

**Bend Metro Park & Recreation District
Board of Directors
Work Session, Executive Session & Regular Meeting
Minutes
January 21, 2014**

BOARD PRESENT: Scott Wallace, Dan Fishkin, Scott Asla, Ted Schoenborn and Craig Chenoweth.

STAFF PRESENT: Don Horton, Michelle Healy, Lindsey Lombard, Theresa Albert, Jan Taylor, Matt Mercer, Pat Erwert, Sue Boettner, Jim Figurski, Steve Jorgensen, Kevin Collier, Russ Holliday, Dave Crowther, Norm Ziesmer and Paula Lowery

LEGAL COUNSEL: Paul Taylor.

MEDIA: Hilary Borrud, The Bulletin.

VISITORS: Keith Scott, R. J. Johnson, Doug White, Louise Hawker and Chuck Arnold.

WORK SESSION

Chair Scott Wallace convened the work session at 12:15 pm.

2013 Athletic Field Utilization Report

Matt Mercer explained the Athletic Field Utilization Report measures the district's capacity in the utilization of sports fields and provided as background information for upcoming board discussions regarding the scope of work at the Pine Nursery and other sport field potential development and renovation needs. Matt stated that Kevin Collier manages the scheduling of the sports fields and tracks the use statistics that inform this report. He added that the report demonstrates that our utilization of sports fields numbers are fairly low in terms of the overall utilization of what is available, where we are at capacity, and what groups the board might hear from who feel the district needs more sports fields. He explained that while the report indicates there is a lot of capacity, there are peak times where we can't accommodate users' requests. Russ Holliday shared the assumptions applied in collecting data for the report. He stressed the tracking process is not scientific. He explained how the use is tracked by reasonable use hours, peak and non-peak hours and user groups including the school district and park district programs. Matt noted that while we have the most capacity during the summer, we have the least demand as during spring and fall the fields are affected by the sport seasons not only for the district, but other community users as well. He added the field capacity increased significantly with the opening of the fields at the Pine Nursery in 2010, and shared graphs that demonstrated usage of sports fields including multi-purpose fields by all user groups. Matt cited the guidelines set in the 2005 Comprehensive Plan update and board recommendation that optimum field space for district programs be set at 60% and 40% for other users. He explained the recommendation determined if the district programs require or exceed 60% of field space, additional consideration should be given to developing additional athletic fields. He stated that based on this report, the district is using 30% of all available hours and 33% of the peak hours which is substantially under the 60% threshold. Don Horton explained that at the time the benchmark was set, the board did not feel it was the district's responsibility to accommodate all field needs for the community, and the 60% was based on the district's program field use needs. Matt shared and reviewed information regarding the needs, unmet needs analysis from 2004, 2008 and 2011 data. He stated that based on this analysis we are exceeding our standards in terms of met needs, and nearly meeting our highest need facilities. The board and staff conducted a lengthy discussion regarding how to optimize sports field use including adding lights to existing fields. Dan Fishkin suggested looking at a way to incentivize users toward scheduling practices during non-

peak hours. The board and staff also discussed the community culture in terms of acceptable hours for practice, and the impact of weather during the spring and fall. Scott Asla urged the board and staff to continue to move forward with field development at the Pine Nursery to ensure that the district does not get into a position of being behind in addressing the need for sports fields.

