

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

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

STAFF PRESENT: Don Horton, Bruce Ronning, Lindsey Lombard, Jan Taylor, Ed Moore, Wayne Smith, Theresa Albert, Dave Crowther, Norm Ziesmer and Paula Lowery.

LEGAL COUNSEL: Paul Taylor.

MEDIA: Erin Golden, The Bulletin.

VISITORS: See attached list.

WORK SESSION

Vice-Chair Scott Wallace convened a work session at 5:30 pm.

Annual Work Plan Status Report

Copies of the 2008-09 Annual Work Plans were provided for the board as an insert to the board report. Each of the department managers provided brief oral overviews of the status of various projects identified in the plan.

Budget Committee Meeting Calendar Discussion

The board discussed options for budget committee meeting dates and scheduled meetings for Monday, May 4, Wednesday, May 6 and Thursday, May 7 (if a third meeting is needed) at 5:30 pm, at Hollinshead Barn. Lindsey Lombard reminded the board of the facilities tour scheduled for Wednesday, April 22, from 10:00 am to 2:00 pm.

CIP Discussion

The board discussed the Capital Improvement Plan (CIP) prioritization following up on discussions conducted at previous meetings. Scott Wallace noted that he may want to take another look at the Pine Nursery in consideration of the impact on other projects in consideration of the reduced funding available. He stated that one project overshadows all of the other CIP elements, and in terms of getting the most for our dollar and completing other projects, we may want to look at what else we could do if we postpone the full Phase 1 of the Pine Nursery. Ruth Williamson agreed. She asked for clarification regarding what is funded in the current Phase 1 project underway. Bruce Ronning explained that four baseball fields (five soccer fields, counting the overlay), parking lot, entrance and access improvements, perimeter trail, irrigation improvements, and the central spine of community park turf are included in the first phase, at a cost of approximately \$6.5 million. Ruth asked if the completion of these facilities would relieve some of the pressure on existing fields. Bruce stated it will be an immense improvement in terms of sports fields. He noted the master plan had been modified to add two additional baseball fields. He added we are not doing lights, a concession stand, permanent restrooms or a field house. Ruth stated perhaps the time to revisit this is when we see an increase in SDC revenues and direct growth related funds to growing that project. She stated it is significant that the project is underway, and that we can get some use out of it, however, she did not want to tie up a huge chunk of the budget in the project at this time. Bruce noted that it is anticipated the facility will be open in the spring of 2010, with most of the improvements completed by the end of summer or early fall. He explained the turf is to be seeded and that requires more time to become established. Ted Schoenborn agreed with Ruth and Scott regarding making the Pine Nursery functional and delay the full project until such time as we start growing again. Scott referred to the survey priorities to take care of what we have and additional trails and neighborhood parks.

Scott requested clarification of the indoor programmable space. Lindsey Lombard explained that applies to district owned indoor facility space needed to house recreation programs and that might include renovation of the current administration site in Pacific Park and/or development of other facilities as yet to be determined. Scott asked about the Colorado Dam project with regard to information from the consultant. Bruce stated it is anticipated the consultant will be providing additional information for the board on April 7. He stated the numbers provided in the CIP are an estimate and it will depend upon how the project is finally configured according to board direction. Scott asked if there would be an opportunity to work collaboratively with the owner of the dam with respect to funding the project. Bruce explained that staff has had preliminary discussions with Bill Smith and he believes he is interested in improving the safety of the dam; however, he has some special requirements with regard to being able to maintain the dam, and at this point he has reservations about being able to balance the two. He added that there is a very active group of paddlers that want to participate in the project and contribute to it financially, but he does not know at what level they will be able to do that. He noted that the project may not be restricted so much by cost as the technical engineering issues. Ted stated that the project presents a safety issue for him with the creation of all of the upstream improvements, and he feels we have an obligation to find a way to contribute to removing the safety hazard. Don Horton explained that he believes that Bill is on board with that and his concern is with the build up of ice that occurs on the dam which creates another unsafe issue. He added the engineers understand that and it is hoped they can provide a solution to address both issues. Ruth stated it is a significant enough safety issue that we need to keep it on the radar with the discussions with regard to the planning that is already underway, but how that is resolved could take another few years unfortunately. Ruth added that improvements to the trail system were a high priority with the survey and cited the Deschutes River Trail (Mirror Pond to Revere) is a high priority. Scott noted that the Juniper Swim & Fitness Center repair and remodel projects are in the 2009-10 budget. Lindsey clarified that covers replacing the roof over the indoor pool and some other related replacements. Ruth referred to the Ponderosa Park plan and stated she feels it would be a worthy undertaking to begin addressing some of the components of the plan for the park. She stated she feels it needs some directed effort and funding because it is an underserved part of town and she feels we could do a lot for the neighborhood by enhancing that park. She stated she did not want to be unrealistic and allocate more resources than we have; however she would like to see it incorporated into our work in the nearer term. Scott recommended keeping the project on the five-year CIP, and determine what we can do within that time-frame. Ted stated that depending upon what we do with the modification of Pine Nursery it may release more funds to direct to Ponderosa Park. Bruce noted that providing growth resumes there will be funds in the SDC program for community park improvements such as Ponderosa and the Pine Nursery. He added we will not have SDC money for community park acquisition. Don asked the board if we should be adding more neighborhood parks at a time when we are not growing as we have in the past. He stated that acquiring the land to ensure future park development is important, and during this slower time period we could concentrate more of our efforts on projects such as Ponderosa that contains a number of neighborhood park amenities. Ted stated he felt we could look at slowing down the development of neighborhood parks and directing funds toward facilities in community parks that would have a bigger impact on the entire population. At the conclusion of the discussion Lindsey explained that the board's recommendations would be incorporated into the prioritization of the CIP and presented to the board for further consideration. She noted it is a work in progress.

