



**PORTLAND PARKS BOARD  
MEETING MINUTES**

**July 2, 2014**

**5:30 – 6:30 p.m.**

**Portland Building, 1120 SW Fifth Ave., Second Floor, Room B**

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**Board members present:** Mike Alexander, Judy BlueHorse Skelton, Tonya Booker, Kendall Clawson, Kathy Fong Stephens, Nick Hardigg, Tony Magliano, Andy Nelson, Jim Owens, Meryl Redisch, Linda Robinson, Gladys Ruiz, Christa Thoeresz, Sue Van Brocklin, Julie Vigeland, Mauricio Villarreal

**Board members absent:** Patricia Frobes, Dion Jordan

**Staff present:** Mike Abbaté, Eileen Argentina, Margaret Evans, Art Hendricks, Warren Jimenez, Deb Lev, Todd Lofgren, Kia Selley Jeff Shaffer, Jennifer Yocom

**Guests:** Former Parks Board members Mary Anne Cassin, Bob Sallinger

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**Call to order** Kathy Fong Stephens, Chair, called the meeting to order.

**Introductions** Kathy introduced new Parks Board members Tonya Booker, Kendall Clawson and Gladys Ruiz, whose appointments began on July 1<sup>st</sup>. The Parks Board and PP&R staff went around the table and introduced themselves.

**Approval of the minutes** Andy Nelson moved to pass the June minutes. Jim Owens seconded, and the Board passed the June minutes unanimously.

**Park Foundation Update** Nick Hardigg reported that the Parks Foundation is gearing up in support of a potential bond measure. He said that they have brought on 7 interns, and will be present at 135 summer event, including Sunday parkways, movies and concerts. He said, "Parklandians unite!"

**Chair Updates** Kathy noted that all new Parks Board members have been assigned Board buddies. Some have been in contact already. Board buddies will act as point of contact for new Board member questions.

Kathy announced that there will be a number of parks related events at the Portland Art Museum's Tuileries exhibit, including a talk by Mike Abbaté and Zari Santner on July 17<sup>th</sup>. She noted that we will pass around the schedule.

Reporting for the nominations subcommittee, Andy Nelson noted that Sue Van Brocklin has agreed to renew for another one year term as Vice Chair. Jim Owens moved to appoint Sue Van Brocklin as Vice Chair, and Christa Thoeresz seconded the motion. The Board voted, all in favor, and the motion passed unanimously.

Kathy noted that ex-officio positions are nominated each year, and that the nominating committee shall talk to all ex-officio members and see what they want to do.

On sub-committees, Kathy noted that Mary Anne Cassin will continue on the non-smoking committee.

On ex-officio membership to other boards, Kathy noted that Jim Owens has agreed to represent the Parks Board on the Park Foundation as ex-officio. She noted that as ex-officio, he will be a voting member of the Foundation. Parks Board ex-officios are non-voting Board members.

Kathy noted that the Equity committee will be a standing committee. She said that it is very important that the Equity committee becomes a standing committee. The equity committee currently includes Julie Vigeland, Judy Bluehorse Skelton, Dion Jordan and former Parks Board member, Tricia Tillman. The committee will work to look at and report on equity goals throughout the year. Kathy noted that it will be good to see if there are other members who would like to join. Julie Vigeland suggested that Kathy appoint a chair. Kathy appointed Julie. Kathy noted that the other standing committee is the communications subcommittee, which includes Sue Van Brocklin, Julie Vigeland, Christa Thoeresz and Nick Hardigg. Kathy asked for a volunteer to chair the committee. Sue Van Brocklin volunteered, and Christa Thoeresz said she would help. PP&R Communications Manager Jennifer Yocom will come to meetings and help facilitate.

Sue Van Brocklin asked if any new Board members would like to join any of the subcommittees, including the committee looking at a smoke free policy for Portland Parks. Mike Abbaté said that we will send out an e-mail to all board members, listing the current committees, with blurbs on what they are working on, and let people know that they can contact the chair of each subcommittee if they would like to join.

