



Board of Directors

Agenda & Reports

December 20, 2011

7:00 PM REGULAR MEETING

VISITORS

This is the time provided for individuals wishing to address the Board regarding items **not** listed in the business session. **The Board may elect to ask for comment on business session items at the appropriate time.** The visitor's section is not designed for a lengthy presentation. If you have a proposal for Board consideration, briefly introduce the subject, and request that the Board consider adding discussion to a future Board meeting agenda. Visitors who wish to speak are asked to sign up on the public comment card provided. Please state your name and address at the time you address the Board. Please limit your remarks to three minutes.

CONSENT AGENDA

1. Minutes: December 6, 2011 – Work Session & Regular Meeting

BUSINESS MEETING

1. Approval of 1st Street Bridge location
2. Approve purchase of former Mt. Bachelor Park & Ride site
3. Adoption of Resolution No. 339 – Approving Appropriation Adjustments for Fiscal Year 2011-12 Budget
4. Draft MOU OSU-Cascades

EXECUTIVE DIRECTOR'S REPORT

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

ADJOURN

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: Colorado Dam Paddle Trail Improvements
Project Update

STAFF RESOURCE: Bruce Ronning, Director of Planning and Development
Robin Laughlin, Design Manager

PREVIOUS BOARD ACTION: November 16, 2010, board approval to pursue contract with Otak for Colorado Dam Paddle Trail Improvements final engineering and permit ready documents

ACTION PROPOSED: None; project update only

BACKGROUND

The June 2007 Paddle Trail Feasibility Study, completed by Recreation Engineering and Planning (REP), assessed opportunities for a continuous water trail on the Deschutes River within the district's boundaries. Safe passage and whitewater play improvements at the Colorado Street Dam were among the top priorities on a list of potential paddle trail projects identified in the feasibility study. The Colorado Dam site was identified for a number of reasons including dramatically increased river use in the area, accidents and incidents at the dam, the proximity of support facilities at McKay Park, and the potential for significant paddle trail improvements at this location.

Following the feasibility study, REP provided conceptual engineering for proposed modifications at the dam site that would most effectively meet the identified safe passage and whitewater play objectives. The REP recommended design Option 1A was accepted by the board on January 5, 2010.

Option 1A proposed three channels separated by rock islands: a floater /safe passage channel on river left along the McKay Park river bank, a whitewater play channel located in the center of the river, and a habitat protection area along the right (eastern) half of the river. This concept includes removal and replacement of the existing pedestrian bridge in order to provide adequate overhead clearance for river users.

The district initiated a Request for Proposal process to select a design team for the next phase of work. During that process, Otak was selected to lead a consultant team in providing phased planning, engineering and environmental services in order to deliver final construction and permit ready documentation to implement the Option 1A concept. The team has been working on the first two phases of design since spring of 2011.

The current phases of work include detailed site assessment tasks including geotechnical engineering, natural resources inventory, channel morphology, and existing dam documentation. Design work includes hydraulic analysis, hydraulic modeling, on-bank support and construction cost estimating.

The project scope of work includes developing three design alternatives based on the Option 1A concept with refinements being informed by the site assessment findings and additional hydraulic analysis. Overall the Otak alternatives differ from Option 1A in three key areas outlined below:

Island Configurations: *Overtopping* - The hydraulic modeling of Option 1A indicates overtopping of the islands would occur at 1200cfs. Typical summer flows on the river are 1200 - 2200cfs. Alternatives 1 - 3 call for islands with an increased height to avoid overtopping events and the potential impact to the stability of the system.

Bank steepness - The three alternatives create less steep island banks than those shown in Option 1A. The benefits of this change include increased bank stability and a more user friendly interface. Additional changes to the river left island allow for improved access, facilitating observation and allowing paddlers to carry their boats up to the upstream features.

Whitewater features: Hydraulic parameters calculated with the Otak analysis of Option 1A show excessive hydraulic grades at the three proposed whitewater features and that more user friendly features could be created by adding an additional pool and drop.

Habitat channel: Current hydraulic modeling indicates a narrower habitat channel will produce an increased flow velocity and less sedimentation. These changes will create more viable habitat for fish and aquatic insects.

Alternative 1 – Fixed Invert Elevations

Alternative 1 is a refinement of Option 1A. The design has the least flexibility for adaptively managing flow to each of the channels because the upstream invert of each channel is fixed. All three channels are shifted east to better align with the existing Colorado Avenue bridge piers. The total number of drops in the whitewater channel is increased from three to four to make the hydraulics through the reach more user friendly and the individual drops are adjusted to offer varying degrees of difficulty. The islands are larger than in Option 1A to improve slope stability and access to the upstream wave features. Alternative 1 is the least expensive of the three options.

Alternative 2 – Adjustable Pneumatic Gates

This alternative builds on Alternative 1 by adding pneumatic bladders to the upstream invert at the entrance to white water channel. These bladders can be inflated or deflated to manage the flow distribution to the three channels. Pneumatic bladders can also be added to each of the inverts within the whitewater channel in order to adjust the wave conditions and to respond to changing water levels. Having adjustable inverts offers the most flexibility to adapt the site for multiple paddling uses and for winter ice management. This alternative also adds additional area to the midstream island (i.e. closest to the habitat channel) in order to provide room to plant low growing vegetation for increased shade and to discourage access.

Alternative 3 – Maximum Habitat Channel Enhancements

Alternative 3 is shown as including the adjustable inverts as in Alternative 2, but could just as well be combined with the fixed invert concept shown in Alternative 1. Alternative 3 illustrates potential habitat enhancements and diversification in the river right channel. Proposed enhancements include improved conditions for fish and aquatic wildlife, as well as increased habitat for birds and amphibians. The proposed improvements include spawning gravels, woody debris, deep pools and shading. Alternative 3 is the most expensive of the three alternatives when the adjustable inverts are included.

The chart below illustrates the important features of the various design proposals.

