be using the parks. With a Planned Development there would be more people than with a SFR development so that is a good point. Don Robertson feels it is important to use the proposed density.

Don Robertson recommends that the city put in writing that if the developer determines they ultimately want to give the land to the city, or if later the HOA asks to transfer the property, that this is at the cities discretion. The city does not want to automatically accept the property and maybe it should not be considered for at least 10 years.

Kathleen Walker noted there is a park in the current Master Plan to the west of this property and the money received from this development could help to build that park. So the city would not want to take on the responsibility and costs for the property in this development. Don Robertson clarified that this would not be the first choice of location or configuration for a park in this area.

Kathleen Walker asking about plans for changes in the PD code language. Are there plans to clarify and write more measurable criteria. Shelley Denison noted there is some inherent subjectivity to Planned Developments. Shelley agrees this is a good opportunity to look at this chapter in the code and see what is working and what isn't working.

Don Robertson would like to schedule this again for the October meeting. Asked Shelley to update the board on any changes with the proposal so they can have a substantive discussion and be able to provide a recommendation. Thank you to Shelley for joining the meeting and they look forward to working with her in the future.

6.2. Herbicide Use in City Parks - Draft Policy

Sarah Richardson, staff liaison, reviewed the draft policy for pesticide use in city parks. Worked with the Park Superintendent to create a more formal policy. Looking for feedback to help create a final policy that the board would consider forwarding to council for approval.

Michael Weinberg - noted it needs to read "pesticide" not just "herbicide".
Susan Drew - would like to change "should" to "shall" or "will". Uncomfortable with some words that leave a lot of slip and slide instead of defining it as "do this, don't do that". Good that noted spot spray treatment but how big is a spot? Also "where possible" would just like it to be more definitive. With regard to signage, say signage will be used rather than "should" be used. Define length of posting etc.

Kathleen Walker agreed with Susan Drew's comments and noted that with the Forest guidelines there is a big difference between should and shall. Agree with consistency with regard to wind speed and other clarifications. Also wanted to be sure this is implemented with contractors as well as city staff. Communication is key.

Don Robertson thanks Joe Preston and Mike Walker for working with the board. Appreciates their willingness to put it down in writing. Agrees that it needs to be strengthened. Appreciate that it states distance from Community Garden and playgrounds and would like to more clearly define the perimeter of the playground. Addressed the sprayer type - add backpack sprayer or smaller. Caution not to eliminate all insecticides because may be needed for hornets etc. The use of insecticide should not be a common practice but an exception. At some point would like to see additional strengthening for alternative practices to reduce the need for pesticides. Eventually would like to see no pesticides in the dog park itself. Again, thank you to the staff for working on this policy. Looking forward to the day that council adopts this policy.

Michael Weinberg agrees with the comments by the rest of the board. Thank you for bringing it this far but would like to keep moving forward. Language does need to be tightened up a bit. Michael noted that he objects to the use of Glyphosate in general but not sure if he is in the minority. Don Robertson understands the hesitance and reluctance but not sure there are satisfactory

replacements yet. Respects the opinion but doesn't necessarily share it. Susan Drew agrees with moving away from Glyphosates. Don Robertson feels there will be more evolution as we move forward in the next couple of years.

Susan Drew would like to add a beginning statement that sets the stage as to why going this direction. Susan forwarded it in the chat session.

Kathleen Walker noted that with regard to pesticide free we want to capture this in our Parks Master Plan so that future design can support desire to be pesticide free.

6.3. Park System Development Charges - Half Street Improvements

Sarah Richardson, staff Liaison, reviewed the question about half street improvements and who pays for them. Park SDC's currently pay for half street improvements.

Don Robertson noted in his experience (Gresham, Ashland, Oregon City), this is standard practice.

Kathleen Walker noted that this is partly due to the code requiring homes to face the park. Believes this is good, but questions why parks pay for this because the road does not necessarily directly benefit the park. Wonders if there is a chance to change this in the future. Doesn't agree with the rationale. Noted that SDC's will be reviewed once the Master Plan is finalized. There seems to be broad agreement that they need to be increased.

