

**Bend Metro Park & Recreation District  
Board of Directors  
Work Session & Regular Meeting  
February 3, 2009**

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

**STAFF PRESENT:** Don Horton, Bruce Ronning, Lindsey Lombard, Wayne Smith, Ed Moore, Dave Crowther, Paul Stell, Robin Laughlin, Andie Lindgren and Paula Lowery.

**LEGAL COUNSEL:** Neil Bryant.

**MEDIA:** Erin Golden, The Bulletin.

**VISITORS:** See attached list.

**WORK SESSION**

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

**Pilot Butte Park Concept Plan**

Bruce Ronning, Director of Planning & Development, provided a brief history of the district's work with the Oregon Park and Recreation Department (OPRD) and the Pilot Butte Partners (PBP) to bring neighborhood park amenities to the east side of Pilot Butte State Park. He noted the location lies within the district's park Service Area 15 that currently lacks neighborhood park service. He explained the area is largely developed with single family residential houses, multi-family apartments and condominiums, schools and commercial areas and there is no other suitable site for a neighborhood park within the service area. He explained that staff is recommending board approval of the concept plan to be followed by a memorandum of understanding with OPRD regarding the development and maintenance of these facilities. Robin Laughlin, Park Design Manager, reviewed proposed amenities for the site including Larkspur Trail connections, trailhead signs and kiosks as well as a plaza space that would provide a picnic shelter and space for playground equipment. She noted the district would provide shade trees and plantings near the plaza area as well as some native plant restoration. She explained the anticipated timing of the project including public meetings to receive input from the neighborhood residents with regard to features they would like to see in the park. Bruce noted that SDC funds for neighborhood park improvements in the service area are included in the 2008-09 budget and it is anticipated the project would carry over into fiscal year 2009-10. He stated there is \$350,000 budgeted for the park project and it is anticipated the trail would be the first piece of the project. He added staff believes all of the improvements can be done for less than \$350,000. Bob Woodward noted that he had been involved with the Pilot Butte Partners for ten years and cited the trail work the group has done over the years. He asked about the extension of the trail on the east side of the butte. Robin identified the proposed route to Neff Road on the concept plan. Bruce noted there are also two neighborhood connections to the east that staff would contemplate improving to provide access from neighborhood streets. Bob asked if the proposal has been shared with the Pilot Butte Partners. Bruce stated that he and Robin had met with the group a week ago and he felt the concept plan was well received. Scott Wallace asked about the boundaries of the park in relation to the school property. Bruce explained the proposed trail connection crosses the school district property and staff has discussed the

proposal with them. Scott stated that he had been part of the volunteer group that put in the turf and the goals of the group was to provide some type of park amenity in an area that was underserved. He stated while there was a lot of good intent, they came up short in a few areas. Bob said state parks put in the restroom and they provide space for an on-site park steward. Bruce reviewed the process for developing a memorandum of understanding and explained it would be brought back to the board for formal approval. The board reached consensus to move forward with pursuing an agreement with OPRD and PBP to make improvements to the Pilot Butte State Park site.

### **Capital Improvement Plan (CIP) Discussion**

Bruce Ronning, Director of Planning & Development, reviewed the year-long history of work on the revision of the district's long-term capital improvement plan (CIP) including the participation of the citizens advisory committee, Angelo Planning Group and staff. He presented a PowerPoint program reviewing the results of the district's 2008 survey noting that the information was provided to inform the discussion of the advisory committee and how those results compared to the conclusions reached by the committee in its prioritization of capital improvement projects. Bruce also reviewed previous board discussions and noted that part of the larger CIP discussion must include what funding sources the district will use to fund the community's parks, trails and facilities. He explained that staff is requesting further input and prioritization from the board in order to extend the CIP out 12 years, and board direction on any potential future bond measures that may be part of the 12-year CIP. Lindsey Lombard, Finance Director, provided a draft five-year CIP based on short-term and long-term priorities previously reviewed and the assumption of no SDC fee increase over the next five years, and a very conservative projection of SDC revenue. Don Horton referred to a long-term potential capital project list provided in the board report and explained staff is asking the board to conduct a prioritization process to provide direction toward developing the long-term CIP. Following the board's review and prioritization of the list, Don explained that staff would compile the information that would be shared with the board for discussion at the February 17<sup>th</sup> work session.