	Option 1A	Alt 1	Alt 2	Alt 3
Construction				
Construction Survey		x	x	x
Construction Monitoring		x	x	x
Construction BMP's		x	x	x
Whitewater Channel				
Fixed wave features - rock	x			
Fixed wave features - artificial blocks		x		
Adjustable wave features			x	x
Three drops channel		x	x	x
Four drops channel		x	x	x
Tuber Channel				
Along left bank	x	x	x	x
Buoys to direct users, at dam	x			
Floating boom to direct users, upstream of Colorado Avenue		x	x	x
Divider Islands				
Steep island banks	x			
Gradual island banks		x	x	x
End upstream of McKay beach	x			
End mid-way of McKay beach		x	x	x
Walkable - left island		x	x	x
Vegetated			x	x
Flood/overflow protection		x	x	x
Sheet piles in the islands		x	x	x
Habitat Restoration				
Fish passage	x	x	x	x
In-stream improvements - bed diversity	x	x	x	x
In-stream improvements - river right				x

Pedestrian Bridge: Removal of the existing pedestrian bridge and its support structure is necessary to facilitate safe passage for river users as they enter the bypass and whitewater channels. Bridge design parameters include six-foot clearance over the main channel during summer flows; three-foot clearance at flood elevations; and sufficient structural support for ice removal equipment. The design team recommends a steel girder bridge with pressure treated timber decking. Bridge piers would be located on each of the new islands; aligning with the existing Colorado Bridge piers and creating a three span structure with an overall length between 290 and 330 feet.

The proposed bridge alternatives are all 22-foot wide (the same as the current bridge) providing for viewing opportunities, allowing for existing walking and running events, and accommodating ice management equipment. The three alternatives vary in length and alignment.

Planning Level Cost Opinions: Preliminary construction cost estimates were developed for each of the whitewater and bridge options. The above noted design revisions and details require an increase in overall material volumes and associated construction costs. The additional hydraulic analysis, engineering efforts and design detailing have resulted in an overall increase in projected construction costs from those included with the REP Option 1A concept.

Otakø preliminary construction cost opinions are as follows:

Whitewater Option A1: \$1,924,800 (without adjustable inverts)

Whitewater Option A2: \$2,767,800 (with adjustable inverts)

Whitewater Option A3: \$3,036,300 (with adjustable inverts and habitat improvements)

Bridge Option 1: \$1,650,000

Bridge Option 2: \$1,575,000

Bridge Option 3: \$1,870,000

The combined bridge and whitewater costs range from \$3,499,800 to \$4,906,300. It is important to note that these figures do not yet include on-bank support or river bed revisions for the safety bypass channel. The design work and associated costs for these additional items will be finalized after the bridge and whitewater alternatives are narrowed. The preliminary REP estimate for the Option 1A whitewater, safety bypass channel, and pedestrian bridge improvements was \$1,747,753.

The increased costs over the Option 1A figures are largely due to increased material volumes, more detailed construction de-watering estimates, and significantly higher bridge costs.

STAFF RECOMMENDATION

None, for discussion and review only.

BUDGETARY IMPACT

None at this time, however; approximately \$30,000 in addition to currently budgeted funds will be required to complete the Otak Phase III work.

MOTION

None

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: Noxious Weed Management

STAFF RESOURCE: Ed Moore, Director park Services
Paul Stell, Natural Resource Manager
Erin Gerhardt, Park Aid

PREVIOUS BOARD ACTION: None

ACTION PROPOSED: Information only.

BACKGROUND

The epidemic of noxious weeds in the region has a significant environmental and financial impact to all resource management agencies and private property owners. The district works to do its part to control weeds and prevent their spread to our neighboring property owners. The board will receive an over view and update about this multi-faceted program that is important to the preservation of district assets and natural resources.

STAFF RECOMMENDATION

None - for information only.

BUDGETARY IMPACT

None.

MOTION

None.

ATTACHMENT

None.

**Bend Metro Park & Recreation District
Board of Directors
Executive Session & Regular Meeting
December 6, 2011**

BOARD PRESENT: Ted Schoenborn, Dallas Brown and Scott Asla.

STAFF PRESENT: Don Horton, Bruce Ronning, Lindsey Lombard, Ed Moore, Jan Taylor, Kim Johnson, Matt Mercer, Russ Holliday, Kevin Collier, Bob Smith, Sue Jorgenson and Paula Lowery.

LEGAL COUNSEL: Neil Bryant and Paul Taylor.

MEDIA: Nick Grube, The Bulletin.

VISITORS: Kurt Petrich, Pam DiDente, Terry Gloecker, Marian Davidson, Michael Graham, Jennifer Poncia, Justin Gottlieb and Keith Scott.

EXECUTIVE SESSION

Chair Ted Schoenborn convened an executive session at 5:40 pm pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions. The executive session was concluded at 6:17 pm.

REGULAR MEETING

Chair Ted Schoenborn called the regular meeting to order at 6:20 pm.

VISITORS

Pam DiDente addressed the board regarding the proposed bridge crossing at 1st Street Rapids Park to Davis Park. She stated she is a liaison for the Friends of the 1st Street Rapids, and a liaison for the River West Neighborhood Association board. She shared what she has reported to these groups as a result of her participation in the district's open house events regarding the proposed bridge. She stated there are a lot of opinions from the residents of the west side of the river. She stated that Steve Jorgensen did a great job of staking the potential bridge locations and encouraged the board to view these locations first hand as they provide a great visual of the distinct differences in the options the board will be considering in January. She stated that she, as well as other residents of the neighborhood, would be happy to accompany the board on a walk of the area.

Marian Davidson addressed the board. She stated she would not add much more than what Pam had shared and encouraged the board to visit the site. She stated she would be happy to provide a sense of the use of the park.

Terry Gloeckler addressed the board. She stated she represents a large number of people who are opposed to the bridge and urged the board to consider the opposition. She asked if the bridge is necessary and stated the proposed bridge sites are in a very natural area on the river. She stated this is one of the last remaining natural habitat and more visual natural areas on the river in the city. She stated this group is not only from the neighborhood and she expects that more people will speak to the board in January in opposition to the bridge. She stated there is some concern with regard to some existing problems in 1st Street Rapids and Davis parks. She cited problems with park users blocking driveways on 1st Street and

the city's lack of funds to paint the street to prohibit parking. She stated that the bridge will bring in more people and the problems in both parks and neighborhoods haven't been addressed. She urged the board to look at the possibility of whether this bridge is really necessary.