Jim Owens reported on the ad hoc Comprehensive Plan subcommittee. He noted that three or four meetings ago, the Board approved comments to send to the Bureau of Planning and Sustainability on their draft of the Comprehensive Plan and associated materials. Staff from PP&R and BPS met with the subcommittee yesterday (7/1/14) to respond to comments. Jim noted that his sense is that they are pretty responsive to the Board's comments. He didn't sense any objections or resistance to their suggestions. He noted that they have responded as best they can. One of their concerns with the draft was that Parks seemed to be addressed as standard parks where there might be ball fields, and/or playgrounds, without recognition that it might refer to recreation programs or open space. He noted that they have taken that to heart. He said that while they haven't seen a written response to their concerns, staff did walk them through each point.

Kathy Fong Stephens noted that the next draft of the Comprehensive Plan will be proposed on July 21<sup>st</sup> followed by several hearings of the Planning Commission. She said that we will get more comments in by mid-September. Meryl Redisch noted that it would be good to set a date sometime between July and September to look at the materials. Jim noted that we will also want to list an update as an upcoming agenda item. Mike Abbaté agreed, and asked if Jim Owens is the chair of the subcommittee. Kathy noted that yes, they have just selected him.

Sue Van Brocklin noted that the smoke free policy committee includes Jim Owens, Christa Thoeresz, Julie Vigeland, Mary Anne Cassin and Tricia Tillman, but that Tricia will no longer be on the subcommittee now that she has termed off the Board. She noted that Judy Blue Horse Skelton offered to help the group work on Native American language specifically for the draft ordinance.

Kathy noted that the most important item in the Chair updates is to thank the outgoing chair. She said that Andy has done such an outstanding job this past 18 months, which is longer than usual. She read comments from Mike Abbaté, who noted that Andy had a steady hand, that Mike was grateful for his leadership, and that he was an excellent partner. Mike noted that Andy was able to lead conversations and make things productive. Kathy noted that Julie was chair when she came on the Board, and she wasn't sure how someone could be as effective as Julie, but Andy was. She said that his style was a little different, but she never felt time was wasted. Things tracked along, and discussions were substantive. As volunteers doing this important work, she noted how much she appreciated this.

Julie Vigeland noted that Kathy's first assignment for her was to work with the Board to come up with a gift of appreciation for Andy. She noted that she sometimes writes poems, and one came to her this afternoon. Julie read her poem to Andy, and presented a gift from the board (a picnic basket filled with items for enjoying parks).

Andy thanked Julie and Kathy and the Board, and noted that his lasting contribution is when he changed the meeting start time to 8:00 instead of 7:30. He said that the Board is filled with amazing people, and he has enjoyed getting to know parks on a deep level. He said that he is getting excited because when he first joined, it was pretty grim. He added that it has been rewarding to work with the group, and nice to see things get going. It's especially nice to see the equity work move forward, and rewarding to be a small part of that. He thanked Kathy for stepping into the leadership role, noting that she will bring her own style, leadership and flair. Kathy said to new Board members that when Andy said things were grim, he was referring to the budget, and Andy confirmed that yes, the budget was grim, but that was no reflection on our Board.

Kathy asked if Board members are here the first Wednesday in August, noting that looking back, the August meeting has been cancelled in the past. It was decided that most members will be here in August, and they should continue to meet as scheduled.

Mike Abbaté noted that it will be the MLS All Star Week, and Major League Soccer will be in town. The MLS All-Star game is scheduled for August 6<sup>th</sup>, and will be a great day.

**Parks Board role  
in potential Parks  
Bond Measure**

Mike Abbaté introduced Harry Auerbach from the City Attorney's office, and noted that Harry is here to talk to Board members about their role and responsibilities if City Council refers a Parks Bond to the November ballot. He also introduced Amy Ruiz, and noted that we'll spend another 10 minutes talking with Amy about what happens after a referral. He noted that they are both experts in their own right, and can help guide the Parks Board on options for participation.

Harry Auerbach noted that among his many duties for Parks, is to play the part of wet blanket. He distributed handouts, and noted the handouts include a statute that describes what you cannot do, as well as a packet of materials that will help you understand what item number one means.

He noted that the statute may seem counterintuitive – the law states that “no public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours.”