### **Regular Meeting**

#### **Consent Agenda**

**Minutes – January 6 & 20, 2009 work sessions and regular meetings**

**Approve requirements contract for portable toilets**

**Approve insurance agent of record contract**

**Approve purchase of park amenities**

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

#### **SDC Methodology Ordinance & Methodology Staff Report & Board Discussion**

Chair Bob Woodward clarified that the board would not be deciding on the fee at this time, rather discussing the methodology.

Bruce Ronning, Director of Planning & Development, stated the issue before the board is the Bend Metro Park & Recreation District Ordinance No. 8 and stated the methodology which is the calculation is in a separate, but accompanying resolution. He stated the adoption of the resolution follows any changes the board may determine to make to the methodology. He reviewed the proposed changes previously considered by the board, and acknowledged the public comment received regarding the proposed

changes. Bruce reviewed and explained the proposed amendments to the ordinance including the timing of the collection of the fee and refunds, waivers and deferrals. Bruce explained the revised methodology will be adopted by separate resolution and becomes an attachment to Ordinance No. 8. He added the methodology does not set the fee, and the first reading of the ordinance does not act upon the methodology. He then noted issues raised in public testimony regarding the population estimate, and explained the source of the data used from Deschutes County, city of Bend census data, and Portland State University Population Center research data. He stated the rate of growth is the same as that used by the Deschutes County coordinated forecast for 2010 through 2020, with a range of 3% to 2%. He stated the facility inventories that were used to calculate level of service (LOS) were those facilities that were either on line or in the capital improvement budget for the current budget annum as of the spring of 2008. He explained how the facility inventory is tabulated by acres and when that is combined with the population it results in an acres per 1,000 measure of the LOS. Bruce reviewed the LOS for neighborhood parks, noting it has fallen from 1.9 acres per 1,000 in 2002, to 1.6 acres in 2008. He stated the LOS for community parks has risen slightly from 3.7 per 1,000 in 2002 to 4.5 acres per 1,000 currently, due to the acquisition of large community park lands, a substantial portion of which was funded with other than SDC money, such as Pine Nursery Park. He stated no new regional park land has been acquired or developed since 2002 which is a clear measure of the impact of population growth on a static inventory, reducing the LOS from 15.1 acres per 1,000 in 2002 to 10.8 acres per 1,000 in this current analysis. He then referred to a challenge in the hearing record regarding the district's determination of the appropriate estimated land costs identified in the methodology at \$233,000 an acre. He explained that estimate was calculated in the spring of 2008, and it was pointed out in the hearing record that the market has changed dramatically since then and that number may no longer be valid. He stated that staff has examined ways to modify that number, if that is what the board chooses to do. He clarified that cost basis is in the methodology, not the ordinance, and therefore, the board could move forward with the reading of the ordinance and instruct staff to re-examine the land cost basis. Bruce stated the board will also need to determine whether to retain the cost of regional park land in the methodology. He stated the advisory committee recommended removing the cost of regional park acquisition which is a change of methodology and would result in a substantial lowering of the fee calculated from \$7,240 to \$5,043 per single family residential unit, if the fee were imposed at 100% which is a separate discussion for the board. Bruce referred to the proposal to change the indices that are used for keeping track of land values and improvement values in the methodology and explained the recommendation is to substitute the Engineers News Record (ENR), US 20 City Construction Cost Index for the Seattle, Washington Construction Cost Index that is currently in the methodology. He said the US 20 City Index tends to be less volatile, and over time it tends to give a more even picture of the varying costs of construction. He referred to a clarification in the methodology as to how the proportionality between land costs and construction costs should be analyzed and adjusted on an annual basis based upon actual figures. He also explained the clarification with regard to sports fields, stating that approximately 20% of the community park SDC revenue could be used for sport field improvements, but it was not meant to imply that every community park would have 20% sport fields, rather that 20% of the revenue could be disproportionately distributed within the community park system. He stated that staff is recommending the board conduct the first reading of the ordinance, and offered other options for board action, as included in the board report. Bob Woodward stated that with regard to the land cost issue, he felt staff should re-examine the cost. Ted Schoenborn stated he believes we should use the most accurate and current number as possible. Ruth Williamson agreed. She stated that clearly the builders and realtors are close to the pulse of what is happening in land sales and she felt we would do well to reconsider our assumptions. Scott Wallace and George Thayer were also in agreement with re-examining the land cost. Ruth addressed the regional parks issue. She stated that she recognizes that the committee