Keith Scott addressed the board. He thanked the district for the level of maintenance conducted at Woodriver Park and the addition of a basketball hoop. He noted there has been an increase in the number of visitors to the park over the past year. He also suggested that the Flashback Cruz event be moved to Riverbend Park stating that he felt it would be an ideal location.

PRESENTATION OF ART

Ted Schoenborn introduced artist Jennifer Poncia who presented her art piece titled "Power to Engage" to the district. She noted the piece had been purchased by the board of directors to gift to the district. Jennifer briefly explained the message of the artwork and how it demonstrates children coming together. Ted Schoenborn stated it is a privilege for the board to have the opportunity to acquire the artwork for the administration building.

PUBLIC RECOGNITION

Kim Johnson introduced volunteer Kaitlyn McFadden and explained how she had developed a mapping system in order to identify the location of donors bricks installed in the Bend Heroes Memorial in Brooks Park. Kim also conducted a brief demonstration of the map on the district's website. Kaitlyn explained how she designed the grid and documented the information resulting in the finished product. Ted Schoenborn suggested that Kaitlyn refine the model so it could be used by other organizations all across the country. He added that he felt it would be a good presentation for an Oregon Recreation and Park Association conference session. Kim recognized the amount of time Kaitlyn devoted to the project and expressed the district's appreciation for her efforts.

INSURANCE AGENT OF RECORD REPORT

Jeff Griffin, Wilson-Heirgood Insurance, presented a report to the board regarding the district's insurance. He stated that the district's best practices have resulted in a 9% credit on insurance premium costs. He stated the district's worker's compensation experience mod has dropped again this year to .83, a savings of 17%. Jeff explained how the district insurance rates are established through the special district's pool. He referred to inspections by OSHA and stated under the current director, the district can expect to be fined for violations. He stressed the importance of ensuring the safety of the district's employees and encouraged staff to contact his office when they are notified of OSHA inspections in order for his company to have a representative participating in the inspection. He explained legislative changes to the state's tort law and stated the district has good coverage in that area. He also reviewed the updates to the state's ethics laws, specifically regarding the acceptance of gifts and conflict of interest matters. Don Horton noted that over the next few months Jeff will be writing a risk management plan for the district. He explained this work is to incorporate the various plans the district has in place into one comprehensive plan. He stated that while this is a component of the CAPRA accreditation project, it is something the district needs to have in place to help guide staff through times of crisis and overall operations as well.

CONSENT AGENDA

Minutes: October 4 & 18, November 15, 2011 Work Sessions & Regular Meetings

Approval: Central Oregon Basketball Officials Association contract

Scott Asla moved to approve the consent agenda. Dallas Brown seconded the motion. Scott Asla, Dallas Brown and Ted Schoenborn all voted aye. Motion passed.

BUSINESS MEETING

Adopt Encroachment Policy

Don Horton referred to information and the proposed policy provided in the board report. He explained that the district has encountered encroachment issues over the years, usually adjacent to trails and parks. He shared instances of adjacent property owners building their landscaping into trail right-of-way which led to neighbors following suit. He explained how the district has addressed those encroachment issues. He noted that there may be times when an encroachment is temporary in the case of construction firms wishing to use district property as a staging area, for which the companies receive permission from the district. Don explained the policy is a formalization of how the district has managed these issues and the board is being asked to adopt the policy to officially enact the process for addressing encroachment.

Dallas Brown moved to adopt the Encroachment Policy and authorize the executive director to begin enforcement of the policy. Scott Asla seconded the motion. Dallas Brown, Scott Asla and Ted Schoenborn all voted aye. Motion passed.

SDC Resolution No. 312

Bruce Ronning stated this item is presented for information only and reviewed the boards' past action in adoption of Resolution No. 312. He noted the resolution includes the requirement that population growth in Bend and other factors be reviewed as of January 1 of each year in order to determine if the fee should be imposed at the full amount. Bruce reported that the Portland State University Population Research Center posted preliminary population estimates indicating a growth rate of 0.2% from July 1, 2010 to July 1, 2011. He added that the Deschutes County Coordinated Population Forecast for the city of Bend predicts an annual growth rate of 2.33% for the same period, and therefore, the growth rate threshold stated in the resolution has not been met at this time. He stated additional information, including revisions of the 2011-12 SDC Fund Forecast, and the 2011-12 Five-Year Financial Forecast along with a draft 2012-13 Capital Improvement Plan will be provided for the board in January.

Approve Board Operations & Procedures Manual Update

Don Horton explained that as a result of board and staff training sessions conducted over the past year the Board Operations & Procedures Manual had been updated to reflect changes in Oregon law, and to clarify some board procedures. Dallas Brown stated that while he had no concerns or objections to the information provided in the manual, he questioned if it would be appropriate to table the approval of the manual until all board members are present. Ted Schoenborn explained that he and Ruth had attended the board trainings and reviewed the proposed updates gained from those sessions. He stated the proposed update does not involve substantive changes, and from his perspective the essence of the manual remains the same. Dallas stated that he feels it is important to have the full board involved in the adoption of any changes to its manual, however, he would be willing to move forward with the adoption at this time. Don Horton identified specific changes to the manual regarding district grievance procedures with respect to the executive director, and the presence of legal counsel in executive sessions. Dallas asked for an explanation of changes regarding a serial meeting. Don explained the board is not allowed to conduct a series of back and forth discussions to deliberate an issue toward a decision outside of a public meeting. He explained it is acceptable to ask questions of a fellow board member or staff to obtain necessary information. Dallas asked if the wording regarding serial meetings could be revised for clarity. Don suggested adding the language "for the purpose of leading toward a decision of the board" to the first sentence of the second paragraph of section VI. Board Meetings, item B. Scott Asla moved to adopt the proposed revisions to the Board of Directors Operations, Procedures and Training Manual including the change in language regarding a serial meeting. Dallas Brown seconded the motion. Scott Asla, Dallas Brown and Ted Schoenborn all voted aye. Motion passed.