7. Old Business

7.1. Master Plan Update

Sarah Richardson noted the virtual open house will go live this evening and we want to do everything we can to encourage the community to participate in the Open House. Taking flyers around to specific neighborhoods that have conceptual plans for those parks. They are up on the list of parks to be developed.

Kathleen Walker offered to take flyers and attach them to mailboxes.

Kathleen Walker noted that a lot of folks are not on Facebook.

Kathleen Walker noted that there will be a Spanish version as well.

8. STAFF UPDATES

8.1. Community Garden Repairs

Neal is no longer at the Ant Farm but we are in contact with the new person and will meet them soon to look at the garden boxes. Don Robertson asked for

the garden hoses to be accessible again.

8.2. New Outdoor Recreation Guidance - Playgrounds

The state guidelines now allow playgrounds to open. Ordered new signs with recommendations and reminders about public health guidelines.

Kathleen Walker suggested it be posted in Facebook.

Sam Schroyer asked about the basketball courts. It is believed that Sport/basketball courts are still closed.

Michael Weinberg shared with the board that he will not be reapplying for reappointment. Board members thanked him for his service.

Kathleen Walker asked about Bull Run Terrace and if there has been anything new. The board is waiting on more specifics on what is planned before making any recommendations.

Susan Drew asked if we will be getting back to our 2nd Wednesday meeting date. Yes, October 14th is the next scheduled meeting.

9. Adjourn

DRAFT



MINUTES
Parks & Trails Advisory Board Meeting
Wednesday, October 14, 2020 Virtual
Meeting 7:00 PM

BOARD MEMBERS PRESENT: Kathleen Walker, Board Member, Don Robertson, Board Member, Michael Weinberg, Board Member, Susan Drew, Board Member, Makoto Lane, Board Member, and Sam Schroyer, Board Member

BOARD MEMBERS ABSENT:

STAFF PRESENT: Laurie Smallwood, Councilor and Sarah Richardson, Community Services

MEDIA PRESENT:

1. Roll Call

2. Public Comment

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3. Consent Agenda

3.1. Meeting Minutes

Moved by Michael Weinberg, seconded by Kathleen Walker

Motion to approve the minutes.

CARRIED. 5-0

4. Changes to the Agenda

5. New Business

5.1. The Views Development

Sarah Richardson reached out to Shelley Denison about the proposal and there are no additional updates. Board had requested it be on the agenda.

Don Robertson intent was to chat more about it. Comfortable waiting until November since there are no changes.

Kathleen Walker had a question about lot 71 or 72. Appears it is going to be a big apartment building. Sarah Richardson will follow up.

Location for the development was reviewed.

Don Robertson noted one of the questions was how the SDC's and Fee in Lieu would be addressed. Wanted to pay upfront for the SFR, but delay the payment for the multifamily units.

Sarah Richardson reminded the board they had a question about how the parkland dedication was going to be calculated. Kathleen Walker, yes the density will determine what the calculations will be.

Don Robertson concerned because they are going to have their own HOA and keeping parks and open spaces private or semi-private wants to be sure they are still required to pay the Fee in Lieu and SDCS.

Kathleen Walker - Lot 72 and lot 122 - two large lots that are proposed as apartments? Would like clarification on what is proposed and how many units are proposed.

Makoto Lane asked if this was a Planned Development, and yes, it is.

Discussion about Planned Developments and what the somewhat subjective criteria for "Outstanding" features means. Specificity is important to be able to understand what is being proposed and whether it meets the outstanding criteria for a Planned Development.

Don Robertson noted we need some answers before recommendations can be forwarded.

5.2. Location Discussion - Dog Park

Kathleen Walker suggested a dog park might fit well with the additional site for the Sewer Treatment Plant that is off of Sunset/University. There is a big parcel that used to be the old Public Works Shop. That parcel is proposed to have a supplemental sewer treatment plant. About a 4.3 parcel plus another one off of Sunset that the city owns. A resident said we should do a walking trail dog park. One option might be this as part of the supplemental treatment plant site. Might have some acreage around the rest of the site to create some sort of walking trails. Laurie Small noted it is a brown site. Don't know what the land use laws are for brown sites. Might need to be investigated. Brown properties can only be used for certain things. Need to sit for a period of time etc. Might be a good location but we need to be aware of the brown site.

