



**Bend Park &  
Recreation**  
DISTRICT

## Board of Directors

Board Meeting Minutes – June 7, 2016

### BOARD PRESENT

Craig Chenoweth, Chair  
Ted Schoenborn, Vice Chair  
Brady Fuller  
Nathan Hovekamp  
Ellen Grover

### STAFF PRESENT

Don Horton, Executive Director  
Vanessa DeMoe, Assistant to the Executive Director  
Lindsey Lombard, Administrative Services Director  
Michelle Healy, Planning & Park Services Director  
Matt Mercer, Director of Recreation  
Julie Brown, Communications & Community Relations Manager  
Chelsea Snyder, Landscape Architect  
Mike Duarte, Park Services Manager  
Jeff Amaral, Natural Resources Manager  
Jeff Hagler, Park Stewardship Manager  
Colleen McNally, Marketing Manager  
Kim Johnson, Volunteer Coordinator & BPRD Foundation  
Dave Crowther, Business Manager

Media: Scott Hammers, The Bulletin

Legal Counsel: Neil Bryant



**5:30 p.m. CONVENE MEETING**

### STAFF INTRODUCTIONS

- ◆ Jeff Amaral, Natural Resources Manager
- ◆ Julie Brown, Communications & Community Relations Manager

### WORK SESSION

1. Water Conservation Planning – *Chelsea Schneider and Mike Duarte*

Mr. Duarte and Ms. Schneider shared a presentation with the Board on the District's water conservation efforts and anticipated steps moving forward.

Mr. Duarte introduced the topic by informing the Board on District specific details on water management such as number of managed sites, acres of irrigated turf and landscape and number of pump stations and weather stations. He covered staff training, water

management systems and tasks, and shared information on cultural practices and partnerships.

Ms. Schneider discussed the water conservation initiative. She said a staff workshop had been held to look at what BPRD can do to reduce non-facility water use in the future. The workshop was followed by a technical advisory committee that consisted of representatives from the city, county, school district as well as landscape architects and contractors. The committee was brought together to get a broad understanding of what tools are out there, what the District can do better and the things we are doing well. Ms. Schneider shared that over 120 distinct ideas came out of the two brainstorming sessions. She shared highlights from the list of ideas and the anticipated next steps.

## 2. Neighborhood Park Property Acquisition – *Don Horton*

Executive Director Horton noted a correction to the Board agenda communication, stating that the property being discussed was in service area 23, not 15 as written.

Executive Director Horton shared information on the park property acquisition that was in the Consent Agenda for the Board to authorize the Executive Director to negotiate and execute a Purchase and Sale Agreement with Litchfield Revocable Trust for the acquisition of 1.5 acres of land located at 21260 Bear Creek Road. He shared that the family had approached the District about the property and that the location is well suited to serve the northern portion of service area 23, which is currently underserved. The Board and staff briefly discussed water rights and right-of-way concerns.

## **7:00 p.m. REGULAR MEETING**

### **VISITORS**

Ross Wordhouse – Mr. Wordhouse gave public comment on skate parks and specifically addressed Hillside Park. He asked the Board to reconsider taking the skate park off of the plan for Hillside Park.

Justin Rae, President of BPTA – Mr. Rae gave public comment on Mirror Pond and in opposition to the MOU that was being considered by the Board. He asked that the motion be denied, and the previously passed motion considering this topic guide future BPRD staff actions.

Susan Whitney – Ms. Whitney gave public comment in support of saving Troy Field.

Gordon Kling – Mr. Kling gave public comment in support of saving Troy Field.

Dale Allen – Mr. Allen gave public comment on Mirror Pond and encouraged the Board to keep on track.

Dan Fishkin – Mr. Fishkin gave public comment in support of the current proposal for Mirror Pond.

Dan Fishkin – Mr. Fishkin gave public comment on the success of the first season at The Pavilion. He recommended that the screening be continued through the entire pavilion for the quality of the ice.

Michael Kerkmann – Mr. Kerkmann gave public comment regarding skate parks and encouraged the District to invite skaters to collaborative more on design.

Tim Armstead – Mr. Armstead gave public comment on Hillside Park and said he was curious to hear what is planned. Executive Director Horton replied that staff is currently working through issues that were heard at the public meetings in addition to what had been heard tonight. He added that staff is already coordinating with the skate community and that it will not be about Hillside only, it will address skating in Bend in general.

Matt Armstead – Mr. Armstead gave public comment regarding the need for a skate park on the west side of Bend.

Robin Vora – Mr. Vora gave public comment on Mirror Pond and Troy Field. He urged the Board to be careful of long term financial commitment regarding Mirror Pond. He urged the Board to work with the city, school board and local groups on acquisition of Troy Field.

Mike Marshall – Mr. Marshall gave public comment on the Bend Whitewater Park. He shared concerns regarding garbage, safety and communication.

Nunzie Gould – Ms. Gould gave public comment urging the Board to be mindful of the impacts of what they are doing as we plan for a growing community. She also asked if SDCs are used in the same service area in which they are collected. Executive Director Horton replied that SDCs are collected throughout the community and do not have to be used in individual service areas.