Vice-Chair Scott Wallace moved the SDC discussion from the work session agenda to the business session. The work session was concluded at 7:00 pm.

REGULAR MEETING

Vice-Chair Scott Wallace called the regular business meeting to order at 7:05 pm.

Visitors

Dorothy Stenkamp addressed the board regarding park riverscapes. She asked the board to consider relocating the Veteran's Memorial in Brooks Park further south. She stated the shrubs and wall in the proposed design will intrude

on the riverscape. She also asked the board to consider removing an evergreen that has been planted in Pioneer Park. She stated the tree will be tall, wide, dense and dark, and intrude on the riverscape. She stated the riverscape near Galveston does work for now and she enjoys the long view of our river from Reed Market Drive. She asked the board to nurture that view and asked the board to look at our riverscapes as another park. George Thayer stated he appreciated Dorothy's comments and he stated he believes the history of the park districts efforts to preserve open space along the river has been quite laudable, and he is sure we can enhance those views as things intrude on them.

Calvin Landrus addressed the board regarding the trail system on canal access roads. He shared a recent experience and resulting legal action taken against him following his use of the canal trail between Southeast 27th Street and Ferguson Road. He stated he has been in contact with other residents who have had similar experiences following their use of this trail. He encouraged the board to continue to seek public access on the canal trails.

Scott Wallace stated that public access to trails is a high priority with the board and the district is working with the irrigation districts to meet those needs.

BUSINESS SESSION

CONSENT AGENDA

Minutes – February 3 & 17, 2009, work sessions and regular meetings

Financial auditor professional services agreement

Approve Loggan property contract

Pine Nursery fencing/backstop contract

Pine Nursery electrical contract

Ratify Cascade Natural Gas invoice

Ruth Williamson asked to pull the Loggan property contract from the consent agenda for separate discussion.

Ted Schoenborn moved to approve consent agenda with the exception of item number five, the Loggan property contract. Ruth Williamson seconded the motion. Ted Schoenborn, Ruth Williamson, George Thayer and Scott Wallace all voted aye. Motion passed.

Ruth Williamson asked if the Loggan property item is the same as discussed in executive session. Don Horton explained that the property identified in the contract is a three plus acre riverfront piece owned by Gary and Irene Loggan, located immediately upriver from the Farewell Bend Park, in between the COID intake and the park property. He stated a contract has been negotiated in the amount of \$52,600, plus a remnant parcel that is a portion of an acre that will involve a lot line adjustment connecting it to the Loggan home site with a value of \$7,400. Don stated the Loggan's will pay for the lot line adjustment. He stated this is the site of the boardwalk that will cross a piece of wetland and work on that will begin upon approval of the contract. Ruth Williamson moved to authorize the Executive Director to execute the contract with Gary and Irene Loggan for the acquisition of the three plus acre riverfront parcel located immediately upriver of Farewell Bend Park. Ted Schoenborn seconded the motion. Ruth Williamson, Ted Schoenborn, George Thayer and Scott Wallace all voted aye. Motion passed.