EXECUTIVE DIRECTOR'S REPORT

Butler Market Road Property

Don Horton reported he had signed the documents today for the acquisition of the Butler Market Road property.

Sport Field Use Update

Matt Mercer introduced Russ Holliday and Kevin Collier and explained their work on scheduling, allocation and use of the district's sports fields. Russ Holliday presented copies of a report on the use of the sports fields including information regarding users, available hours and hours of usage. He explained how this information is used to determine field capacity. He noted the increased availability of fields with the opening of the Pine Nursery fields in May and the added use at Skyline Sports Complex lighted fields. He noted a decrease in scheduled use as a result of Bend Little League using school district fields. He stated there was an increase of 49% scheduled use of multi-purpose fields for programs such as rugby, soccer, football, Frisbee golf, lacrosse, etc. He also stated the district's use of the fields amounted to 70%, with 6% use by the school district and 24% other community use. He explained the district programs contributed to the increased field use for girls fast pitch softball tournaments, youth lacrosse, soccer tots and adult recreation softball. Russ stated the district was able to accommodate the Oregon Rush Soccer Club this year due to Kevin's efforts to schedule a consistent program of field use for the organization. Scott Asla stated this information is useful in terms of planning for the development of future sports fields. Matt Mercer explained the information does not include data concerning peak and non-peak use which is something staff will address over the next year. He stated it is hoped this information will help to explain why there is still a perception in the community that there is a shortage of sports fields. Kevin Collier explained this report is a working document that continues to be refined. He added that he and Russ have been able to educate the public about the availability of fields other than those that are the most popular. He added the district is able to provide for types of use such as an Ultimate Frisbee Disc Golf Tournament, rugby tournament, triple-crown baseball tournaments and RUSH soccer tournaments that we have not been able to do in the past. He stated we have been successful in finding a spot for everyone who has requested field use. Ted Schoenborn stated that once staff has worked through this data, it would be helpful to create a rule of thumb for the development of a facility.

Mirror Pond Project

Don Horton reported on the status of the Mirror Pond study. He explained the committee has determined to change course due to the amount of funds available to conduct the study. He stated the city of Bend has taken on the role of key leader and the alternatives analysis will not be done at this time. He explained the committee will be examining creating a special district or bond measure to address the issue. He stated the committee would like to conduct a survey to help inform them on the community's support in funding this project. He referred to the recent presentation to the board by Trust for Public Land (TPL) regarding polling the community to determine its level of support for a bond measure, type of projects to be considered for a bond, and funding capacity. He recommended folding the two items together to include Mirror Pond and some of the projects the board has been discussing for a number of years. He stated that Neil Bryant has agreed to serve as a spokesman to educate the community in the event the Mirror Pond project is placed on a bond measure. He cited projects to be included in the poll such as the Deschutes River Trail, Colorado Street Dam, Mirror Pond, finish Miller's Landing and potentially other projects such as an ice facility and recreation center. He explained funding for the poll could come from those funds budgeted for the Mirror Pond project in this year's budget. Don estimated the cost of the telephone poll would be between \$17,000 and \$19,000. He added that TPL will try to contribute \$5,000 to fund the survey, and they would provide technical assistance without charge. Dallas Brown asked if bids would be sought for the survey. Don stated it could go through a bid process, however, there are very few qualified firms in

this area. Scott Asla asked if the board would have input in developing the questions. Don explained the survey would be developed in a similar manner as other polls we have conducted which would involve work with the board, staff and Mirror Pond Committee. The board agreed to go forward with conducting the survey. Dallas noted that he would like to obtain quotes for the cost of conducting the survey and would like to ensure that we are not duplicating the recent recreation needs assessment survey. Don assured him this survey would be focusing on likely voters with a different set of questions whereas the recreation needs assessment focused on the community at large.

GOOD OF THE ORDER

Dallas Brown asked how the sports officials used by the district are evaluated in terms of performance and their skills. He shared personal experience with officiating as a participant and expressed concern with the safety of a program that can be affected by poor officiating. Don Horton stated he would have staff provide this information. He added the district contracts with an association to provide officiating for its programs.

As there was no further business the meeting was adjourned at 8:09 pm.

Prepared by,

Paula Lowery
Executive Assistant

Ted Schoenborn, Chair

Scott Asla, Vice-Chair

Ruth Williamson

Scott Wallace

Dallas Brown

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: NW 1st St. to Revere Ave. Pedestrian Bridge and Path Design/Engineering Project

STAFF RESOURCE: Bruce Ronning, Director of Planning and Development
Steve Jorgensen, Planning Manager

PREVIOUS BOARD ACTION: Approval of ODOT Local Agency Agreement #26801 on April 5, 2011

ACTION PROPOSED: Approve a Preferred Bridge Alternative

BACKGROUND

On April 5, 2011, the Board authorized the Executive Director to enter into ODOT Local Agency Agreement #26801 which identified \$78,940 in local Surface Transportation Funding (STP) to advance the NW 1st St. to Revere Ave. portion of the Deschutes River Trail (DRT) to construction ready status. This project includes all necessary preliminary engineering, surveying and right-of-way activities required to create final construction plans. Following a competitive bidding process, ODOT prepared and executed a scope of services contract with WH Pacific Inc. on July 5, 2011 in the amount of \$119,789 to complete the project work by February 2012. This project, including the new bridge, was an element of the 1995 city of Bend Urban Trails Plan and a key component of the 2008 BPRD Trails Master Plan, 2006 Bend Accessway Plan, and the 2002 Deschutes River Trail Action Plan. The planning for the bridge project is running concurrently with the effort to master plan the Davis Park site.