Craig Lacy – Mr. Lacy gave public comment on Mirror Pond, specifically on the decommissioning of the dam by PacifiCorp.

David Paulson – Mr. Paulson gave public comment regarding his concerns that the Board should be keeping the public in the loop. He said there needs to be more transparency on what is going on.

Scott Wallace – Mr. Wallace gave public comment on the success of inaugural season of The Pavilion. He asked staff to consider extending the ice season in to the spring and asked the Board to provide direction on sponsorships.

Neal Cohen – Mr. Cohen gave public comment encouraging the Board to keep moving forward with the Mirror Pond project.

Tim Jones – Mr. Jones gave public comment on skate parks, the skateboarding community and needs for the different user groups within the skateboarding community. Specifically, he said that the skate park at Hillside is a need for the neighborhood, it is a specific user group and the neighborhood asked for it.

Jayson Bowerman – Mr. Bowerman gave public comment on Mirror Pond. He asked the Board to carefully consider the option before them and to be sure it is a publicly transparent process.

## **CONSENT AGENDA**

1. Board Meeting Minutes – 4/5/2016 & 4/19/16
2. Neighborhood Park Property Acquisition
3. Tree Farm Annexation

***Director Schoenborn made a motion to approve the consent agenda. Director Grover seconded. The motion passed unanimously, 5-0. Director Fuller abstained from the vote on the 4/19/16 Board meeting minutes due to his absence.***

## **BUSINESS SESSION**

1. Amendment to Hamilton Contract for Bend Whitewater Park – *Brian Hudspeth*

Mr. Hudspeth provided background on the contract with Hamilton Construction for the construction of the Bend Whitewater Park. He explained that the amendment was due to a delay in work because of conditions that were not anticipated and additional work requested by the District. He stated that staff was recommending approval of Hamilton Construction Company's change order request in the amount of \$151,662, and adjusting the total value of the contract from \$7,719,807 to \$7,881,470. This amendment includes funds to cover the change order as well as an additional \$10,000 in contingency to cover costs for Hamilton to supply and place sandbags in the whitewater channel to alleviate a potential safety concern.

***Director Fuller made a motion to authorize the Executive Director to amend the contract with Hamilton Construction Company for the construction of the Bend White Water Park for an additional \$151,662, plus \$10,000 in contingency, for a new total construction contract not to exceed \$7,881,470. Director Grover seconded. The motion passed unanimously, 5-0.***

2. Next Steps for Mirror Pond – *Don Horton & Neil Bryant and Todd Taylor* 2:09:10

Executive Director Horton provided a brief introduction and shared that Neal Bryant would be presenting on the MOU itself. He said that Mr. Bryant worked with the District, Mirror Pond Solutions LLC and the City of Bend to draft the MOU. Executive Director Horton clarified that the community vision for Mirror Pond had not been changed. What was adopted by the Board by resolution in March of 2015 is still the vision that we are moving forward with; what we have now is a strategy on how we move forward to address the elements within the community vision.

Neil Bryant, legal counsel for the District, shared background on dredging of the pond, the formation of the ad hoc committee and the community vision, and the dam. He explained that we now have the MOU that moves the process forward and gives an opportunity, with many contingencies, to see what can develop. He highlighted a few important aspects of the MOU and confirmed that it was a non-binding document.

Todd Taylor, partner with Bill Smith in Mirror Pond Solutions, stated that the intent of MP Solutions is to preserve the pond. He spoke to what work had already been done, the silt,

how the pond had been used in the past and clarified the relationship with PacifiCorp. Mr. Taylor said that the MOU is a working document that allows us to move forward. He said the intent is to sign the MOU and work in good faith and transparency. Mr. Taylor reiterated that they have not changed direction nor do they intend to.

***Director Fuller made a motion to authorize the Executive Director to negotiate and execute a Memorandum of Understanding with Mirror Pond Solutions, LLC for the creation of a partnership to address the future of Mirror Pond. Director Schoenborn seconded.***

*Director Hovekamp stated that there was a temptation on his part to not support the motion because there is a significant portion of the community that has a lot of trepidation about this, to represent that constituency with a no vote would not be inappropriate. However, he said he was not going to do that, he was going to support the motion because of the discussion that had taken place and he thinks it is an appropriate step to take. He reiterated that he wanted to acknowledge there is a lot of trepidation and remaining concern; and we need to keep having public check in points.*

***The motion passed unanimously, 5-0.***

***Director Schoenborn made a motion to authorize the Executive Director to issue a request for proposals for the preliminary design and engineering of the river bank and associated trails along Mirror Pond through Drake Park and Pacific Park, for the purposes of mitigating safety, environmental and maintenance issues. Director Grover seconded. The motion passed unanimously, 5-0.***

The agenda report and MOU is located at:

[http://bendparksandrec.org/about\\_us/board\\_meetings/](http://bendparksandrec.org/about_us/board_meetings/)

3. Adopt Resolution No. 387 – Assessment and Collection of System Development Charges for Multi-Family Dwellings – *Lindsey Lombard*