recommended removing regional parks from the methodology; however, regional park acquisition remains a very high priority for our community as indicated in our most recent survey. She stated that SDCs contribute some funds, but not all of the funds used for regional park acquisition, and if we dismiss that from the methodology, we seriously undermine the district's ability to acquire regional park land when it becomes available. She stated she thinks we need to leave that in the methodology. Scott stated that when we look at regional parks as a portion of the SDC, we are talking 35% of the full fee, and those are big ticket items. He stated we have an available supply in the regional park inventory, and we have been the beneficiary of the regional parks as gifts or acquired through other means over the years. He stated given the location of where we are relative to the forests and other public land lands around here, he is torn between imposing and incorporating such a lofty or weighty SDC component for regional parks, and perhaps we look at funding that through some other means. He stated we need to provide a lot of things for the community, but he is not so sure that being fully responsible for regional parks is necessarily in this day and age something we need to burden this SDC methodology with. Ruth stated that she is looking to being able to contribute SDC funding as part of a package of funding that would allow us to acquire unique parcels of land, such as Gopher Gulch. She stated while we are surrounded with forest service and BLM land, it is an integrated park and trail network that we are addressing SDC funding toward specifically, and she would hate to lose that capacity. George Thayer agreed with Scott and stated he would tie it into the notion that when the SDC methodology first came, indoor facilities were eliminated because they would cost too much. He stated he thinks this falls into that same genre of big ticket things, and if we found an opportunity and enough lead time, he would fold regional parks in with an indoor facility bond issue. Ted stated he thinks there is an opportunity cost if we eliminate regional parks and that is, if a piece of regional park comes along at a time that we don't have a bond issue or don't feel comfortable taking a loan to acquire the property, then we are unable to give ourselves the slack of using some of the existing SDC funds to acquire that regional park, then backfilling with other funds to fill the rest of the needs that we have for trails, neighborhood and community parks under the existing ordinance. He stated this gives us flexibility leaving it in there, whether we were to rise to the 100% level of the SDC fee or not. He added that we could still find productive ways to set a fee strategy that would not overwhelm the community and at the same time meet our needs and keep the flexibility available to acquire an unusually important piece of property with whatever funding we can put our hands on. George stated his concerns regarding the LOS with regard to indoor facilities. He said he did not think we have kept up with the LOS citing the increased use at Juniper with the addition of the exercise rooms, and it is something that has not been discussed very much. Don Horton agreed with George and explained that we can't base SDC LOS on what you would like the community to have, rather on what the community has. He stated park land, for example, is easy to base on acres per 1,000 population and the fee can be set to pay for how much land you are going to need for a certain time period. He stated that can't be applied to indoor facilities, because you can't build half of a recreation center. He explained that at the end of the designated time period, an "X" amount of acres can be funded for community and regional park land; however, "X" amount of money can't be funded for an indoor facility, because you can't collect enough to get it done. He noted that if a fund were set up to collect for an indoor facility, it could affect the district's ability to pass a bond. Scott asked for clarification regarding the standard for the size of regional parks. Bruce stated the comp plan regional parks are defined as greater than 200 acres, but that is a guideline, and the district has developed neighborhood parks, community parks, and other types of parks at less than comp plan standards. He stated the population prediction and current LOS prediction is that in the 12-year period of the methodology to year 2020, the district will need an additional 187 acres of regional park in order to stay at the 10 acres per 1,000 standard. He stated we currently have an excess capacity of about 59 acres so the population needs to grow another several thousand before we lose that excess capacity, and as it grows beyond that we start

