

**Bend Metro Park & Recreation District
Board of Directors
Work Session, Executive Session & Regular Meeting
August 5, 2008**

BOARD PRESENT: Bob Woodward, Scott Wallace, Ted Schoenborn, George Thayer, and Ruth Williamson.

STAFF PRESENT: Don Horton, Bruce Ronning, Lindsey Lombard, Theresa Albert, Jan Taylor, Andie Lindgren, Paul Stell, Dave Crowther, Steve Jorgensen, Norm Ziesmer and Paula Lowery.

LEGAL COUNSEL: Neil Bryant.

CONSULTANTS: D. J. Heffernan, Angelo Planning Group.

MEDIA: None

GUESTS: Eric King, City Manager, City of Bend and John Russell, Director of Urban Renewal/Economic Development, City of Bend.

VISITORS: See attached list.

WORK SESSION

Chair Bob Woodward convened the work session at 5:30 pm.

Murphy Road Renewal Area

Don Horton stated the City of Bend is in the process of creating a new urban renewal area plan along Murphy Road and referred to a map and copies of the plan provided for the board. He explained the city is required to share the plan with all taxing entities affected by the plan, and that state law requires the city council to accept comment from the board regarding the proposed plan. He stated district staff has met with Eric and John regarding the park project included in the plan and the financing of the project. John Russell, Director of City of Bend Urban Renewal/Economic Development explained the purpose of an urban renewal area and how this process is used by the city to improve blighted areas. He noted one of the key forms of blight is lack of infrastructure which is the primary focus of the Murphy Crossing Plan. John stated the bulk of the plan is for new roads and improvements to the parkway. He stated the Murphy Crossing area consists of 278 acres encompassing 73 individual properties. He explained the city will be implementing the Murphy Crossing Refinement Plan that was adopted into the city's general plan three years ago and it will be improving public facilities. He stated a public park will be developed on the west side of the parkway to serve the neighborhood; improvements to pedestrian access and seeking new retail and commercial uses on Third Street are also components of the plan. He added funds will also be directed to affordable housing and a commercial loan program. John reviewed the tax increment financing portion of the plan noting that it is anticipated to cover a period of 25 years, resulting in an estimated total of \$59M. He stated the park district's share of foregone tax revenues is projected to be \$3.4M, an annual average of \$137,000 for the life of the plan. John also explained he will be recommending a language change to the plan to provide greater assistance than the plan current states toward acquisition and construction costs for the development of the park. He noted the amount of assistance to be recommended is \$925,000, approximately one half of the total anticipated cost. Don Horton stated the district will still receive SDCs on the residential property included in the plan which will help with the cost of developing the park. He added the district will not receive taxes from the property as it grows until the urban renewal retires which means if the park is built early on the district will have the financial burden of maintaining the park without receiving taxes from the growth in that area. He stated that is a burden everyone within the urban renewal will have to absorb. He also

stated that \$925,000 dedicated to the park makes it a doable project for the district. Scott Wallace asked about the phasing and scheduling of construction, and if it is conceivable the park may not be built for 10 years, and how the district is involved in the planning for when the park construction will occur. John explained there can't be any development in the Murphy Crossing area until the transportation improvements are in place which would be the city's top priority. He stated he could not predict when the park could be built. Bob Woodward asked for clarification of where the proposed overpasses would be installed and if they will link traffic to the parkway. John identified the overpass locations on the map and explained the connections to the parkway. Don Horton asked what portions of the roads need to be built before the Murphy Crossing area can start receiving residential development. John stated that hasn't been discussed from a residential perspective as they have concentrated on the commercial perspective. Don suggested that is a discussion that could occur in the future with urban renewal board in terms of phasing the park. John identified potential road connections that would need to be completed before the park and residential construction could begin. George Thayer asked what the city's rationale was for considering the area an urban blight. John stated the urban blight is clearly lack of infrastructure, primarily transportation. He stated the city is looking at completing the east/west connection with ODOT, urban renewal and SDC funds and a local improvement district (LID) to pay for the north/south improvements. Bob Woodward asked if there is any incentive for the merchants on the east side of Third Street to clean up and improve their properties. John stated there are some funds included for streetscape and a loan program, and as we put in public investment, we may look at design standards of a higher level. Ruth Williamson asked if the design of the proposed park has been discussed, and if the identified location is the best site. Don Horton stated that staff has worked with the city on the refinement plan to determine the proposed location and general shape of the park. He added this park will be bound by residential as well as commercial property and noted the park has not yet been designed. Ruth asked if the district's source of funds would be primarily SDC and if so, would the district wait to receive the SDC funds before development or borrow funds for development. Bruce Ronning stated the Neighborhood Park Plan currently identifies a future need of five acres in service area 31 within the Murphy Crossing Plan. He identified the neighborhoods to be served by the proposed park on the map, and noted there isn't any other available land. He stated until such time as we have local street infrastructure to the park parcel, the district really can't do any development and the scheduling will depend upon the urban renewal area's capital plan and schedule. John stressed the importance of the private side of the plan participants and noted they will have to invest to make the plan work. Ruth asked if there were some property owners that hold large tracts within the plan and if they are poised to do some development. John identified the three largest property owners and stated city staff has met with the owners and conceptualized an LID, however, there are a lot of questions that remain to be answered. Bob Woodward thanked John Russell and Eric King for their presentation.