DISCUSSION

Following ODOT notice to proceed in July, staff and the consultant team have been working through the various project requirements including environmental evaluations, design and public outreach. The findings in support of staff's recommended bridge and trail alternatives can be found on the project Web page at: <http://www.bendparksandrec.org/docs/pg/10550> .

Once the Board approves preferred bridge alternative, the consultant will finalize the required Design Acceptance Package (DAP). The DAP is the advanced and final design of the project in fulfillment of the terms of the ODOT contract. The Board will be asked to approve the final bridge and trail design prior to submission to the city of Bend for review and issuance of a Waterway Overlay Zone (WOZ) permit.

In August 2011, staff initiated a series of preliminary meetings with stakeholder groups identified via prior email contacts related to the upstream DRT Phase I and II projects, and in discussions with the River West Neighborhood Association. The preliminary stakeholder meetings included residents of the project area, river users, and those with environmental

concerns. These preliminary meetings were held to help shape the range of local resident and river user concerns that would inform the project analysis and questionnaire. The questionnaire was mailed to 1,673 residents and property owners within 1/2-mile of the project.

Date:	Group/Meeting/Activity:	Attendees:
• August 5, 2011	Upper Deschutes Watershed Council Meeting	1
• August 18, 2011	East Side Residents Meeting	8
• August 23, 2011	West Side Residents Meeting	8
• August 23, 2011	Bend Paddle Trail Alliance Meeting	6
• August 25, 2011	1st St. Bridge - Davis Park Questionnaire Mail-out 223(responses)	
• August 26, 2011	1st St. Bridge - Davis Park Questionnaire goes online	45 (responses)
• August 30, 2011	Tumalo Irrigation District Meeting	2
• September 22, 2011	Public Open House #1	25 (signed-in)
• November 16, 2011	Public Open House #2	42 (signed-in)

The questionnaire results and written comments are linked to the Web page. Results of the trail and bridge-related questionnaires (mail-in and online) include:

Deschutes River Trail Use:

- *West side(Sawyer Park to Downtown)* *55% use it weekly, 8% use it rarely or never*
- *East side (Davis Park to Downtown)* *23% use it weekly, 30% use it rarely or never*

Deschutes River Trail Access:

- *71% bike or walk to it, 15% drive and park at or near the end of 1st St, and 2% at Revere Ave*

Likelihood of Using a New Pedestrian bridge Across the River:

- *85% would be somewhat or very likely to use it, and 15% not likely or won't use it.*

Alternatives:

The proposed alternatives include four bridges and four east side path alignments that can be paired independently. The bridge choices include a downstream option (Alt. A), one upstream near the rapids (Alt. C), and two mid-point options (Alts. B-1 and B-2). The eastside path choices all share a common connection point at Revere Ave. and include two long single-switchback options (1 and 4) and two multi-switchback options (2 and 3) near the middle of Davis Park. A preferred west side path alignment (existing route) was identified in the findings and is common to all four bridge options.

Wetlands:

Three distinct areas of riparian wetlands directly abutting the Deschutes River were identified within the study area. Two wetlands were identified on the east bank of the river and a third was identified along the west bank. None of the bridge or path alignments would adversely impact the identified wetland areas.

Wildlife - Endangered Species Act:

The project is not likely to impact state or federally listed species. No rare plants were identified in the study area and aquatic listed species are not likely found in the project reach of the river. Migratory birds may seasonally nest in riparian vegetation in the project area.

Archeology:

Two sites within the project area were previously on file with the State Historic Preservation Office (SHPO). One site is unlikely to be impacted by development. The other can be mitigated for with any of the bridge/path options. In addition, irrigation flume remnants and rock retaining walls which may have been associated with the Kirtsis Swim Tank (circa 1927) were reviewed as cultural elements.

Geotechnical:

A preliminary geotechnical evaluation was performed on the general area where bridge footings could be expected. A detailed analysis and report will be prepared once a preferred bridge alternative is selected. Results of the preliminary evaluation indicate that the entire area reviewed displays similar conditions of shallow bedrock covered by boulders and alluvial deposits.

Tumalo Irrigation District Pipeline:

One of the primary physical factors relating to the bridge location is the proximity of the TID pipeline that lies under the existing DRT on the west side of the river. After several test bore holes were dug, it was determined that the location of this segmented 6-foot diameter concrete pipeline is much closer to the river bank and not as deep as originally thought. This discovery proved significant in the evaluation of potential bridge sites as the bridge and path project cannot adversely impact the existing canal pipe by creating unacceptable loads or subjecting the pipe to potential subsidence of the surrounding ground.

Construction Staging:

Because of the projected span lengths (160 to 180 feet), the bridge will need to be constructed in two sections for any of the proposed options. It will be necessary for cranes placed on each side of the river to simultaneously lift and set the two sections on their footings, in order that they can be joined together at mid-span. The size of the cranes needed to lift the bridge sections will require 30'x30' level temporary construction pads on both sides of the river.

STAFF RECOMMENDATION

Bridge:

Alternative A or Alternative B-2 provide the best bridge locations in terms of user and environmental impacts, and both locations would satisfy the terms of the ODOT contract for neighborhood connectivity between Revere Avenue and NW 1st Street. Both provide for reasonable continuity of the DRT. Of the four options considered in the analysis, Alt. B-2 is the most cost-effective and also offers the best implementation scenario. While Alt. A reduces impacts in the rapids area, it requires the longest span, presents considerable construction difficulty on the west side, and has tree removal and grade impacts on the east side. It also would provide an attractive, but potentially dangerous jumping location. Due to span length and the construction complications associated with the TID pipeline, Alt. A is the most costly alternative considered. Considering the full range of information developed during the design process and during the public project review, staff recommends Alt. B-2 as the most practical and cost effective alternative.

While many of the questionnaire respondents and those who attended the project meetings voiced the desire to have the bridge sited in the best location without cost being the primary

determinant, the construction issues associated with Alt A. and the TID pipeline, some as yet unknown, must be taken into account in terms of both added cost and time required for implementation. The cost of Alt. A will delay the project while the district seeks additional funding. Alt. B-2 offers the opportunity to use currently budgeted district funds and as a result could be implemented more quickly. Public comments at the project open house on November 16 citing a favored potential bridge alignment were evenly split between the top choices, Alternatives A and B-2.