Indoor Recreation Facilities & Senior Center Master Plan

Matt Mercer explained the information to be presented is to aid the board in its discussion regarding the proposed expansion of the senior center and indoor recreation facility prioritization. He reviewed information regarding service area of existing and future indoor recreation facilities, programming focus, needs/unmet needs analysis and population demographics. He reviewed programs and services currently provided at Juniper and the senior center and addressed the populations served by the two facilities along with preliminary demographic projections an indoor recreation facility at Simpson would serve. Matt presented the Senior Center Master Plan and reviewed recent changes to refine the plan in consideration of alternate phasing strategies. He presented three options for board consideration along with information regarding funding alternatives. The board and staff discussed the proposed options: complete Phase 1 in the next fiscal year and construct Phase 2 when funding and future priorities allow; complete the entire project within five years; and do nothing at this time. Matt identified funding for each of the options including current funds available in the Facility Reserve Fund to complete Phase 1 in fiscal year 2014-15, and borrowing approximately \$10 million to complete the entire project within five years. He also provided information comparing anticipated facility subsidy and cost recovery for the senior center and an indoor recreation facility at the Simpson site. Matt shared and reviewed the conceptual design created in 2004 for a community recreation center and stated that it is probably a reasonable assumption for what a recreation facility at the Simpson site could offer today. He stated there are many unknowns in estimating the cost for a recreation center and staff has estimated a range of \$25 - \$35 million. Don Horton stated he would not recommend a facility at the Simpson site at this time, as he does not feel there is adequate population to support it. He added such a facility would take business away from the private sector and create a situation where we would be in competition with ourselves. He recommended designing the entire senior center expansion eliminating a phasing plan. He suggested this approach would allow the district to save money for the project and reduce the amount to be borrowed. Scott Wallace stated he would be in favor of postponing the facility for the Simpson site to be able to include other groups and organizations in the design and development. Dan Fishkin stated we don't have the money to build a recreation center of this size and it would not be prudent for us to talk about moving forward in consideration of all of the variables, plus what we already have planned in terms of the bond projects. He stated the discussion comes down to how we proceed with the senior center project. Don stated we don't have the capacity to borrow the money for the Simpson site, and we do have the capacity to borrow for the senior center project. Scott Asla stated the senior center serves a different population and we need to allow time for the student population to grow. He stated the demographics demonstrate that our 55+ population is exploding and we can serve a large segment of the community quickly if we complete the design and establish a position to borrow when it is appropriate. Don stated he is concerned with staff capacity and did not feel we should get into construction until some of the bond projects have been completed. Craig Chenoweth noted the difference in costs to subsidize the facilities and stated that with the costs of borrowing it all adds up over time and that could raise questions with the public. Ted Schoenborn stated it is clear to him that planning the entire project and completing the construction within a five-year period is the most cost effective and useful programmatically, and makes the most sense from a community service point of view as well. Dan stated he is not comfortable with borrowing until we can deliver on the bond projects. The board and staff discussed the timeframe for completing the expansion project and reached consensus to design the full project, keep the project on the 5-Year CIP, and save money to reduce the amount of borrowing.

The work session was concluded at 3:30 pm.

REGULAR MEETING

Chair Scott Wallace called the regular meeting to order at 3:43 pm.

VISITORS

Keith Scott addressed the board regarding the senior center expansion project. He urged the board to proceed as quickly as possible and stated he would be in favor of a bond measure, if needed, to fund the project.

Chuck Arnold, Executive Director, Downtown Business Association, addressed the board regarding the planting of a new tree at Drake Park for the community holiday tree lighting event. He stated the tree is a beautiful new addition to downtown and thanked the board and staff for assistance with this project.

CONSENT AGENDA

Minutes: December 17, 2013, Work Session & Regular Meeting

Approve Business Activity in Parks Policy

Ted Schoenborn moved to approve the consent agenda. Scott Asla seconded the motion. Scott Wallace, Dan Fishkin, Scott Asla, Ted Schoenborn and Craig Chenoweth voted aye. Motion passed.

Contract Review Board

Chair Scott Wallace recessed the regular meeting at 3:50 pm, and convened the Contract Review Board to consider authorization of staff to pursue a Construction Manager/General Contractor (CM/GC) method of contracting for the Simpson Pavilion project.

Dave Crowther explained the process to conduct a Construction Manager/General Contractor (CM/GC) method of contracting for the Simpson Pavilion project. He stated the board is being asked to allow the executive director to advertise a public hearing to receive public comment and consider findings of fact in support of exempting the construction of the Simpson Pavilion project from public bidding through the use of a CM/GC process. Jim Figurski explained the difference between a traditional design, bid, build process and the CM/GC process. He stated the CM/GC process allows for advertising for a contractor, setting minimum qualifications, and evaluation of the contractor without the price entering into the process. He stated the contractor is asked to agree to a guaranteed maximum price for the project. He added that having a contractor on board following the schematic design process and as we proceed into construction and design documents allows them to be part of the design team, find efficiencies and take on a cost-estimating role. He stated it allows the contractor to engage in a dialogue about the construction documents eliminating ambiguities. Dan Fishkin asked how the guaranteed maximum price is agreed upon. Jim explained that is set upfront based on the project budget and our expectations of what the price should be. Scott Wallace noted this is the same process selected for the Colorado Dam project and was also used in the construction of the district office building. Dan Fishkin moved to direct the executive director to advertise a public hearing pursuant to ORS 279A & C to hear public testimony, consider findings of fact and conclusion of law to support exempting the construction of the Simpson Pavilion project from competitive bidding, through the use of the CM/GC process. Ted Schoenborn seconded the motion. Scott Wallace, Dan Fishkin, Scott Asla, Ted Schoenborn and Craig Chenoweth voted aye. Motion passed.

The meeting of the Contract Review Board was adjourned at 4:05 pm.

REGULAR MEETING

Chair Scott Wallace reconvened the regular meeting at 4:05 pm.