SDC Methodology

Bruce Ronning introduced D. J. Heffernan, Angelo Planning Group and Neil Bryant, district legal counsel. Bruce also recognized Michael Graham who has served with the CIP/SDC Advisory Group, representing neighborhood associations. Bruce reviewed the schedule of future board discussion of the SDC methodology and stated depending upon the outcome of those discussions; a 90-day hearing notice may be required to make an adjustment in the SDC fee. Bruce added there is a question as to whether what the committee is proposing constitutes a change to the SDC methodology. He stated in the event the proposed action does not involve a change, a 90-day notification will not be required. D. J. Heffernan addressed the board and recognized the efforts of the advisory committee noting the difficulty of the task and the complexity of the information provided for their review. He complimented Steve Jorgensen's efforts on the district's inventory, the work of staff to pull cost information together, Lindsey Lombard's accounting skills, and Don Horton's support in freeing up staff time to provide those resources. D. J. reviewed the methodology for calculating SDCs. He explained that had the indexing formula included in the methodology worked as anticipated five years ago, adjustments to the fee would not be required at this time. He stated the adjustment to the fee is being considered at this time so that it reflects the actual cost of maintaining the park system to the level of service (LOS) the district is currently providing residents of the community. He referred to Issue Paper #6 and explained new concepts to the methodology are not being proposed, rather the facts and figures are being updated for the most part. He added that is why he believes a strong case can be made that the existing methodology is