If the additional cost is not a critical factor and the associated construction issues can be satisfactorily resolved, Alt. A may be an acceptable alternative location for the bridge. If the board should elect to pursue Alt. A over Alt. B-2, additional engineering work will be required in order to determine the steps necessary to mitigate impacts to the TID irrigation pipeline and resolve the other construction issues. A more refined mitigation design and cost estimate would be necessary before a final decision could be made. This additional work is outside the scope of services in the current ODOT contract and would require additional district funding. If Alt B-2 is selected, as staff recommends, an application will be made for a 2012 Recreational Trails Program (RTP) grant to help offset the bridge construction costs. If the RTP application is successful, the grant funding would become available and construction could begin during the summer of 2012. The deadline for the RTP grant application is January 13, 2012 thereby requiring a decision by the board on a preferred alternative at the December 20th meeting.

Connecting Paths:

Each of the path options will work with any of the bridge designs. Therefore, determination of a preferred option comes down to aesthetics, cost and impacts to the future Davis Park design. Staff recommends that the decision regarding the preferred eastside path alignment be deferred until the bridge location is determined and then included with the Davis Park master planning effort.

Project Costs:

The various combinations of bridge locations and connecting paths result in significant differences in total estimated project costs. If Alternatives A and B-2 are the only viable alternatives to be considered, the lowest and highest cost ranges of the possible combinations based upon current information are:

Bridge Alt. B-2:

- Low - (\$430,000) with East Side Path Option 2 (\$160,000) = **\$590,000** to
- High - (\$575,000) with East Side Path Option 3 (\$430,000) = **\$1,005,000**

Bridge Alt. A:

- Low - (\$650,000) with East Side Path Option 2 (\$160,000) = **\$810,000** to
- High - (\$850,000) with East Side Path Option 3 (\$430,000) = **\$1,280,000**

BUDGETARY IMPACT

None at this time, however, the additional mitigation design work required for Alt. A is not funded under the current ODOT grant and would require additional district funds. In addition,

the opportunity to apply for a 2012 RTP grant in support of the bridge project would be lost due to time constraints.

MOTION

I move to approve bridge Alternative B-2 and to authorize staff to proceed with final design and the city WOZ permitting process.

ATTACHMENT

Available at: <http://www.bendparksandrec.org/.docs/pg/10550>

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: Purchase of 11.04 acres of land known as the Mount Bachelor Park and Ride site

STAFF RESOURCE: Don Horton, Executive Director
Neil Bryant, Attorney

PREVIOUS BOARD ACTION: The board discussed this acquisition in Executive Session on October 4, 2011, October 18, 2011, November 15, 2011, and December 6, 2011.

ACTION PROPOSED: Staff recommends that the board approve the acquisition of the property

BACKGROUND

The board is asked to consider and approve the acquisition of 11.04 acres of land known as the Mt. Bachelor Park and Ride property located in the Shevlin Center at the intersection of Colorado Avenue and Simpson Avenue. The land was sold by Mt. Bachelor several years ago to a developer who planned a mixed-use development on the property. Because of the slowing economy, the development proposal became impractical and never took place. The property is currently owned by Springer Development LLC, a Washington limited liability company and subsidiary of Banner Bank. If acquired by the district, the intended use of the property is to meet future needs for indoor recreation facilities as identified in the district's recent community-wide survey and in prior planning work.

In September 2011, the district conducted a statistically valid community survey as a part of the ongoing comprehensive planning effort and the current recreation needs assessment project. The survey results, as reported to the board on October 4, identify and support the need for additional indoor recreation facilities. This need is further supported by the success of Juniper Swim and Fitness Center since the extensive renovation in 2006. Given that JSFC is currently operating at near-capacity and that the survey indicates the community needs additional indoor recreation space, it is prudent to consider and to prepare to accommodate the identified need.

The district's 2005 *Parks, Recreation and Green Spaces Comprehensive Plan* calls for the orderly expansion of the park and recreation system. The even geographic distribution of parks and facilities allows for all residents to have equal access to the recreation services that the district provides. Because the two existing indoor recreation facilities, JSFC and the Senior Center, are both located on the east side of Bend, indoor recreation space is less evenly distributed across the district than are other elements of the system. Available property large enough to site an indoor recreation center is scarce on the west side of Bend. Though it may be several years before a new recreation facility is built, the opportunity to take advantage of a below-market price, the location in the part of town that is identified as lacking public indoor recreation space, and the adequate size of the site makes the Mt. Bachelor Park and Ride parcel particularly attractive.

In 2003, the district underwent a site analysis to determine the best location for the placement of a future indoor recreation center. The three sites that received the most consideration were: the NE corner of Shevlin Park Road and Mt. Washington Drive on the Central Oregon Community College campus where the new Culinary Institute has since been built; Pine Nursery Community Park; and what is now Riverbend Park. The preferred site at that time was Riverbend Park because of its centralized location and because it was determined in the study that it offered the greatest possibility for recovering operational costs. The Mt Bachelor Park and Ride location will offer the same advantages as identified for Riverbend Park in the 2003 study.

Oregon State University-Cascades has also expressed an interest in expanding their campus in the Shevlin Center area. The university is currently acquiring an existing building in the area for administration and graduate classes and hopes to expand other campus offerings. The district's ability to acquire the property now will afford the opportunity to partner with the university for a joint campus that will offer quality recreation and educational opportunities for the community. The district's partnership proposal has been met with enthusiasm from OSU-Cascades. In a separate agenda item, staff is recommending that the district enter into a memorandum of understanding with OSU-Cascades to guide both agencies into a productive partnership arrangement.

The park and ride property is currently zoned Mixed Employment (ME) which outright allows for indoor recreation facilities and school facilities. In the event the district decides to include outdoor recreation facilities as a part of the site development, a conditional use permit will be required.