Harry said that even as a volunteer, in the course of performing your function as a Parks Board member, you are considered a public employee and cannot influence or oppose a measure. Harry noted that the clock only starts to run once there is a measure. Once the City Council certifies to put it on the ballot. Between now and then, you can do whatever you want. Once there is a measure, you have to be careful. That is the dividing line on what you can and can't do. Once there is a measure, you can't actively support or oppose it as a Board Member, or as a Board. You can disseminate neutral information, but you need to be careful. Some things that seem to be neutral, may be considered advocacy. To say that we have necessary repairs may be factual to you, and we have studies that support that statement. But, the Secretary of State will say that is advocacy and you can't do that. Any kind of communication that staff or the Board wants to make after this is referred, we (City Attorney' office) would like you to run through us, so we can tell you if it is advisable or not. The Secretary of State's election office is another resource.

Linda Robinson asked, as a Parks Board member, when are you considered at work? Harry said that whenever you call yourself a Parks Board member. He noted that you can do whatever you want as a private citizen, but don't sign your name Linda Robinson, Member of Parks Board.

Harry added that you have a perfectly good idea floating out there that will probably pass on its own measure, and cautioned the Board to be conservative with what you do as a Board and Board member for legal reasons and political reasons.

Mike Alexander asked for clarification on the period when the Board is not restrained. He asked, for example, if he puts out a newsletter, or buys a billboard now, and then later, after Council refers the measure, how should he respond if he is called by the media for a story regarding his support? Amy Ruiz responded, noting that if a Parks Board member is contacted by the media after the measure is referred, he or she should say, “I can talk to you as a private citizen, I cannot talk to you as a Parks Board representative.”

Mike Alexander asked a follow up question regarding testimony on a media outlet, noting that they may name him as a Board member, even if he says he is speaking as a private citizen. Harry noted that they cannot necessarily control how the media identifies them, and that they should limit what they say. He noted that members

should be clear when asked after the measure has been referred, “I can speak only as a private citizen. I cannot speak for the Parks Board.”

Sue Van Brocklin asked about creating a committee of ex board members, recently retired Parks Board members. Harry said yes, but noted that the Board should not prepare or organize that group. Amy added that a group of former Parks Board members can volunteer their own time.

Bob Sallinger noted that he can speak as a former Parks Board member, but also with Audubon. Harry confirmed that someone who is not currently a Board Member could speak.

Jim Owens noted that prior to filing, we can say “if there is a ballot measure, we encourage you to support it. We think Council should refer this to the voters, and voters should pass it.” Harry confirmed, that yes, Board Members can say that up until the moment, then not after, unless they speak as private citizens.

Nick noted that after the bond is referred, we should always emphasize that we are speaking as a private citizen. When talking to media, we can say “If you quote me, I strongly advise that you include this statement – I am speaking as a private citizen.” Linda noted that members could be interviewed before it’s referred, and then the story could be printed after. Andy Nelson noted that if we talk to the Oregonian, no matter what we say about being a private citizen, they will say “Nick Hardigg, member of the Parks Board.” Harry noted that you can’t control what the media says about you, but if this happens, you may get questions from the Secretary of State.

Mike Abbaté asked for clarification, if Council accepts public testimony, can the Parks Board make a statement? Harry answered that yes, before the vote, the Parks Board can make a statement. Technically once the measure is certified, no statements should be made as a Board or member of the Board.

Harry noted that he will be available to answer questions, if you think of some later. He said that he hopes the materials are useful, and hopefully it won’t be a big deal. He noted that the School Board got caught stretching the envelope. Tony Magliano confirmed that it was employees, mostly those who were preparing materials and documents. They got a nominal fine, but it was embarrassing. Harry stated that it is embarrassing and could hurt your measure. He urged Board members to contact him, or ask the Secretary of State, if they are thinking something is on the line.

Jim Owens asked if he can donate to the campaign, and Harry said that yes, as long as it is your name on the check, and not a Parks Board check.

Harry asked Board members to contact him with questions at 503-823-4047, and thanked them for their attention and support of Parks and Recreation

**Park Bond Update** Amy Ruiz distributed packets detailing the proposed Parks Bond, and noted that 100 Portlanders showed up at the Town Hall to talk through the bond. She gave an overview of the role the Parks Board can play until the 24<sup>th</sup>, as well as the role that individuals can play in a campaign environment. She noted that they will be putting

together a slate of speakers for the 24<sup>th</sup>, and are very interested in having Parks Board members involved. She talked about other options, including letters to the editor, voter pamphlets, speakers going to talk to groups in the city. She noted that grassroots input from individuals on the Board would be useful.