simply being updated, not modified, and therefore, the district may be able to revise the fees without going through a formal methodology update and making the amendments by ordinance. D. J. reviewed information provided in the various tables in Issue Paper #6 including population estimate, level of service for park and recreation facilities, park facility needs analysis, park facility land need analysis, park land acquisition costs, park and trail development costs, estimated unit cost for new parks, average unit cost for new parks, estimated program cost for new parks, estimated program administration cost (2003), and park and recreation system development charge fees. D. J. stated the needs were calculated on the basis of population and the district's service level. He explained the improvement fee is money collected for an SDC the district intends to use to build new capital facilities. He stated the factors used to determine how much the fee should be included land acquisition costs, the cost to improve various types of park facilities, the cost to construct park improvements, design costs, and administrative costs. He stated all of those costs are divided by the number of people the district expects to serve over the planning period and then use the average household sizes to determine the SDC per new dwelling or guest unit. He noted the most significant change was acquisition costs. D. J. identified the proposed program costs for trails, neighborhood parks, community parks and regional parks, arriving at a total of \$49,235,900. He stated acquisition costs for regional parks are not shown under the assumption the district will acquire that acreage using non-SDC revenue. He added there are no acquisition costs associated with community parks due to the district's large inventory of community park land. He stated the challenge for the board in going forward is that all of that acreage is not necessarily in the right location. He clarified that this does not preclude the board from using SDC revenue for acquiring community park land as it is an identified park facility within the methodology. D. J. then identified the fees as: \$2,033, guest room, \$4,717, multi-family dwelling and \$5,043 for single family dwelling. He further explained that with the application of the indexing formula currently used, the single family dwelling fee is \$3,507. He stated the indexing fee has not kept up largely due to the land price increases experienced in the district. D. J. explained if the district used a 20 city average, re-set the ratio every year and applied the index to the next year's ratios, it would smooth out the index. Ted Schoenborn asked if changing the indexing to this process would constitute a change to the methodology. D. J. stated that in his opinion the district would be substituting a more general index (Engineers News Record Construct Cost Index for Seattle) for national construction costs is not a significant enough change that rises to the level of definition the methodology is being modified. He stated the language is not changing; rather a different interpretation is being applied. Ruth shared her concern that there may be some opposition from the building community to the fee increase. Scott Wallace stated he believes there was consensus of the committee that the indexing clearly wasn't keeping up with costs. He stated he thinks the building community believes that any type of increase in fees is something that stands in the way of affordable housing or their ability to market and sell homes that they rely on for their livelihood. D. J. stated that the committee has expressed their concern with the increase in fees in relation to the anticipated increase in sewer, water and transportation SDC fees. He noted the committee supported the numbers and formula for arriving at the SDC fee. Don Horton stated the SDC fee will fund only about 25% of the cost of the Capital Improvement Program. He stated the board will need to consider whether to maintain the existing LOS, whether some projects should be moved out beyond the planning period or how to fund some of those projects. He stated the answer may be a combination of those options. Bob Woodward thanked D. J. for his presentation.

The work session was recessed at 6:30 pm.

EXECUTIVE SESSION

Chair Bob Woodward convened an executive session at 6:32 pm pursuant to ORS 192.660 (2) (e) for the purpose of discussing real property transactions.

WORK SESSION

Chair Bob Woodward reconvened the work session at 7:00 pm.

Dog-off Leash Planning Process

Jan Taylor explained staff is looking at expanding the district's off-leash program and noted it is a very significant to the park services plan. She referred to information provided in the board packet and explained it is an overview of how the program will be developed. Jan stated staff visited the Portland Parks Bureau, toured some of their off leash facilities and met with staff to obtain information to assist with the planning process. She explained that the off-leash program will address access, education and enforcement. Paul Stell explained proper planning ahead in providing access is a critical component to the success of the program. He stated a number of things need to be considered in selecting off leash areas such as size, plus and minus factors of potential sites, habitat protection, water quality protection, location, and what other types of activities will be occurring near proposed off-leash areas to avoid conflicts. Jan explained that a number of district parks will be evaluated based on a rating system that has been developed by staff and referred to the criteria provided in the board report. Ed Moore identified a draft of a prototype for an off-leash area including information about the proposed program and considerations for this type of site. Jan reviewed the public process to be used in selecting sites and implementing the off-leash program. She explained staff will be working with neighborhood associations, providing a survey on the web site and conducting focus groups to assist with the site selection and program development. Paul added that staff wants to ensure they are hearing from everyone including those who are not interested in off-leash areas. Ed referred to the enforcement component of the program and explained the efforts to work with the city police department through the district's ranger program. He also explained the practice of exclusion vs. citation and noted the success of the Portland Park Bureau with this approach. George Thayer complimented the thoroughness of the planning process and staff efforts to develop it. Ted Schoenborn asked if the city has changed its ordinance to allow for off-leash areas. Don Horton explained the changes to the city ordinance do not require fencing of the off-leash areas, and they believe the city ordinances are closely aligned with the district rules and regulations. Ed also noted that district staff has been meeting with the Dog Pac group and they have assisted with providing information regarding current unauthorized use. Jan added that Dog Pac has been invited to assist with public education about the program. Bob Woodward stated the younger demographic needs to be a part of the education program to ensure compliance. He also complimented the efforts of staff and stated he feels this makes a lot sense. Ruth Williamson praised the idea of exclusion and asked about the progress of developing a MOU with the Forest Service. Paul stated staff had met with Forest Services representatives and reached agreement in principle of what we might be able to do, and then fire season arrived, so their attention has been drawn to dealing with those issues. He added he expected talks to resume in the fall, and there is a lot of misunderstanding about what is currently allowed on forest lands. Ed reminded the board the funds budgeted for an off-leash program that were carried forward from 2007-08 will be directed to the new approach. Ted Schoenborn stated this is a much more sophisticated approach and clearly a superior way to address the need.