SDC Discussion

Bruce Ronning reviewed the action proposed to conduct a second reading of and adoption of Ordinance No. 8 and Resolution No. 311, SDC Methodology and Resolution No. 312, setting an SDC fee schedule for 2009-10, and additional conditions. Bruce explained the current board cannot condition any future board with a resolution, and the SDC fee schedule can be re-set by resolution at any time the board chooses to do so. He identified and reviewed corrections to the board agenda communication previously provided to the board via email. He also identified corrections to resolutions regarding the order of paragraphs and the percentage proposed at 56% rather than 57% of the full amount. Bruce referred to the ordinance and noted that it is an administrative framework and identified

changes to Section 6, collections. He explained language was added that will allow for the board to change the timing of the collection to the time of occupancy rather than at the time the building permit is issued. He stated the change allows the board to make that change under separate resolution. He referred to amendments in Section 10 that will allow the board to provide both waivers and deferrals for certain types or classes of residential living facilities such as those types of facilities that provide housing for individuals that do not place a burden on the park system, i.e., memory care or end of life care, etc. He stated examples are provided for deferrals for affordable or low income housing. He clarified implementation of those programs would require board approval through separate resolution. Bruce explained the resolution that considers the adoption of the SDC Methodology is proposed Resolution No. 311. He explained the purpose of the SDC Methodology is to identify the impacts of future population growth on the levels of park and trail service and to calculate the costs of capital improvements necessary to maintain those levels of service as growth occurs. He stated the methodology resolution does not set the fee. Bruce referred to the residential land costs component of the methodology contained in Resolution No. 311. He stated the cost basis for residential property has been reduced from \$233,000 an acre to \$145,000 an acre. He stated it is important to understand that the 48% reduction in the cost of land does not result in a 48% reduction in the fee because the land cost basis is only one element of the fee calculation. He stated the resultant reduction in the overall fee is approximately 15%. He added the current proposed methodology does retain the regional park element of 187 acres of future need over the 12 year period. He referred to the chart that compares existing fees as adjusted annually since 2003 and the 2008 fees at 100%. Bruce identified the amount of the 1% administrative fee paid to the city and explained it is based upon the total amount of improvement and reimbursement fees that would be collected over the full 12 year period. He explained how that amount would be adjusted and referred to the table identified as 3.9.1 that demonstrates the adjustment. Bruce stated that staff is proposing imposing the fee at 56% of the full amount and the decision to do that for any appreciable period of time, if growth resumes, would result in a decline in existing levels of service. He stated the resolutions have been written to reflect our concern for the current home market and local economy and at the same time suggest that if, and when, growth returns to the expected level, the board would at that point in time want to review that decision and determine if they would want to impose the fee at 100% or some other amount. He referred to the previously proposed preamble and explained that staff and legal counsel had determined the proposed considerations to be included in the preamble could be included within the resolution which has been done. He referred to the proposed resolutions 312 A and 312 B and explained that both impose an SDC fee schedule that is less than the full 100%. He stated they both include the finding that imposing the full 100% is not practical at this time due to the economy and market, and they impose the fee at the same level in 2009-10 as has been in effect in 2008-09. He stated they both include a method for stepping the fee amount up to 100% over a period of four years. He explained the process used to reach the amount under item number two in each of the resolutions achieves the full amount in July of 2013, and the option provided to allow the board to change the program based on economic conditions. He stated both resolutions also include the annual indexed adjustment. Bruce explained the difference between A and B, is that with B a provision has been added, item number four, that allows the board to examine the rate of growth annually in the city of Bend based upon the Portland State University (PSU) certified population estimate, in determining the amount of the imposition of the fee. He noted the PSU estimate is for the previous year which results in an approximately 14 to 18 month lag time built into the process and theoretically the excess capacity should have been absorbed by the time the board is asked to make the decision regarding the imposition of the fee. Bruce stated the staff recommendation is for the board to adopt Resolution No 312 B, and in the adoption the B will be removed, which becomes Resolution No. 312. He stated it includes all of the provisions as well as the provision for review annually based upon the PSU certified population estimate. Ted Schoenborn referred to the methodology and stated it was his understanding that we are not revising the methodology. Bruce stated that we have made revisions to the methodology, however, they do not rise to the level of a change in the methodology that would result in a changed fee, and fall within the parameters of the statute. Paul Taylor advised that the requirements of the statute have been met with the public hearing in January and notification of those who requested notification. Ted referred to the 57% figure in Resolution No. 312, and in the context of the revised land values, he assumed that the regional parks would not be part of the calculation. Scott Wallace stated his interpretation was that regional parks would remain in the methodology, but the fee would not be imposed on any part of the new fee calculation. Ted stated that he did not feel what has been presented is what was discussed, and

