



Board of Directors

**Bend Park &
Recreation**
DISTRICT

Board Meeting Minutes – November 15, 2016

BOARD PRESENT

Ted Schoenborn, Chair
Nathan Hovekamp, Vice-Chair
Craig Chenoweth
Brady Fuller
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
Julie Brown, Communications & Community Relations Manager
Jeff Hagler, Park Stewardship Manager
Matt Mercer, Director of Recreation
Jim Figurski, Landscape Architect
Brian Hudspeth, Development Manager
Ian Isaacson, Landscape Designer
Chelsea Schneider, Landscape Architect
Jason Powell, Construction Supervisor

WORK SESSION

1. CIP 1st Quarter Review & Financial update on Fiscal Year 2015-16 – *Michelle Healy & Lindsey Lombard*

Ms. Lombard and Ms. Healy shared the first-quarter review of the current CIP projects with the Board. The review included potential impacts to the overall CIP. They briefly shared updates and discussed projects with significant changes. Specific project information shared included:

- current status;
- current timeline;
- current cost estimate;
- any significant changes in scope; and
- overall financial impact to each funding source allocation over the five-year period of the CIP.

2. Recreational Immunity Discussion – *Don Horton*

Executive Director Horton shared that he and Chair Schoenborn had traveled to Washington DC for the past eight years to talk to legislatures about the National Recreation and Park Association (NRPA) platform. He also provided background on his involvement with the Oregon Recreation and Park Association (ORPA) Legislative Committee, including chairing the committee for the past several years. He said ORPA's top priority this year is recreational immunity.

Executive Director Horton shared three documents with the Board; the draft language for a recreational immunity bill, an informational flyer from Special Districts Insurance Services (SDIS), and a draft informational sheet on restoring recreational immunity. He stated that he had not previously come to the Board asking for political endorsements; however he believed this was important enough to do so. He shared background on the initial Recreational Immunity Act and recent Oregon Supreme Court ruling that

affected how the bill was interpreted. He explained that a recent ruling had determined that the act protects an agency but does not extend protection to employees. The new draft of the bill would extend protection to employees. Executive Director Horton said that he was asking for Board support and endorsement of ORPA's efforts to continue to champion the bill and take a leadership role in getting it approved. He explained that Board support and endorsement would authorize him to speak more openly about why it is important to move it forward.

The Board briefly discussed scenarios that would or would not be covered under the bill and confirmed that the same protection goes to Board members. The Board suggested providing FAQ's for the Board to better understand the messaging and the scope of advocacy that will be provided. The Board also requested a resolution be drafted for their consideration to formalize their support.

EXECUTIVE DIRECTORS REPORT

Sawyer Fire Update

There was no real damage to the park. An arrest was made and the fire is under investigation.

Cascade School of Music meeting

The lease was extended for two more years, the extension begins next August. At a recent meeting he shared with the school that they should not plan on the lease being extended again and that they need to move forward to find another facility. They are not alone in trying to find a permanent location with other nonprofits in town. The District agreed to host a meeting for nonprofits that are in need of space to work together to find a solution.

Mirror Pond Update

The consultant has been asked to modify the scope and be more specific, a copy will be shared when provided. Work will not start until after the first of the year.

ORPA

ORPA's annual conference was last week in Eugene. Many staff attended as well as Director Schoenborn and Director Fuller. Bill Smith and Executive Director Horton received awards. The award videos will be shared at the next Board meeting.

OPRD Scenic Waterway Rulemaking

OPRD has hired Central Oregon Solutions to run a process to take a look at the existing conditions, interview public agencies that have regulatory authority and talk to neighboring land owners to compile a report to provide to the Director at OPRD to help her in the decision of whether or not to open up the rules. The neighbors felt this was a public process and requested to attend all of the meetings. In response to that request, the process has been changed to allow the neighboring property owner association presidents to attend and bring 3-4 people with them to be part of the committee. He said his concern is that our project will be dead in the water if that is the process they use. The people that they are inviting to be a part of this group so far are those that are advocating not having a bridge, not those that advocate that continuation of the DRT is important for our community. Executive Director Horton said that Steve Jorgensen will reach out to Central Oregon Solutions to help us understand the process better.

VISITORS

None

6:50 p.m. BREAK/TRANSITION

7:00 p.m. REGULAR MEETING

VISITORS

None

CONSENT AGENDA

1. Meeting Minutes - 11/1/16

Director Fuller made a motion to approve the Consent Agenda. Director Grover seconded. The motion passed unanimously, 4-0.

BUSINESS SESSION

1. Award construction contract for Eagle Park – *Ian Isaacson & Jason Powell*

Mr. Powell provided background on the neighborhood park and bid process. He said that six bids had been received, the lowest bid from Mountain Sky Landscaping Inc. Mr. Isaacson shared details of the main park features:

- the southern half of the site will remain native
- the playground will be located in the north east corner
- the rest of the norther half will be lawn area
- an existing outcropping in the middle of lawn area will be avoided and enhanced
- at the top of ridge in the middle of site, above the playground, will be three covered picnic tables
- further down the path to west will be three additional picnic tables

Mr. Powell stated that staff recommended the Board award a construction contract to the lowest bidder, Mountain Sky Landscaping Inc., with a base bid amount of \$719,273.92, and alternates #1 and #2, for a total amount of \$794,654.92. Staff further recommended the Board approve a 10% contingency of \$79,465 for a total construction budget not to exceed \$874,119.92.