Deb Kraus, representing the Dog Pac, addressed the board. She stated many people seek off-leash, unfenced, shared-use areas because they have the goal of recreating with their dog, not simply watching the dog exercise or play. She stated Dog Pac is most interested in seeking a very different experience for the off-leash dog park user. She stated that Pine Nursery is a perfect example of a close-in venue that could provide this kind of experience for dog walkers seeking the off-leash, unfenced experience.

The work session was concluded at 7:25 pm.

REGULAR MEETING

Chair Bob Woodward called the regular meeting to order at 7:26 pm.

VISITORS

None

CONSENT AGENDA

Minutes: July 1 & 15, 2008 work session and regular meetings

Award Pine Nursery Phase 1A work contract

Scott Wallace moved to approve the consent agenda. Ruth Williamson seconded the motion. Scott Wallace, Ruth Williamson, Ted Schoenborn, George Thayer and Bob Woodward all voted aye. Motion passed.

BUSINESS SESSION

Adopt Trails Master Plan

Bruce Ronning briefly referred to previous staff presentation and board discussion and explained the board is being asked to adopt Resolution No. 306, and attached exhibits, thereby adopting the Trails Master Plan. He explained the action incorporates the Trails Master Plan as an element of the 2005 Comprehensive Plan by reference. Steve Jorgensen reported he had received only one set of comments following the public hearing that had to do with looking at the railroad spurs in the Colorado interchange area as part of the Rails to Trails program. He reported he has included those in the plan as potential future trails. He stated the plan consists of a total of 96 miles with 55 miles complete. He noted the extensive public process and media coverage involved in developing the plan. George Thayer moved to adopt BMPRD Resolution No. 306 adopting the August 2008 BMPRD Trails Master Plan (Exhibit "A") and the 2008 Trails Master Plan map (Exhibit "B"). Ted Schoenborn seconded the motion. George Thayer, Ted Schoenborn, Ruth Williamson, Scott Wallace and Bob Woodward all voted aye. Motion passed. Bob Woodward thanked Steve for his efforts in developing the plan.

Approve Ponderosa Park Master Plan

Bruce Ronning referred to previous public process and board discussion and explained the board is being asked to adopt the Ponderosa Park Master Plan by simple motion. He stated a master plan is a conceptual plan for a park rather than an adopted design and each phase of development will go through a design process. Norm Ziesmer briefly reviewed the elements of the master plan including the renovation of Hal Puddy Field, developing an off-leash area, a group picnic area that includes volleyball, horseshoes, basketball, a play area and parking, and relocation of the skateboard park, and connecting to the Coyner Trail. Ruth Williamson asked how staff addressed comments received from Holly Scott. Norm stated there is a great value for the existing natural area and there are other values from community parks that need to be considered. He stated four acres of the natural area of the park have been preserved. He referred to the public process that resulted in the desired amenities of the community park. He stated he believes we need to combine the passive and active uses in community parks. George Thayer asked about the construction of two dog parks. Don Horton explained the design is to allow for rotation of use rather than two separate parks. He also referred to the off-leash program process previously presented to the board and stated this site has yet to be determined as an acceptable location for off-leash use. Ted Schoenborn asked about the planned trees adjacent to the skate park and if they will restrict the view of the skate park. Norm explained we will be required to plant some trees, but it is expected those with tall canopies will be used to provide shade, but allow for view from the street. Ted Schoenborn moved to approve and adopt the July 2008 Ponderosa Community Park Master Plan. George Thayer seconded the motion. Ted Schoenborn, George Thayer, Ruth Williamson, Scott Wallace and Bob Woodward all voted aye. Motion passed.