Kathy asked if the campaign will be able to come to meetings to give updates after the bond is referred. Harry said no, and that no official e-mails can come from Megan. Mike Abbaté said that individuals can get updates, but they must choose to share their e-mails with individuals working on the campaign, noting that the campaign will not send information automatically to Parks Board members and employees will not be cc'd at their city addresses. Amy will be a Parks employee for the next few weeks, after that, you can contact her through the Parks Foundation. Nick Hardigg noted that if anyone would like to engage as citizens, you can do so through the Parks Foundation. Andy asked if Nick could send an e-mail asking Board members if they want to play a role before July 24<sup>th</sup>. Kathy noted that the Foundation is non-profit, and don't have the same restrictions. As a C3, Nick noted that the Foundation can only spend 20 percent of what they do on a bond measure. They can't lobby, but they are not limited in ability to have a spokesperson. Sue Van Brocklin asked if the communications group could meet with Jennifer Yocom before July 24<sup>th</sup>. Jennifer said that she is coordinating with Amy, and suggested meeting with the group right after July 4<sup>th</sup>, sometime next week.

Mike Abbaté noted that the Board may want to discuss today if they are willing to make a statement at the hearing, with decision on script to be determined later. He noted that there will be no more Board meetings before July 24<sup>th</sup>, so it will be good to know now if the Board wants to make a statement. Jim Owens proposed that the Board take a position, and request to Council that they do indeed refer this bond to the voters, for all reasons articulated here. And, that someone be appointed from this Board to make a statement at the hearing. Mike Alexander seconded the motion. Mike Alexander asked for a point of clarification: Is this recommendation to Commissioner Fritz or to the Council as a whole? Amy Ruiz clarified that Commissioner Fritz will be bringing her own recommendation, and Sue Van Brocklin stated that the recommendation will then be to the Council as whole. Mike Abbaté confirmed that the recommendation will be to City Council.

Nick Hardigg noted that as an ex officio member, he doesn't vote, but that he is aware of the document we are approving. He said that having read it, he has complete confidence in the approach. He noted that the level of detail and approach that went into this briefing is thorough, and that it is a responsible document. He noted that he is very confident in what we are recommending.

Kathy Fong Stephens noted that the motion is up for vote. The Parks Board then voted unanimously in favor of the motion.

Kathy Fong Stephens said that going forward, the communications subcommittee of this Board will meet with Jennifer Yocom and Amy Ruiz, and will communicate that to the Board, but those communications will cease once the vote is final on July 24<sup>th</sup>.

**Director's Update** Mike Abbaté noted that there will be a Budget Advisory Committee meeting directly after the Parks Board meeting. As for his Director update, he said, "bond, bond, bond." He noted that there are other things going on in parks, including Summer Free For All, and said that he hopes Board members all have their brochures, and have scheduled which concerts, and movies they are going to.

Mike noted that the temperatures are hot, and in some ways tempers are flaring out there. He said that PP&R staff are doing their best to keep people safe, and noted that there are probably a dozen or so staff members who have been working 80 hour plus weeks. He thanked Warren Jimenez, Jennifer Yocom and Amy Ruiz for working tirelessly. He noted that the Town Hall on Monday (June 30, 2014) was a great event with about 100 people in attendance. On Tuesday (July 1, 2014), Mike noted that he, Nick Hardigg, Warren Jimenez and Commissioner Fritz met with the editorial boards for both the Tribune and Oregonian.

**Announcements** Kathy noted that the Board will need to submit a report to Council on work over the past year, and she will work with Andy Nelson on that. She noted that they are developing a work plan matrix, and hoping to add a couple of other people to shape that even more. She asked for volunteers for a work plan subcommittee, and noted that it shouldn't take more than one meeting to flesh out, look at next steps, and goals. Christa Thoeresz, Mauricio Villarreal, and Nick Hardigg volunteered.

**Adjourn** Kathy adjourned the meeting at 6:30 p.m.