BUSINESS SESSION

Financial Statement Audit

Candy Fronk and Michelle Rich, Harrigan, Price Fronk and Co. LLP presented the Fiscal Year 2012-13 Audited Financial Report. Candy reported the district has received a clean audit opinion and briefly reviewed items such as the addition of a bond fund, the district's system of checks and balances; increased fund balances; and General Fund carryover. She explained their review of payroll and accounts payable records, and stated the district does a very good job of segregating accounting duties and has a strong system of checks and balances in place. Scott Asla moved to accept the 2012-13 Audited Financial Report. Dan Fishkin seconded the motion. Scott Wallace, Dan Fishkin, Scott Asla, Ted Schoenborn and Craig Chenoweth voted aye. Motion passed.

Deschutes River Trail Project

Steve Jorgensen provided background information on the Deschutes River Trail concept identified in the 2012 bond measure. He explained that following the passage of the bond staff refined the scope of work for the bond funded trail segments for inclusion in a contract for engineering and design services. He conducted a PowerPoint presentation identifying the various segments of the Deschutes River Trail and associated design elements of the contract presented for board consideration of approval. He noted information regarding the RFP process provided in the board report resulting in the selection of HDR as the most qualified team to perform the engineering and design services for the project. He also referred to a map provided in the board report that identifies those projects that are included in contract. Steve explained the fee for add alternate items related to environmental assessment included in the contract and stated the price will be set by the contract and not subject to renegotiation. Steve stated that the goal is to have the design projects completed in approximately 18 months and as these designs are completed we will move into the land use process to be followed by construction. Dan Fishkin asked what the \$13,000 in miscellaneous fees covers. Steve explained the fee addresses labor escalation over multiple years. Scott Wallace asked what amount the contract negotiations started at. Steve stated the negotiations started at \$900,000. He explained some components were taken out of the contract that staff determined could be done in-house, and it was decided the environmental work could be less. Scott Wallace clarified the contract does not include construction management. Steve stated that will be negotiated later and is not included in this contract. The board and staff discussed the advantages of the combined contract and the ability of the consultant to move the projects through the land use process quickly. Craig Chenoweth moved to authorize the Executive Director to execute a contract with HDR for the Deschutes River Trail Project in the amount of \$300,568 with add alternate items in the amount of \$127,315 and to approve a total budget (for consultant services) not to exceed \$470,672. Ted Schoenborn seconded the motion. Scott Wallace, Dan Fishkin, Scott Asla, Ted Schoenborn and Craig Chenoweth voted aye. Motion passed.

EXECUTIVE DIRECTOR'S REPORT

Don Horton reported that in light of recent staff discussions regarding the public process for Riley Ranch and Shevlin Park it was determined a citizen's committee is needed to assist with those projects in addition to the usual public outreach. He stated he has asked Jim Figurski to create a scope for citizen's committee to include neighborhood association representation and citizens at large along with technical expertise and representatives of local non-profit organizations. He stated a list of potential committee members will be presented to the board for consideration. He added the usual public outreach process has begun with the stakeholders.

Don Horton shared a letter from Mike Hollern proposing renaming the South Canyon Bridge to Conley Brooks Bridge. He noted that the process usually involves convening the Park Naming Committee however, if the board is comfortable with considering the proposal in lieu of that process, it would be

appropriate to do so. The board directed Don to move forward with renaming the South Canyon Bridge through board consideration of approval at the February 4 meeting.

Don Horton reported the Budget Committee applications will be provided during the February 4 work session.

GOOD OF THE ORDER

Dan Fishkin noted a reference to a partnership of the district with Bend Ice in a Cascade Business News article regarding the Simpson Pavilion. He asked that the district refrain from using the term partnership in association with any of the bond measure projects. He stated for the good of the order we are not partners with anybody.

Scott Asla reported that he had stopped by the skatepark on Saturday and Sunday. He stated there were probably 150+ kids at the park and it was great to see the activity extend to the skate path. Scott Wallace asked if a grand opening has been scheduled. Don Horton stated that while the skatepark is open the irrigation and landscaping needs to be completed. Scott Wallace stated that he felt it would be appropriate to do a grand opening and recognize the efforts of the skate community to make this happen. Ted Schoenborn stated such an event might be helpful in re-energizing PUSH toward helping the district in terms of developing other sites.

As there was no further business the meeting was adjourned at 5:16 pm.

EXECUTIVE SESSION

Chair Scott Wallace convened an executive session at 5:28 pm pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions and ORS 192.660(2)(h) for the purpose of consulting with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. The executive session was concluded at 5:35 pm.

Prepared by,

Paula Lowery
Executive Assistant

Scott Wallace, Chair

Dan Fishkin, Vice-Chair

Ted Schoenborn

Scott Asla

Craig Chenoweth