Approve Contract Adjustment with J. T. Atkins – Pine Nursery

Bruce Ronning explained staff has been working on the design and construction drawings since January 2006. He stated the project has gone through several iterations and changes, and the request is for additional contract funding for the Atkins contract composed of two separate sections. He referred to information provided in the board report that summarizes the changes. Scott Wallace asked if contingencies had been anticipated at the time the contract was negotiated. Bruce explained there are some contingencies related to off-site traffic improvements, and noted the negotiations with Deschutes County to avoid a land use hearing regarding the appropriate off-site traffic improvements. He added initially the contract anticipated the design work to be done by the fall of 2006 and part of the length of the contract has to do with the reiteration and funding issues for Pine Nursery Park which has resulted

in the need for more work on the part of Atkins than originally identified in the scope of the contract. He added the motion includes a “not to exceed” clause which won’t be paid until the work is complete. Scott Wallace moved to approve the revised contract amount for the Pine Nursery Professional Services Agreement of \$183,892 and not to exceed \$700,097 for the J. T. Atkins & Company professional services contract. Ruth Williamson seconded the motion. Scott Wallace, Ruth Williamson, George Thayer, Ted Schoenborn and Bob Woodward all voted aye. Motion passed. Bruce also announced the grant for the Pine Nursery has been awarded by state parks commission and staff is now awaiting the final contract and notice to proceed.

Property at 604 NE Franklin Avenue – Executive Session Item

Scott Wallace moved to authorize the Executive Director to negotiate and make an offer on the 604 NE Franklin property for \$175,000 with the condition that any remedial activities related to building materials are resolved. Ted Schoenborn seconded the motion. Scott Wallace, Ted Schoenborn, George Thayer and Bruce Ronning voted aye. Ruth Williamson voted no. Motion passed.

COMMITTEE & STAFF REPORTS

Ruth Williamson asked about the installation of biodegradable dog bags. Ed Moore stated they are scheduled to be installed this fall depending upon the work load in the shop.

EXECUTIVE DIRECTOR’S REPORT

Don Horton reported the plans for fall registration include duplication on the old software and new software in the event there are any problems, we will have the old program to fall back on and to help identify any problems that may be present in the new program. He stated it is anticipated the system will be on line with the next registration.

Don Horton reported the Talks in the Park program is going well and Bob Woodward was a guest speaker presenting a talk about local hiking trails. He stated there have been approximately 30 people attending and they have been very well received.

Don Horton reported the district is beginning work on the compensation and classification study and asked Ted Schoenborn and Bob Woodward to assist with the project.

Don Horton reminded the board of upcoming park openings for Al Moody and Orchard parks.

GOOD OF THE ORDER

Bob Woodward thanked Ruth Williamson for her service as board chair and asked her to serve as the board’s liaison with the Bend 2030 committee.

Bob Woodward reported he is participating on the committee working on forming the transit district. He stated the committee has asked if the board would endorse this effort. He asked the board to consider whether this would be appropriate. Don Horton stated the transportation system would certainly support the ability for low income families to participate in district programs and from that standpoint, he believes it would benefit the district. Ruth Williamson suggested that staff draft a list of ways public transportation benefits the district for board consideration toward potential support of the transit district.

Bob Woodward shared his concern regarding the volume of agenda items especially if there are items that require more time for discussion. Ruth suggested devoting some time outside of the regular meetings for those discussions. The board reached consensus to try and schedule a work session to review and discuss the CIP and SDC methodology.

Ruth Williamson shared a document resulting from the work of the Deschutes County Committee on Recreation Assets. She explained that she and Bob had participated on an ad hoc committee formed at the request of Senator Ron Wyden to consider a wish list of projects that would offer connectedness within the central Oregon region that would enhance our economic calling card of recreating. She explained the effort now is to introduce this information to boards like BMPRD, and if the board is comfortable with it, she will share it with Redmond and Sisters and as a collective endorsement it can be presented to the county commissioners. She stated it helps to identify for entities, such as the county, key cycling corridors that they could give consideration with regard to the paving and designation of bike lanes, etc. Bob Woodward stressed there is no timetable attached to the list and the senator's help might make federal dollars available for projects.

As there was no further business the meeting was adjourned at 8:00 pm.

Prepared by,

Paula Lowery
Executive Assistant

Bob Woodward, Chair

Scott Wallace, Vice-Chair

Ted Schoenborn

George Thayer

Ruth Williamson