Don Robertson noted it doesn't mean it is disqualified for use. All depends on what types of pollution, quantities etc. Example, splash pad in Gresham was a brown site. Laurie Smallwood noted it might be a good location but something to be aware of.

Kathleen Walker noted the parcel is already fenced.

5.3. Code of Conduct for Boards and Commissions

Laurie Smallwood reviewed the Code of Conduct Council passed for Boards and Commissions.

Don Robertson asked is this a first time policy for the city?

Laurie Smallwood yes, came to Councils attention with regard to some things that have been put out on social media over the last few months. Ways people have been treated online and in person and there was no Code of Conduct for Commissions or Advisory Boards and wanted to get something in place. Recognizing that everyone is a volunteer, including council and trying to do the best they can. Important that we need to treat each other with respect, fairness and a little bit of grace sometimes.

Don Robertson asked if it goes for both elected officials and board members?
Laurie Smallwood, yes correct. Council intends to sign it as well. Does not

pertain to employees who have their own Code of Conduct and ORS. Council is also bound by ORS.

Don Robertson noted that when he was with the City of Ashland they had annual training. City Recorder would come around to every board and elected body that dealt with ethics and conduct and everyone was certified as receiving the training. Don also sits on the Local Government Grants Program and they have requirements as well. What is being asked is not foreign and is surprised that this hasn't happened already. Standard Operating Procedure for many communities throughout Oregon.

Don Robertson asked if there are questions about the Code of Conduct.

Makoto Lane feels there is subjectivity and wording that is open to interpretation. Would be better if it was more tightly worded. Discussion about the wording and a variety of examples shared.

Laurie Smallwood asked for specifics to be sent to her so she could look at it.

Makoto Lane asked where he would go to get an issue resolved. Laurie Smallwood noted there is a chain of command. Laurie Smallwood offered to help if needed.

Michael Weinberg clarified about signing and where to send it. Yes, send a signed copy to Sarah Richardson.

Sam Schroyer asked if this COC is the final version. Suggested could add what steps to take if needing resolution. Susan Drew asked if it could go back to Council. Sarah Richardson noted it has been formally adopted. This is specifically for Boards and Commissions.

Kathleen Walker asked for clarification about discussing differences of opinion/disagreements. Concern expressed about interpretation. Laurie Smallwood's interpretation is that everyone has a responsibility to speak truthfully. Feels there have been things out on social media that misrepresented information. More discussion about interpretation. Discussion about representing the councils position but disagreeing. Laurie noted this is not what the Code of Conduct is about. Everyone is entitled to their opinion and no one has to agree. What we do have to do is represent each other factually.

Makoto Lane referenced page 3. Asked if it was retroactive. Asked what is the process of removing board members. Laurie Smallwood noted council does

not have to renew a position. Laurie Smallwood noted if you don't follow the Code of Conduct council would have the option to ask a member to step down. Don Robertson noted that in all his years of service this has never occurred. Laurie Smallwood added she hoped that would not be the case. Everyone is here volunteering and trying to do the best job they can.

6. Old Business

6.1. Parks and Trails Master Plan Update - Virtual Open House Response Extended Deadline

Deadline extended to October 25th but so far few people have participated. Hope all board members will visit the Virtual Open House. As of a few days ago there were 54 completed visits. Discussion about ways to get the word out, including Instagram. Discussion about finding the link.

7. STAFF UPDATES

7.1. Community Garden Update

Sarah Richardson discussed the garden beds at the Community Garden, and the need for repairs. Did receive a proposal from the Ant Farm but far above our budget. Nunpa is taking a look at it and will see what else they can come up with.

7.2. Pesticide Policy Update

Working to make the changes the board requested and will bring the 2nd draft back to the board at a future meeting. Don Robertson noted that the plan is to approve a final version to forward as a recommendation to Council.

7.3. Oregon Community Paths Program

Sarah Richardson discussed the grant opportunity and asked the board if they had any projects in mind. Grant is available every two years and a good idea to keep it on our radar.

7.4. Meeting Guests/Board Applicants

Don Robertson thanked guests Mary Casey and Rachel Stephens for attending and their interest in board positions.

8. Adjourn

Draft