Director Hovekamp made a motion to authorize the Executive Director to award a construction contract to the lowest and best bidder, Mountain Sky Landscaping Inc., for construction of Eagle Park with a base bid amount of \$719,273.92 and alternates #1 and #2, for a total amount of \$794,654.92; and approve an additional 10% construction contingency of \$79,465, for a total construction budget not to exceed \$874,119.92. Director Fuller seconded. The motion passed unanimously, 4-0.

2. Bend Whitewater Park Winter Work – *Brian Hudspeth*

Mr. Hudspeth shared a letter with the Board received from BPTA in support of the project. He updated the Board on work that had been done since the last update; including background on the engineering and design work and permitting. At the last update, provided at the August 25, 2016 Board meeting, staff shared the design matrix that was prepared with members of the Engineering team, District staff and Bend Paddle Trail Alliance (BPTA) that explained proposed improvement to the Bend Whitewater Park to address design deficiencies and safety concerns. The matrix was the basis for engineering design for work planned over the winter. Mr. Hudspeth discussed the summary of work to be performed (provided in the Board Report) and briefly covered each area of work; the whitewater channel, safe passage channel and upstream river.

[Director Hovekamp left the meeting at 7:57 p.m.]

Mr. Hudspeth explained that this is a change order to the original construction contract under the same terms and commitments. It is not an amendment as it will not alter the terms of the contract; it will only alter the scope and cost of the contract. The change order will be in the amount of 674,050.00. Additionally, staff is asking for a 5% contingency and an additional \$6,000 for miscellaneous items such as signs and permitting.

Mr. Hudspeth said Hamilton Construction is motivated to get the work done and the original construction contract terms remain. They expect to go to work the first of December if permitting is done and hope to complete work in 3.5 months.

The Board and staff discussed BPTA involvement. Mr. Hudspeth said that a meeting is scheduled to discuss protocols for their involvement and staff had talked to Hamilton about any concerns. The District already has an MOU with them and an agreement can be drafted to clarify involvement protocols.

Director Fuller made a motion to authorize the Executive Director to approve a change order to the contract with Hamilton Construction Company for the construction of the Bend White Water Park for an additional \$674,050, plus \$33,702 in contingency, for a new total contract not to exceed \$8,547,209, and increase the funding allocation with an additional \$6,000 for a total funding allocation of \$10,395,737. Director Grover seconded. The motion passed unanimously, 3-0.

3. Award construction contract for Hillside Park – *Jason Powell and Jim Figurski*

Mr. Powell and Mr. Figurski reviewed the park master plan and the primary value engineered items for the Hillside Park contract. They said that the most significant item was lowering the overall height of the equipment; by reducing the height it reduced the cost of the ground cover. They shared the updated site plan with the value engineered items.

Director Grover made a motion to authorize the Executive Director to award a construction contract to the lowest and best bidder, Deschutes Construction Corporation, for the Hillside Park Project that includes the base bid and alternate #1 in the amount of \$1,100,580, and to approve a construction contingency of \$110,058, for a total project budget not to exceed \$1,210,638. Director Fuller seconded. The motion passed unanimously, 3-0.

4. Pioneer Park ADA project – *Chelsea Schneider*

Ms. Schneider stated that this is an ADA project, but with any project as you get into it you discover other needs. She said that the primary purpose of the project will be to get into the park and do renovations to the existing restroom and exploring converting it to universal style. She said the needs of the park included: upgrades for safety and maintainability, stewardship concerns, parking and circulation challenges and storm water issues. Ms. Schneider briefly discussed each of the needs and shared other ideas and potential opportunities being explored as part of the project.

Director Fuller made a motion to approve the Pioneer Park Master Plan and direct staff to proceed with design development, construction documents, permitting and bidding for Phase One elements. Director Grover seconded. The motion passed unanimously, 3-0.

EXECUTIVE DIRECTOR'S REPORT - The Executive Directors report was provided earlier in the agenda.

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

ADJOURN 8:55 pm

EXECUTIVE SESSION - The Board did not meet in Executive Session.

Prepared by,
Vanessa Steele
Executive Assistant



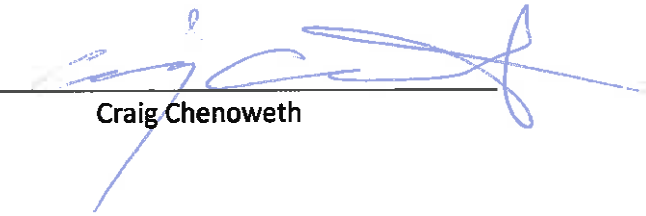
Ted Schoenborn, Chair



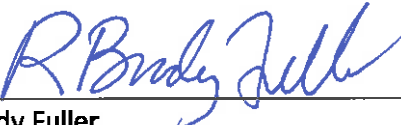
Nathan Hovekamp, Vice-Chair



Ellen Grover



Craig Chenoweth



Brady Fuller