***Director Grover made a motion to adopt Resolution No. 387, relating to the assessment and collection of System Development Charges for multi-family dwellings. Director Fuller seconded. The motion passed unanimously, 5-0.***

4. Approve Intergovernmental Agreement with City for collection of System Development Charges– *Lindsey Lombard*

***Director Schoenborn made a motion to approve the new IGA with the City regarding SDC collections, and authorize the Executive Director to amend the agreement to address administrative and operational issues. Director Fuller seconded. The motion passed unanimously, 5-0.***

5. Adopt Resolution No. 388 - SDC fee schedule annual adjustment – *Lindsey Lombard*

***Director Hovekamp made a motion to adopt Resolution No. 388, setting the District's System Development Charge fee schedule contained therein effective July 1, 2016. Director Grover seconded. The motion passed unanimously, 5-0.***

6. Adopt Resolution No. 389 – Approving an Appropriation Adjustment for Fiscal Year 2015-16 – *Lindsey Lombard*

***Director Fuller made a motion to adopt Resolution No. 389, approving an Appropriation Adjustment for the Fiscal Year 2015-16 Budget. Director Grover seconded. The Motion passed unanimously, 5-0.***

7. Adopt Resolution No. 390 – Adopting Budget Fiscal Year 2016-17 – *Lindsey Lombard*

***Motion #1: Director Hovekamp made a motion to adopt Resolution No. 390, adopting the budget and making appropriations for fiscal year 2016-17. Director Schoenborn seconded. The motion passed unanimously, 5-0.***

8. Adopt Resolution No. 391 - Imposing and Categorizing Taxes – *Lindsey Lombard*

***Motion #2: Director Schoenborn made a motion to adopt Resolution No. 391, imposing and categorizing taxes for fiscal year 2016-17. Director Fuller seconded. The motion passed unanimously, 5-0.***

9. Adopt Resolution No. 392 – Adopting the Capital Improvement Plan (CIP) Fiscal Years 2017-2021 – *Michelle Healy*

***Director Grover made a motion to adopt Resolution No. 392, adopting the Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2017 - 2021. Director Schoenborn seconded. The motion passed unanimously, 5-0.***

## **STAFF REPORTS**

Staff Reports were provided to the Board as information only. There was no formal discussion or presentation.

## **EXECUTIVE DIRECTOR'S REPORT**

- Shared Future Coalition, Bend River Project
  - Study consumption of alcohol on the river
- Troy Field
  - Invitation from Bend-La Pine Schools' Board of Directors
  - June 9, 12:00 p.m., Education Center 520 NW Wall Street
  - Attending : Don, Craig, Nathan
- NRPA October 4<sup>th</sup> – 8<sup>th</sup> , St Louis, Missouri
- BWWP Update

People that are using the passage channel are unprepared because of equipment they are using. A lot of criticism centers around the way we have used the term safe passage, the reason we stopped using the term safe is that we learned that people's perception of what safe is, is very different. Safe does not mean there is no risk, we know we have risk, we also know there are probably some adjustments that need to be made. The engineering team will be on site next week. We are listening to feedback from the public and are working on an education campaign to help get the word out.

- Discovery Park – Swimmers itch has been reported in the lake. Cercarial dermatitis, or swimmers itch, does not require medical treatment but can be uncomfortable. There is no way to test for it, however we are working with Deschutes County on how we post signage and notify the public.
- Environmental Center – We have an opportunity to learn about our carbon footprint through a project with the center. We will be working with them on how we measure and what things we can do to reduce our footprint.

**BOARD MEETINGS CALENDAR REVIEW**

**GOOD OF THE ORDER**

Director Fuller – BWWP

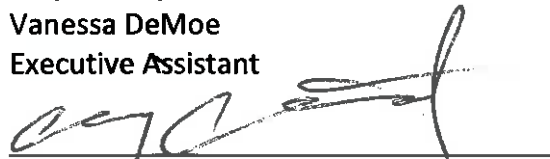
Director Fuller stated that he had read the bond measure and concluded that a reasonable person would have assumed that the typical floats would be suitable for the passage channel. Would like to consider looking back through the design documentation and confirm what we told the engineering team and what they committed to. For us to say you have the wrong equipment may be perceived as us changing our position after the fact, whether we are or not.

Director Fuller – Lead testing

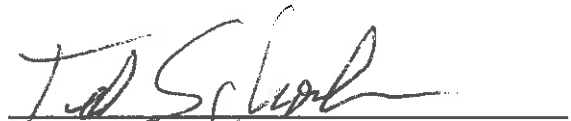
Director Fuller asked if we will consider testing for lead in our water; can we partner with school district to provide the same level of assurance in our facilities. Don replied that we will contact the school district and see about partnering on testing.

**ADJOURN: 10:06 p.m.**

Prepared by,  
Vanessa DeMoe  
Executive Assistant



Craig Chenoweth, Chair



Ted Schoenborn, Vice-Chair



Brady Fuller



Nathan Hovekamp



Ellen Grover