this is not what he heard. Ruth stated the new number reflects the adjusted land costs. Ted stated the 57% does not reflect any change in the fee. Ruth stated it was her understanding that the committee recommended removing the regional park component of the methodology and that constituted a change to the methodology and the board agreed to keep the regional parks component of the methodology, and the part that was changed is the land costs and population assumption. She stated it is her understanding that the 57% reflects the adoption of the methodology and the fee it implies and imposes it at current levels. Bruce stated the current fee of \$3,507 is 57% of the fully allowable amount of \$6,158. Ruth stated it is her feeling that the full fee should be adopted and the current economic time is acknowledged and we provide the opportunity for future boards to impose the full fee at such time as growth has improved to allow the full fee. She concluded that she is in favor of adopting Resolution No. 312 B. Scott stated the discussions and work that has gone into this has been exhaustive and he believes it gets us to a methodology and calculation that we can get behind and he can support. He stated the fact that we are keeping the fee level for the next year and five months is listening to and being aware of the economic conditions that are upon us, and at which point we begin to see the recovery and population growth, and we have the means to not fall further behind and catch up, that is what we need to do. Ted stated he believes all of the work that has been done has resulted in an appropriate methodology and we will never catch up; all we are doing is gaining ground on changing the fee. Scott noted that SDCs are not the only way to make up ground or increase level of service. George Thayer moved to consider the second reading of Ordinance No. 8, System Development Charges, by title only. Ruth Williamson seconded the motion. George Thayer, Ruth Williamson, Ted Schoenborn and Scott Wallace voted aye. Motion passed. Ruth Williamson moved to adopt Resolution No. 311, including Exhibit A, A Methodology for Calculating Park System Development Charges. George Thayer seconded the motion. Ruth Williamson, George Thayer, Ted Schoenborn and Scott Wallace all voted aye. Motion passed. Ruth Williamson moved to adopt Resolution No. 312 imposing an SDC fee schedule effective July 1, 2009. George Thayer seconded the motion. Ruth Williamson, George Thayer and Scott Wallace voted aye. Ted Schoenborn voted no. Motion passed.

Bruce Ronning thanked the board and advisory committee for their efforts in the review and updating of the district's SDC program.

Budget Committee Appointments

Lindsey Lombard referred to the applications previously provided for the board's review and consideration. She explained the board is being asked to appoint two new budget committee members. Following a brief discussion, Ruth moved to appoint Michael Graham and Bob Almquist to serve on the Bend Metro Park & Recreation District Budget Committee for a term of three years, beginning with the 2009-10 fiscal year budget process. Ted Schoenborn seconded the motion. Ruth Williamson, Ted Schoenborn, George Thayer and Scott Wallace all voted aye. Motion passed.

EXECUTIVE DIRECTOR'S REPORT

March 17, 2009 Work Session

Don Horton reminded the board that he and Ted Schoenborn would not be at the March 17 work session as they would be attending the NRPA Legislative Forum in Washington, D.C. The board determined to delay the work session until 6:30 pm.

District Administration Building

Don Horton reported that it is anticipated the district will market the lease of the existing administration building. He stated the board would be informed of any potential lease agreements.

Bubel-Aiken Grant

Wayne Smith reported the district has received a grant from the Bubel-Aiken Foundation in the amount of \$12,800. He stated this is the second consecutive year the district has received this grant in support of special recreation programs. He noted last year's grant was in the amount of \$10,000.

Central Oregon's Got Talent

Don Horton reminded the board of the Central Oregon's Got Talent fund raising event scheduled for Saturday, March 14. He noted that Bob Woodward will be serving as one of the judges for the event, and it is a fund raiser that supports special recreation programs.

As there was no further business, the meeting was adjourned at 8:20 pm.

Prepared by,

Paula Lowery,
Executive Assistant

Bob Woodward, Chair

Scott Wallace, Vice-Chair

Ted Schoenborn

George Thayer

Ruth Williamson