losing LOS below the 10 acres per 1,000 which is the minimum comp plan standard. Don explained that how the park land is used is considered in park classification. Bruce stated the size guideline is only one piece of determining what looks like a regional park. Scott stated that is an important picture as he thinks of Shevlin Park as a regional park, and there aren't that many Shevlins out there that we are realistically going to be looking at acquiring in the next 12 years. Don noted the type of use that is occurring at Shevlin and stated we need to find a way to separate or spread out that use whether it is expanding Shevlin into some of the national forest area or acquiring some of the land to the west, or another park in general. He added this situation is more appropriate for another discussion, but it illustrates the need for regional park land. Ted reiterated his position to leave the regional parks in the methodology to avoid changing the methodology and by leaving it there, independent of what we set for the fee, we give ourselves the flexibility to acquire regional park land using SDCs, recognizing that if we do that and don't have the 100% number, we have to come up with the money from some other source. He stated that gives us time in the planning horizon to figure out how we can accomplish that. Bob stated he is pretty much in line with Scott and George, however, he believes we need to revisit this after we come up with the revised land calculation. He then referred to the proposed change from the Seattle ENR to the US 20-City ENR and asked for board opinion. Scott stated he felt we would be reducing the fluctuation of the index rather than relying on a single metro area that is a lot different than what we have here. The board agreed with Scott's observation. Scott Wallace moved to consider this a first reading of the Bend Metro Park & Recreation District Ordinance No. 8, System Development Charges. Ted Schoenborn seconded the motion. Scott Wallace, Ted Schoenborn, George Thayer, Ruth Williamson and Bob Woodward all voted aye. Motion passed. The board determined to conduct a discussion regarding the land cost and regional parks at the next work session on February 17.

### **Emergency Contract – Shevlin Wind Damage**

Ed Moore, Park Services Director, conducted a PowerPoint presentation of the wind damage in Shevlin Park, resulting from a storm on January 1, 2009. He explained that 226 trees were lost, most of which are large, old growth ponderosa trees. He stated the park has been closed since the storm, and it is anticipated the cost for the clean up will be substantial. Ed explained the urgency of cleaning up the trees to reduce the impact of logging on the park, and to re-open the park for public use. He stated that staff is requesting the board declare an emergency that would allow the executive director to proceed immediately with signing a contract to conduct the clean up work. Don Horton explained the emergency contract procedures that allow him to negotiate the contract. He stated it is important to get this work done in order to get the park open to the public. George Thayer moved to authorize the Executive Director to enter into an emergency contract for tree removal and clean up of storm damage at Shevlin Park. Ted Schoenborn seconded the motion. George Thayer, Ted Schoenborn, Ruth Williamson, Scott Wallace and Bob Woodward all voted aye. Motion passed.

### **Executive Director's Report**

Don Horton reported that he and Ted will be attending the NRPA Legislative Forum March 17 – 20<sup>th</sup>, and therefore, not attending the March 17 work session. He stated the board may want to consider whether to cancel or reschedule the meeting.

Don Horton reported he and Bruce had attended the state legislative forum and met with our district representatives to discuss some of the issues relative to Bend and the state. He stated it was agreed that future meetings with the representatives will be planned for the future.

**Good of the Order**

George Thayer reported the Oregon Masters Swimming Championship will be held at Juniper Swim & Fitness Center April 17, 18 and 19<sup>th</sup>.

Prepared by,

Paula Lowery  
Executive Assistant

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Bob Woodward, Chair

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Scott Wallace, Vice-Chair

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Ted Schoenborn

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George Thayer

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Ruth Williamson