The ME zone approval of the prior development proposal was conditioned upon the provision of off-site transportation improvements. The total cost of the conditioned improvements under the prior proposal is approximately \$1,300,000. City of Bend staff has advised the district that the off-site improvements are conditions tied to the prior development plan and that the district's proposed development of the site would likely alter those conditions. As part of the district's master planning of the site, a new traffic analysis will be conducted in order to better determine the transportation impacts of the proposed development. It is likely that the type of development proposed by the district will have lesser traffic impacts than those determined in the prior development scheme.

In May 2011, the citizens of Bend approved a bond measure for street improvements. Some of the off-site transportation improvements conditioned by the city on the park and ride site will be funded with these bond funds, which will in turn reduce the burden on the property. City staff has suggested that the district propose the future Columbia and Simpson Roundabout, which poses the greatest cost of the conditioned off-site improvements, for inclusion on the Fiscally Constrained CIP "short list" of transportation projects in order to make the project SDC reimbursable. If the district is successful in getting the project included on the transportation short list, it has the potential to greatly reduce the cost of required off-site improvements.

Staff did not discover any issues that are of concern during the due diligence phase of evaluating the park and ride property. Two environmental assessments have been conducted on the site. A Limited Level II assessment was conducted by Century West Engineering in 1994 that found locations of contaminated soil that were a byproduct of the old mill days. The soil was removed and the site reclaimed. The Oregon Department of Environmental Quality (DEQ) evaluated the

site after reclamation and issued a "no further action" letter. A second assessment was conducted in 2006 by Klienfelder and found no further contaminants. Based on the DEQ "no further action" letter and the 2006 Klienfelder report, staff does not believe that further investigation is warranted.

BUDGETARY IMPACT

The district had the property appraised by Bratton Appraisal Group as a part of due diligence. The appraised market value of the property as of November 21, 2011 is \$2,765,000. This value does not include the off-site improvement cost of \$1,300,000. The negotiated price of the property is \$2,500,000.

STAFF RECOMMENDATION

Staff recommends that the board authorize the acquisition of the Mt. Bachelor Park and Ride site for an amount not to exceed \$2,500,000 plus closing costs.

MOTION

I move to authorize the Executive Director to enter into an agreement with Springer Development LLC to acquire the Mt. Bachelor Park and Ride site for an amount not to exceed \$2,500,000 plus any related closing costs.

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: Budget transfer of appropriations

STAFF RESOURCE: Lindsey Lombard, Finance Director
Don Horton, Executive Director

PREVIOUS BOARD ACTION: Adopted Fiscal Year 2011-12 Budget

ACTION PROPOSED: Adopt Resolution No. 339

BACKGROUND

The following transfer of appropriations in the 2011-12 budget is required to provide for an unexpected expenditure at the time the 2011-12 budget was adopted and requires authorization in accordance with ORS 294.480. The State of Oregon Local Budget Law allows a transfer of appropriations by the adoption of a resolution by the board.

The district has an unforeseen opportunity to acquire a parcel of land at a cost beyond what was originally budgeted in the Facility Reserve Fund for land acquisition. As this opportunity was not anticipated at the time the fiscal year 2011-12 budget was adopted, the district must transfer appropriated Operating Contingency from the General Fund to the Capital Outlay of the Facility Reserve Fund, prior to expending the funds. The original adopted budget for the Facility Reserve Fund had \$3,800,979 appropriated in capital outlay. This resolution will transfer \$1,400,000 from the operating contingency of the General Fund to capital outlay of the Facility Reserve Fund. The total adjusted appropriations of the Facility Reserve Fund will be \$5,200,979.

STAFF RECOMMENDATION

Staff recommends the Board adopt Resolution No. 339, approving a transfer of appropriations for the fiscal year 2011-12 budget.

BUDGETARY IMPACT

\$1,400,000 in appropriated Operating Contingency in the General Fund will be transferred to the Capital Outlay appropriation category in the Facility Reserve Fund for the purposes of expending on land acquisition.

MOTION

I move to adopt Resolution No. 339, approving a transfer of appropriations for the fiscal year 2011-12 budget.

ATTACHMENT

Resolution No. 339

BMPRD RESOLUTION NO.339

A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS APPROVING APPROPRIATION ADJUSTMENTS FOR THE FISCAL YEAR 2011-12 BUDGET

WHEREAS, the Bend Metro Park and Recreation District Board of Directors adopted the fiscal year 2011-12 budget and,

NOW THEREFORE, the Board of Directors of the Bend Metro Park and Recreation District does hereby resolve as follows:

The following appropriation adjustments in the 2011-12 budget are required to provide for an unexpected expenditure not anticipated at the time the 2011-12 budget was adopted, are hereby authorized in accordance with ORS 294.450:

General Fund Appropriation Transfer:

	Existing	Changes	Adjusted
Operating Contingency	1,800,000	(1,400,000)	400,000
Transfers Out	<u>4,632,124</u>	<u>1,400,000</u>	<u>6,032,124</u>
Total	\$6,432,124	\$ 0	\$6,432,124

Facility Reserve Fund Resource Transfer:

	Existing	Change	Adjusted
Transfer In	\$3,055,252	\$1,400,000	\$4,555,252

Facility Reserve Fund Appropriation Transfer:

	Existing	Change	Adjusted
Capital Outlay	\$3,800,979	\$1,400,000	\$5,200,979

These appropriation adjustments are necessary to increase expenditures in capital outlay in the Facility Reserve Fund due to an unforeseen opportunity to acquire land at a cost beyond budgeted expectations.

ADOPTED by the Board of Directors on this 20th day of December 2011.

Ted Schoenborn, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE: December 20, 2011

SUBJECT: OUS-Cascades Memorandum of Understanding

STAFF RESOURCE: Don Horton, Executive Director
Neil Bryant, Attorney

ACTION PROPOSED: For Discussion Only

BACKGROUND

On December 20, 2011, the board will consider the purchase of 11.04 acres of land known as the Mt. Bachelor Park and Ride property. In anticipation of the board's deliberation of this land acquisition, OSU-Cascades was approached about the possibility of entering into a partnership for the joint development of the property. OSU-Cascades is in the process of acquiring a building in Shevlin Center and has a long range goal of expanding their campus in this area of town.

