CHAPTER 8 – DISTRICT PROPERTY

8.01 Easements on District Property

(A) Purpose. To provide direction for requesting and securing easements on District owned property to staff, citizens, adjacent property owners, developers and the business community.

(B) Policy. It is District policy to preserve the integrity, investment, public access and function of District property. In the spirit of cooperation with citizens, adjacent property owners, developers and the business community, it may sometimes be acceptable to allow easements on District property for other than park and recreation purposes if the benefits to the District and community outweigh the negative impacts.

(C) Implementation Strategy.

(1) Upon request, the District will consider proposals for easements on District properties if it can be demonstrated that the negative impact of the intended function of such easements will not outweigh the community and District benefits or the District will be adequately compensated for such an impact. Examples of such easements include conservation, storm water / sanitary sewer / domestic water, construction access, emergency access, utility, road right-of-way or similar easements.

(2) Staff will evaluate each easement proposal case-by-case based on the District Operational Procedures adopted by the Manager. Depending on the type of easement request, decisions regarding an easement proposal will be made either by the Board or Manager.

8.02 Encroachments on District Property

(A) Purpose. To provide direction for resolving encroachments on District owned property to staff, citizens, adjacent property owners, developers and the business community.

(B) Policy. It is District policy to preserve the integrity, investment, public access and function of District property. Any encroachment on or modification to District property is considered trespassing when it comes to the attention of the District, regardless of when the property was initially encroached upon or by whom. Persons deemed responsible by the District will be notified in writing and directed to remove all encroachments. Examples of encroachments on District property include landscape installation, placement of physical structures, fence / wall installation and pathway / driveway construction.

(C) Implementation Strategy.

(1) If an encroachment is not resolved within 90 days of the notice or other period specified by the District in the trespass notice, the District may take action to restore the property to its original condition. Persons deemed responsible by the District for the encroachments must pay the cost of such action.

(2) Staff will evaluate each contested encroachment case-by-case based on the District Operational Procedures adopted by the Manager. If the violator wishes to appeal a decision of the Manager, persons responsible for the encroachment may request a hearing before the Board.

8.03 Telecommunications Facilities on District Property

(A) Purpose. To provide direction for requesting and securing the installation and operation of telecommunication facilities on District owned property to staff, citizens, adjacent property owners, developers and the business community.

(B) Policy. It is District policy to preserve the integrity, investment, public access and function of District property. In the spirit of cooperation with citizens, adjacent property owners, developers and the business community, it may sometimes be acceptable to allow the installation and operation of telecommunications facilities on District property for other than park and recreation purposes if the benefits to the District and community outweigh the negative impacts. Consideration may be given to the impact of telecommunication facilities on properties adjacent to District property.

(C) Implementation Strategy. Upon request, staff will evaluate each lease proposal case-by-case based on the District Operational Procedures adopted by the Manager. The Operational Procedures will provide that impacts to park users are considered and that a public meeting is held prior to final review of each application. The Manager will deny a telecommunications lease proposal or recommend it to the Board for approval. The Board may approve a lease and may hold further public hearings at its discretion. All decisions of the Board are final.

8.04 Wetland and Buffer Mitigation on District Property

(A) Purpose. To provide direction for requesting and securing the use of District owned property for wetland and buffer mitigation purposes to staff, citizens, adjacent property owners, developers and the business community.

(B) Policy. It is District policy to preserve the integrity, investment, public access and function of District property. In the spirit of cooperation with citizens, adjacent property owners, developers and the business community, it may sometimes be acceptable to allow the use of District property for mitigation purposes for other

than park and recreation purposes if the benefits to the District and community outweigh the adverse impacts. Due to the delicate nature of new mitigation sites and the significant staff work to respond to a proposal, the District will charge fees to offset staff time spent on these projects.

(C) Implementation Strategy.

(1) Upon request, staff will evaluate each mitigation proposal case-by-case based on the District Operational Procedures adopted by the Manager. Applicants may appeal a decision of the Manager that denies, sets conditions of approval or assesses fees to the Board by filing a written request.

(2) The Manager will periodically update the District Operational Procedures to reflect inflationary increases in staffing, materials and land costs. Updates will take into account local, regional and statewide planning and regulatory initiatives.

8.05 Naming of District Property

(A) Purpose. To provide direction for the naming of new District properties as well as the renaming of existing District properties.

(B) Policy. It is District policy to name or rename District properties so as to best serve the interests of the District and its residents and ensure a worthy and enduring legacy for the District's park and recreation system. To this end, the District supports consideration of naming and renaming requests within the following broad categories.

(1) Historic Events, People, and Places: The history of a major event, place or person may play an important role in the naming or renaming of a District property as communities often wish to preserve and honor the history of the District and the communities it serves, historical figures, its Native American heritage, local landmarks and prominent geographical locations, and natural and geological features.

(2) Outstanding Individuals: The District has benefited, through its evolution, from the contributions made by many outstanding individuals. This category is designed to acknowledge the sustained contribution that has been made by such individuals to the District and the development and management of the District's park and recreation system.

(3) Donors: Over the years, the District has benefited from the financial contributions made by residents, businesses, and foundations. On occasion, the significance of such donations may warrant consideration being given to requests from either the donor or another party to

acknowledge such a gift by naming District property for the donor, the donor's surname, a family member or friend of the donor, or a person associated with a donating business. In no case shall a District property be permanently named for a business or corporation.

(C) Implementation Strategy. The Board of Directors must approve the naming/renaming of District properties. Upon receiving a naming/renaming request, the Manager will evaluate it to determine whether the proposal is consistent with Board policy. The Manager may deny a proposal not deemed by the manager to be consistent with existing Board policy. Any person(s) whose proposal to name/rename a District property is denied may seek review of the decision by filing a written request with the Board of Directors within ten (10) days of the Manager's denial. All proposals deemed by the Manager as being consistent with Board policy will be referred to the Board for approval. All decisions of the Board are final.

8.06 Private Sponsorships

(D) Purpose. To provide direction for requesting and securing sponsorships for District events, facilities and services to staff, citizens, and the business community.

(E) Policy.

(1) It is District policy to actively seek sponsorships for its events, services, parks, and facilities from individuals, foundations, corporations, nonprofit organizations, service clubs, and other entities. The purpose of such sponsorships is to increase the District's ability to deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the District's general fund.

(2) In appreciation of such support, it is District policy to provide sponsors with suitable and appropriate acknowledgement of their contributions. However, such recognition shall adhere to the aesthetic values and purpose of the District's parks, facilities, and services. In addition, such recognition shall not detract from the visitor's experience or expectation, nor shall it impair the visual qualities of the site or be perceived as creating a proprietary interest.

(F) Implementation Strategy. Staff will evaluate each sponsorship request case-by-case based on the District Operational Procedures adopted by the Manager. All sponsorships which enable the District to further its mission will be encouraged. The Manager may approve sponsorships of up to $150,000. Sponsorships over $150,000 will be presented to the Board of Directors for their consideration.