The attached memorandum of understanding (MOU) lays the framework for a partnership between the university and the district to share in the development of this parcel. The MOU calls for each agency to share in the cost of funding a master plan to determine how the site would be developed. Once the site plan is agreed upon by both agencies, the MOU is to be revised to account for a more detailed partnership. This MOU will terminate in five years, if a more structured partnership cannot be developed.

STAFF RECOMMENDATION

This is a draft MOU. Staff recommends that the board consider the MOU and to provide direction to staff on its content. Once OSU-Cascades has reviewed and agreed upon the terms of the MOU, staff will bring it back to the board for final consideration.

BUDGETARY IMPACT

The MOU calls for each agency to share in the cost of funding a master plan to determine how the site would be developed. The district's share of funding is \$60,000 and is to be funded in the 2012-13 or later budget.

MOTION

None required at this time.

ATTACHMENTS

Draft MOU between the district and OSU-Cascades

MEMORANDUM OF UNDERSTANDING

DATED: _____, 2011

PARTIES:

Bend Metro Park and Recreation District
799 SW Columbia Street
Bend, Oregon 97702

(“District”)

AND

State of Oregon acting by and through
The State Board of Higher Education on behalf of
Oregon State University - Cascades Campus
Cascades Hall
2600 NW College Way
Bend, Oregon 97701-5998

(“OSU - Cascades”)

(collectively “the Parties”)

RECITALS

- A. WHEREAS, the District is guided in its operations by its adopted *Parks, Recreation and Green Spaces Comprehensive Plan* that calls for the even distribution of park and recreation facilities throughout the district; and
- B. WHEREAS, the District annually budgets the funds for the acquisition of land for the orderly expansion of the District; and
- C. WHEREAS, the Parties encourage coordination and joint ventures between government agencies and private enterprise to acquire and develop spaces that benefit the community and students; and
- D. WHEREAS, the District is in the process of purchasing 11.04 acres formerly known as the Mt. Bachelor Park and Ride (“Property”); and
- E. WHEREAS, the Property is ideally suited for the development of recreation facilities such as swimming, fitness, ice, and event space currently unavailable on the west side of Bend; and
- F. WHEREAS, OSU - Cascades desires to expand its campus in the general vicinity of the building they recently purchased in Shevlin Center; and
- G. WHEREAS, the Parties desire to develop a partnership for the purposes of developing programs and building facilities that can benefit the general public and students and that serves the interests of the Parties; and

- H. WHEREAS, it is in the economic interest of both Parties to avoid duplication of facilities and make efficient use of each jurisdiction's limited financial resources by sharing in the cost of acquisition, planning, design, and development of facilities and infrastructure that meet the strategic goals of each Party; and
- I. WHEREAS, the partnership to jointly develop the site requires the agreement of proportional ownership, and development, responsibility, planning, operational and other management responsibilities that would be acceptable to the both Parties; and
- J. WHEREAS, this Memorandum of Understanding ("MOU") is non-binding but intended to set forth the process and framework for the creation of a long-term partnership for the future acquisition, development and care of the Property to be acquired by the District.

BEND METRO PARK AND RECREATION DISTRICT AND OREGON STATE UNIVERSITY - CASCADES AGREE TO THE FOLLOWING:

1. The District has entered into a purchase and sale agreement to acquire the Property (parcels 181206AA-1600, 181206AA-1603 and 181206AA-1604) and close on the Property by December 30, 2011.
2. Once the Property is acquired, the District will have fee ownership of the property and work in good faith with OSU-Cascades to develop a partnership for shared ownership, joint-use, and development of the Property.
3. The Property is currently a large parking facility and will require a Master Plan to create a vision and lay the framework to guide the evolution of the Property's development. The Parties will work together to develop a Master Plan for the use of the Property, supported by outside consultants with experience in park and school facility planning. Following completion of the Master Plan, the Parties will work together to support the coordinated growth of OSU-Cascades' separate facilities.
4. The Master Plan will include joint-use of facilities when the operational goals of the Parties have a shared vision. The Parties will work closely on the design, construction, funding, and operational plans of the joint-use facilities. It is understood that there may be facilities built upon the Property that do not have a shared vision and, therefore, will be the sole responsibility of the facility owner.
5. The Parties recognize that the OSU-Cascades campus will affect residents of Bend, the surrounding neighborhood, and those students who choose to attend OSU-Cascades. In order to assure a design process that considers the input of these stakeholders, the Parties agree to a public involvement process that affords stakeholders the opportunity to provide input.
6. The Parties agree to equally share in the cost of the Master Plan by contributing \$60,000 each in fiscal year 2012-13 or sooner. A design firm with experience in park and school design will be selected by both Parties and be retained to lead the design and public involvement

process. The Executive Director of the District and the President of OSU-Cascades will jointly develop the process for the involvement of staff and the public.

7. The District agrees to be the fiscal agent during the master planning process.
8. Once the Parties have adopted a joint Master Plan, the Parties will enter into a development agreement with the city of Bend in order to identify conditions of development/off-site requirements. The Parties agree to a per-acre pro rata of off-site improvement costs to be included in the development agreement with the city of Bend.
9. The Parties agree to amend this MOU upon adoption of the Master Plan. The amended MOU will prescribe in detail the shared use strategies and the operational and developmental responsibilities of each Party and the ownership of facilities.
10. This MOU is non-binding. In the event the Parties cannot reach a consensus on a Master Plan or if it is deemed to not be in the best interest of one or both Parties to continue developing a partnership for the development of this site, this MOU shall be of no further effect. Otherwise, this MOU shall remain in effect until the completion of the Master Plan or five (5) years from the date first written above, whichever comes first.
11. This MOU may be extended, amended, or terminated at any time by written consent of both Parties.

DISTRICT:

OSU – CASCADES

By: Don Horton
Its: Executive Director

By:
Its: