



Board of Directors

Agenda & Reports

June 3, 2014

CONSENT AGENDA

1. Minutes: April 15, 2014, Work Session & Regular Meeting
2. Property acceptance at Ponderosa Park

BUSINESS SESSION

1. Resolution No. 363 – Appropriations Adjustment
2. Resolution No. 364 – Abolish Recreation Services Fund
3. Resolution No. 365 – 10-year review of Facility and Equipment Reserve Funds
4. Resolution No. 366 - Adopt Five-Year 2015-19 Capital Improvement Plan

Convene Public Hearing on Proposed Budget for Fiscal Year 2014-15

5. Resolution No. 367 Adopt Fiscal Year 2014-15 Budget
6. Resolution No. 368 - Impose and Categorize Taxes
7. Resolution No. 369 - Set SDC Fee Schedule
8. Resolution No. 370 – SDIS/SDAO Joinder Agreement

EXECUTIVE DIRECTOR’S REPORT

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

**Bend Metro Park & Recreation District
Board of Directors
Work Session & Regular Meeting
Minutes
April 15, 2014**

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

STAFF PRESENT: Don Horton, Michelle Healy, Lindsey Lombard, Theresa Albert, Matt Mercer, Pat Erwert, Colleen McNally, Russ Holliday, Brian Hudspeth, Jim Figurski, Brad Vlcek, and Paula Lowery.

LEGAL COUNSEL: Paul Taylor.

MEDIA: None.

VISITORS: Keith Scott, Michael Graham, Kecia Weaver and Barbara Hippe.

WORK SESSION

Chair Scott Wallace convened the work session at 5:40 pm.

New Employee Introductions

Pat Erwert introduced Brad Vlcek, Park Maintenance Worker II. Brad stated that he had worked for the district for four years in a seasonal position prior to recently being hired full-time. He noted that he is from Chicago, recently married, and looking forward to bringing his wife to Bend soon. He stated he looks forward to doing his best in the years to come.

Pat Erwert introduced Kecia Weaver, the district's Park Resource Officer with the Bend Police Department. Kecia stated she has been with the Bend Police Department for 15 years and she has been working with the district since the beginning of March. She stated she is a hostage negotiator and has a specialty in crisis intervention and serves as a liaison and executive council of the Torch Run, a partnership with Special Olympics, and noted that she has participated in the Polar Plunge for the past eight years. She stated she enjoys living and working in Bend.

Branding Campaign

Colleen McNally introduced Georell Bracelin, GB2 marketing consultant, and reviewed the process to date in creating the district's new branding campaign. She also reviewed the history of the district's marketing plan. Colleen announced the new branding platform and motto will be "play for life", and explained how it is rooted in how the community views the district today. She shared how the new branding efforts will be incorporated throughout communications district-wide and presented the new playbook created with a new format and special features to complement the new branding campaign. She noted that the image on the cover of the current playbook was designed to appeal to the adult demographic to help increase readership as well as participation from that group, and that will be continued in future issues.

Simpson Pavilion Rink Size/Sport Flooring & Ice System

Matt Mercer stated that in response to the board's direction to consider an Olympic size ice rink for the Simpson Pavilion staff has prepared a cost benefit analysis of the current plan specification of an NHL size rink and an Olympic size rink. He explained the cost analysis includes construction and operating costs and programming benefits and drawbacks for each size. Matt conducted a PowerPoint presentation comparing the differences between the two rinks and explained that NHL size rinks are the standard in the United States. He shared a cost benefit analysis from a staff perspective including value added and risks of an Olympic size rink and an NHL rink. He stated that staff determined there would be limited added value in terms of programming and little to no additional revenue gained from an Olympic rink. He also reviewed additional construction and operating costs associated with an Olympic rink, and the anticipated increase in subsidy as costs increase over time. Matt added that the additional 15 feet of an Olympic rink would expose that section of ice to sun virtually all of the time. He reported that discussions with the stakeholders indicated they would prefer an NHL size rink. Craig Chenoweth asked if Matt had information about the preference for competitions held at an outdoor Olympic size rink compared to an indoor facility. Matt stated indoor facilities provide reliable ice conditions that he felt competitions would prefer. John Laherty reported on Bend Ice's board discussion regarding an Olympic rink compared to an NHL rink. He explained they considered the benefit to the community as a whole as well as hockey. He stated it is hard to determine the benefit of an Olympic rink as there is currently not a short track population in Bend, and he understands that high level figure skaters prefer to skate on an Olympic size rink, but consistency is important and it is difficult for figure skaters to train on one size rink and compete on a different size rink. He stated an NHL rink would accommodate cross ice youth hockey and shared Bend Ice's concern that increased operating costs of an Olympic rink would result in increased cost for ice time for their program. He stated that based on an informal poll of Bend Ice board members, from a purely hockey standpoint, suggests a lean toward an NHL rink.

Matt Mercer reviewed two options for ice refrigeration systems. He explained one option is to use an in-slab refrigeration system and portable, modular sport flooring for non-ice seasons. He stated the other option is a permanently installed multi-purpose sport court surface with a removable ice mat system for the ice rink season. He noted that in either case removable dasher boards would be used to provide maximum flexibility during the non-ice season. He reviewed the benefits and limitations of each option including lifespan, potential problems with start-up and takedown, costs and limitations and flexibility of repair. Scott Wallace asked about the initial cost between the two. Matt explained the construction cost of an in-slab system involves a thicker slab, differences in drainage installation and the cost of the coils.

Matt Mercer presented information regarding potential flooring solutions for both of the ice systems. He explained that staff had selected seven flooring types for evaluation and manufacturers were asked to provide approximately 12' x 12' samples for testing. He noted that two of the samples are permanently installed floors and five are portable modular floors. Matt explained that staff has evaluated and rated the floors and stakeholders representing a variety of user groups were also invited to test and share feedback on the flooring options. He reviewed the benefits and limitations of each of the floor types tested and associated costs.

Matt advised the board they would be given an opportunity to visit the test site at the end of the meeting to test and provide input on each of the flooring surfaces.

Matt Mercer stated as a result of the research, comparisons and testing staff recommendation is an NHL size rink, in-slab ice refrigeration and either the premium portable sport court or hybrid sport court surfaces. He explained that staff is also recommending the purchase of larger samples (half-court basketball size) of the premium and hybrid sport courts to be installed in a location to be tested for playability in different conditions over the next year. He noted we have time to do this since the sport court flooring will be installed until April 2016. Scott Asla shared his experience with the interlocking mats and stated they don't hold up. He added he would expect a three-year lifespan rather than the eight-year time period that was indicated. Ted Schoenborn stated he is comfortable with the NHL in-slab refrigeration and it is clearly the most responsible thing to do. He asked for clarification of the differences between the premium and hybrid court surfaces. Matt explained the anticipated differences based on types of use and how that would be better defined with a yearlong test of each surface. Craig Chenoweth stated that the cost savings of the NHL rink applied to the cost of a full season sport court makes the most sense. Scott Asla stated he is comfortable with the staff recommendation in terms of providing a quality product to hold up for the long-term. Following discussion the board reached a consensus to go with an NHL rink and in-slab ice refrigeration system.

The work session was concluded at 7:20 pm.

REGULAR MEETING

Chair Scott Wallace called the regular meeting to order at 7:30 pm.

VISITORS

Keith Scott addressed the board regarding park maintenance. He rated the district's park maintenance as A+, number one, as the parks are always well maintained. He stated he hopes this standard is maintained.

Barbara Hippe addressed the board regarding the crowding at Juniper Swim & Fitness Center. She stated she is hoping there is a future plan for inclusion of a pool at the Simpson site. She stated that we need something on the west side and she feels upon the completion of the expansion of the senior center it will be at capacity quickly. Don advised Ms. Hippe that it is anticipated a recreation center will be built on the Simpson site and it is likely there will be a pool included in that facility. He stated that project is planned for the distant future.

CONSENT AGENDA

Minutes: April 1, 2014, Work Session & Regular Meeting

Contract Award: Ponderosa & Pine Nursery Landscape & Irrigation

Contract Amendment: Simpson Pavilion A&E Contract Amendment

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

EXECUTIVE DIRECTOR'S REPORT

Don Horton reported the trail improvements at 1st Street Rapids Park will be done ahead of other work on the river right section of the project.

Don Horton explained the funding for the Alpine Trailhead adjacent to Tetherow. He reported the improvements will consist of road improvements and a connection to Tetherow.

Don Horton reminded the board of upcoming public meetings for Simpson Pavilion at the district office community room and the south canyon bridge at Elk Meadow School.

Don Horton announced the permit system for business operations in parks will begin June 1. He stated that Jan Taylor had reached out to those who conduct businesses in parks and conducted an open house to inform the business owners.

Don Horton reported the Mirror Pond Engineering Report is under review for an update. He explained this report is bound by the nondisclosure agreement with PacifiCorp and will be released following PacifiCorp's review, redaction of information they do not wish to release, and approval of release of the report.

Don Horton reported a spray park will be installed at the Pine Nursery off leash area in honor of dog park volunteer Bob Wenger.

Don Horton reported the ethics complaint filed against the board has been dismissed.

Don Horton reported that Earl Williams has filed a recall petition against Scott Wallace, Scott Asla and Ted Schoenborn. Paul Taylor reviewed the recall process for the board, including filing of the petition, formation of a PAC, establishing a campaign funding account, approval of the signature sheets, collection of 4,500 signatures per board member within 90 days of approval, certification of the signatures by the county clerk, resulting in an election within 35 days following the certification. He stated if the election occurs the district will be required to reimburse the county for election costs. He cited factual inaccuracies contained in the petition and explained the penalties for making false statements in a petition. He also reviewed the process for filing a complaint with the Secretary of State regarding false statements and advised the board he will research this process further.

Don Horton advised the board that Foster Fell's petition regarding Mirror Pond had been withdrawn and refiled as a result of the challenge filed by Neil Bryant. Paul Taylor explained the process has resulted in a new ballot title prepared by the district attorney and following the county clerk's notification to The Bulletin and notification to Foster Fell, he may begin collecting signatures for the petition. He noted that Mr. Fell will have two years to collect the required number of signatures before the petition will be considered for the ballot.

Don Horton reported that Spencer Dahl has indicated he will submit a petition to be placed on the ballot to ensure the district and the city will guarantee that due diligence is followed prior to any steps either agency would take with regard to Mirror Pond. Don stated that he feels

open communication with Mr. Dahl would be beneficial and offered to arrange a meeting with him to discuss his concerns.

GOOD OF THE ORDER

Lindsey Lombard shared the details of the upcoming Budget Committee tour.

As there was no further business the meeting was adjourned at 8:00 pm. The board then met at the sports court testing site to evaluate the flooring options.

Prepared by,

Paula Lowery
Executive Assistant

Scott Wallace, Chair

Dan Fishkin, Vice-Chair

Ted Schoenborn

Scott Asla

Craig Chenoweth

BOARD AGENDA COMMUNICATION

AGENDA DATE: June 3, 2014

SUBJECT: Ponderosa Park Property Transfer

STAFF RESOURCE: Michelle Healy, Planning & Design Director
David Crowther, Business Manager
Don Horton, Executive Director

PREVIOUS BOARD ACTION: None

ACTION PROPOSED: Accept Property Transfer from city of Bend

STRATEGIC PLAN:

Theme: Customer –Community Connection

Objective: Analyze and Adapt to Changing Community Need

Initiative: Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

BACKGROUND

In 1977, the city of Bend transferred the ownership of a number of city-owned parks to the Bend Park and Recreation District (BPRD). As part of that transfer Ponderosa Park was given to BPRD, however, Ponderosa Park consisted of multiple taxlots and one of the lots (map and taxlot 181204AA00101, which includes the old skatepark and parking lot for Hal Puddy field) was inadvertently left off of the deed. (Please see the attached aerial photograph). The district maintained and operated the entire park, including this parcel, for years under the belief that the property had been transfer to BPRD.

In 1996, the district received site plan approval and a conditional use permit to construct the original skateboard park at Ponderosa Park. During that land use permitting process the district and city discovered that the parking lot and area proposed for the new skatepark had not been transfer to BPRD and was still owned by the city. In an effort to resolve the property ownership, the city included a requirement that the taxlot would be transferred to the BPRD in the findings and conditions of approval for the skatepark. However, the paperwork transferring the property was never completed and the district has continued to assume management authority for the parcel.

The Bend La-Pine School District is now about to embark on the planning and design for a new soccer field and associated improvements at Bear Creek Elementary, adjacent to Ponderosa Park on the north side of the parking lot. BPRD will coordinate with the school district on their field design since access to the new field is from the existing parking lot at Ponderosa Park. Resolving the land ownership of the parking lot parcel will streamline the design coordination with the school district. The city supports completing this land transaction.

There are no costs associated with this property transaction. Normally, the district completes a Level 1 environmental site assessment as part of any land acquisition, however, a Level 1 is not planned to be completed for this property since it has been operated and maintained by the district for nearly 40 years.

BUDGETARY IMPACT

The city will donate the parcel to BPRD at no cost. There is no additional maintenance or operational costs associated with this transfer since the district currently operates and maintains the property.

STAFF RECOMMENDATION

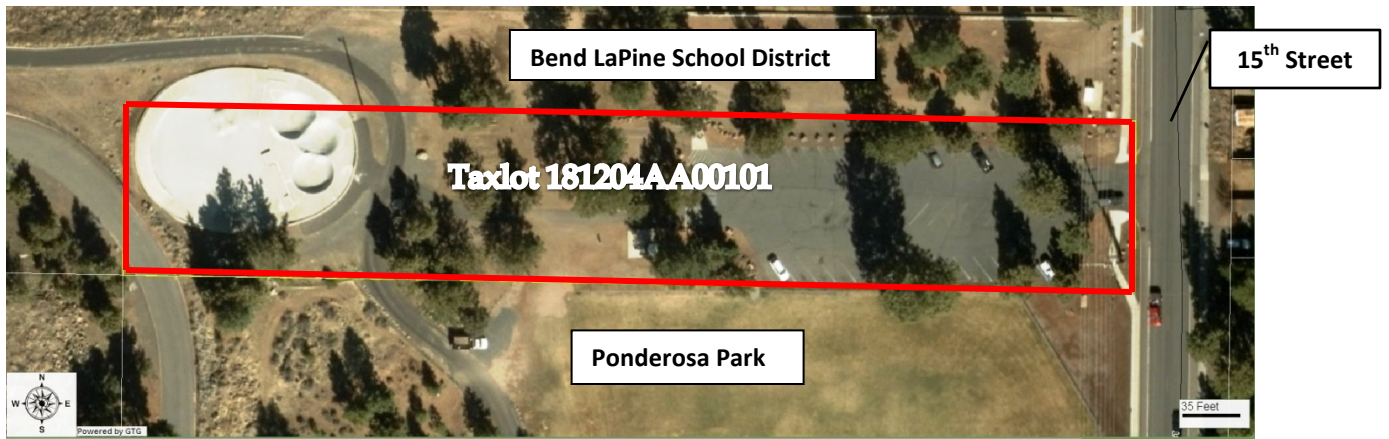
Staff recommends the board approve the transfer of taxlot 181204AA00101 from the city of Bend to BPRD.

MOTION

I move to authorize the Executive Director to execute necessary documents accepting the transfer of taxlot 181204AA00101 from the city of Bend to the Bend Park and Recreation District.

ATTACHMENT

Aerial photograph showing the taxlot to be transferred.



PONDEROSA PARK Property Transfer

Owner: CITY OF BEND

Map and Taxlot: 181204AA00101

Address: 215 SE 15TH ST, BEND, OR 97702

Tax Status: Non-Assessable

Assessor Acres: 1.51

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Appropriation adjustments for fiscal year 2013-14 budget
STAFF RESOURCE:	Lindsey Lombard, Finance Director Matt Mercer, Recreation Services Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	Adopted Fiscal Year 2013-14 Budget
ACTION PROPOSED:	Adopt Resolution No. 363, approving appropriation adjustments for the fiscal year 2013-14 budget
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain Financial Stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service

BACKGROUND

The following transfer of appropriations in the 2013-14 budget is required to provide for an unexpected expenditure at the time the 2013-14 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 recreation services department has experienced unforeseen growth in programs over all, particularly in its contracted programs, and this growth is projected to increase expenditures in materials and services beyond the original adopted budget. As this much growth was not anticipated at the time the fiscal year 2013-14 budget was adopted, the district now has a need to transfer an appropriated amount from the Operating Contingency category to the Materials and Services category in the Recreation Services Fund. The original adopted budget for the Recreation Services Fund had \$1,625,023 appropriated in materials and services. This resolution will transfer \$120,000 from the operating contingency to materials and services of the Recreation Services Fund, increasing the Materials and Services category budget to \$1,745,023.

BUDGETARY IMPACT

\$120,000 in appropriated Operating Contingency will be transferred to the Materials and Services appropriation category in the Recreation Services Fund for the purposes of expending on recreation programs and services.

STAFF RECOMMENDATION

Staff recommends the Board adopt Resolution No. 363, approving appropriation adjustments for the fiscal year 2013-14 budget.

MOTION

I move to adopt Resolution No. 363, Approving Appropriation Adjustments for the Fiscal Year 2013-14 Budget.

ATTACHMENTS

Resolution No. 363, Approving Appropriation Adjustments for the Fiscal Year 2013-14 Budget

BMPRD RESOLUTION NO. 363

A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS APPROVING APPROPRIATION ADJUSTMENTS FOR THE FISCAL YEAR 2013-14 BUDGET

WHEREAS, the Bend Metro Park and Recreation District Board of Directors adopted the fiscal year 2013-14 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 2013-14 budget are required to provide for unexpected expenditures not anticipated at the time the 2013-14 budget was adopted, are hereby authorized in accordance with ORS 294.450:

Recreation Services Special Revenue Fund Appropriation Transfer:

	Existing	Change	Adjusted
Materials & Services	\$1,625,023	\$ 120,000	\$1,745,023
Operating Contingency	\$ 225,000	\$(120,000)	\$ 105,000

These appropriation adjustments are necessary to increase expenditures in materials and services in the Recreation Services Fund due to unforeseen growth in contracted recreation programs beyond budgeted expectations. These additional costs are partially offset with additional revenue received from the program expansion.

ADOPTED by the Board of Directors on this 3rd day of June 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Adopt Resolution No. 364, abolishing the Recreation Services Special Revenue Fund, and transferring the remaining balance
STAFF RESOURCE:	Lindsey Lombard, Finance Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Adopt Resolution No. 364 abolishing the Recreation Services Special Revenue Fund and transferring remaining balance to the General Fund
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain financial stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service.

BACKGROUND

The Recreation Services Special Revenue Fund was created starting in fiscal year 2002-03 in order to reflect the Recreation Services Department's business-unit style of operating, and to provide for the ability to separately account for their operations. Staff has determined that the necessity for maintaining this fund for both budgetary and financial statement reporting purposes no longer exists. Staff believes it would be beneficial to abolish the fund and account for recreation services operations in the General Fund where all other district operations are accounted for. Making this change will: comply with best budgeting practices by maintaining only those funds required to meet legal and operating requirements; provide greater budgetary flexibility; and reduce the amount of budgetary inter-fund transfers required. This department will continue to operate under the business-unit management style and will still be held to the same cost-recovery expectations.

The budgeting and financial statement reporting for recreation services will be accounted for in the General Fund in the upcoming fiscal year (see Resolution No. 364). Per ORS 294.475, if the Board of Directors determines that the necessity for maintaining a fund has ceased to exist, it shall abolish such fund and transfer any balance remaining in the fund to the General Fund.

BUDGETARY IMPACT

No financial impact will arise from the abolishment of the Recreation Services Special Revenue Fund. All recreation services operating transactions will be accounted for in the General Fund beginning fiscal year 2014-15.

STAFF RECOMMENDATION

Staff recommends that the board adopt Resolution No. 364, abolishing the Recreation Services Special Revenue Fund and transferring the remaining balance to the General Fund.

MOTION

I move to adopt Resolution No. 364, Abolishing the Recreation Services Special Revenue Fund and Transferring the Remaining Balance to the General Fund, effective June 30, 2014.

ATTACHMENT

Resolution No. 364, Abolishing the Recreation Services Special Revenue Fund, and Transferring the Remaining Balance to the General Fund

BMPRD RESOLUTION NO. 364

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
ABOLISHING THE RECREATION SERVICES SPECIAL REVENUE FUND AND TRANSFERRING THE
REMAINING BALANCE TO THE GENERAL FUND**

WHEREAS, the Bend Metro Park & Recreation District (the District) prepares annual financial statements in conformity with generally accepted accounting principles as applied to governmental entities; and

WHEREAS, pursuant to ORS 297.405-.555, the District's annual financial statements are independently audited by Certified Public Accountants licensed by the Oregon State Board of Accountancy to perform audits of municipal corporations; and

WHEREAS, the District may have different fund types and different accounting requirements for budgetary purposes than it has for financial statement reporting purposes; and

WHEREAS, on the 7th day of June 2011, the District's Board of Directors adopted Resolution No. 337 committing the Recreation Services Special Revenue Fund's fees and charges collected in this fund and the fund's ending fund balance for the fiscal years ending on or after June 30, 2011, to the specific purpose for which the fund was created, which was for accounting for the provision of recreation facilities and programs; and

WHEREAS, in accordance with ORS 294.353, when the necessity for maintaining any fund has ceased to exist and a balance remains in the fund, the governing body shall so declare by resolution such balance shall forthwith be transferred to the general fund.

NOW, THEREFORE, for budgetary and financial statement reporting purposes, the District's Board of Directors hereby resolves to abolish the Recreation Services Special Revenue Fund, as of June 30, 2014. The necessity for maintaining this fund has ceased to exist. If a balance remains in this fund at the end of the fiscal year, it is hereby ordered that such balance at June 30, 2014, shall be transferred to the General Fund.

ADOPTED by the Board of Directors of the District on this 3rd day of June 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Review and continue the Facility Reserve Fund and the Equipment Reserve Fund
STAFF RESOURCE:	Lindsey Lombard, Finance Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Adopt Resolution No. 365, reviewing and continuing the Facility Reserve Fund and the Equipment Reserve Fund
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain financial stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service.

BACKGROUND

On April 6, 2004, the district's Board of Directors adopted Resolution Numbers 244 and 245 authorizing and establishing the Facility Reserve Fund and the Equipment Reserve Fund, respectively. These resolutions set forth the requirement for the board to review these funds not less frequently than every 10th anniversary of the date upon which they are established, to determine whether the funds will be continued or abolished. It is now time to perform this review.

The purpose of the Facility Reserve Fund is to hold moneys to be accumulated and expended for the purposes of acquiring, constructing, renovating and/or maintaining capital projects. And, the purpose of the Equipment Reserve Fund is to hold moneys to be accumulated and expended for the purposes of acquiring and/or maintaining capital equipment. The district has effectively used these funds over the prior ten years to account for its capital projects and equipment that are funded either with property tax revenues or alternative funding sources (i.e. grants, contributions, etc.). This maintains the General Fund as an operational fund that maintains a level of consistency year to year, and is thereby not significantly distorted by specific projects or capital purchases. The district has also used these two funds to save for future capital project expenditures and equipment purchases.

BUDGETARY IMPACT

No financial impact will arise from the continuation of these two funds, and the budget process will remain the same as it has the past ten years.

STAFF RECOMMENDATION

Staff recommends that the board adopt Resolution No. 365, reviewing and continuing the Facility Reserve Fund and the Equipment Reserve Fund.

MOTION

I move to adopt Resolution No. 365, Reviewing and Continuing the Facility Reserve Fund and the Equipment Reserve Fund, effective July 1, 2014.

ATTACHMENT

Resolution No. 365, Reviewing and Continuing the Facility Reserve Fund and the Equipment Reserve Fund

BMPRD RESOLUTION NO. 365

A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS REVIEWING AND CONTINUING THE FACILITY RESERVE FUND AND THE EQUIPMENT RESERVE FUND

WHEREAS, the Board of Directors of the Bend Metro Park and Recreation District (the District) adopted Resolution Numbers 244 and 245 authorizing and establishing the Facility Reserve Fund and the Equipment Reserve Fund, respectively, on the 6th day of April, 2004; and

WHEREAS, Resolution Numbers 244 and 245, in accordance with ORS 294.346 set forth the requirement for the District's Board of Directors to review the reserve funds not less frequently than every 10th anniversary of the date upon which they are established, to determine whether the funds will be continued or abolished; and

WHEREAS, the purpose of the Facility Reserve Fund is to hold moneys to be accumulated and expended for the purposes of acquiring, constructing, renovating and/or maintaining capital projects. For the purposes of this Resolution, these purposes can include, but are not limited to: the acquisition of land upon which to construct an improvement; the acquisition of a building; the acquisition or construction of improvements; the acquisition of an addition to a building which increases the square footage of the building; the construction of a building; the construction of an addition to an existing building which increases the square footage of the building; the acquisition of and installation of machinery and equipment which will become an integral part of a building or an addition to a building; and the renovation or major maintenance of a building, an addition to a building, or a park or trail improvement; and

WHEREAS, the purpose of the Equipment Reserve Fund is to hold moneys to be accumulated and expended for the purposes of acquiring and/or maintaining capital equipment. For the purposes of this Resolution, these purposes can include, but are not limited to: the purchase of furnishings, vehicles, recreation, construction or maintenance equipment or other tangible property with an expected useful life of more than one year or a combination of those items; and the renovation or major maintenance of vehicles, equipment or other tangible property.

NOW, THEREFORE, in accordance with ORS 294.346, the District's Board of Directors hereby reviews and continues, as of July 1, 2014, the Facility Reserve Fund and the Equipment Reserve Fund. Resources for these funds will be provided through transfers from the General Fund. The District's Board of Directors shall review these reserve funds not less frequently than every 10th anniversary of the date upon which it is established, to determine whether the fund will be continued or abolished. If at review time, it is determined that the fund will continue, a new resolution shall be adopted. If it is determined that it is no longer necessary to maintain either fund, the fund will be abolished, by resolution, and any unexpended balance in the fund shall be transferred to the General Fund.

ADOPTED by the Board of Directors on the 3rd day of June 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Five-Year Capital Improvement Plan for Fiscal Years Ending 2015 – 19
STAFF RESOURCE:	Lindsey Lombard, Finance Director Michelle Healy, Planning and Development Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	The Board last adopted the Capital Improvement Plan on June 4, 2013
ACTION PROPOSED:	Adopt Resolution No. 366, adopting the Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 - 19
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Community Connection
Objective:	Analyze and adapt to changing community need
Initiative:	Ensure that the Strategic Plan, CIP and annual action plans provide direction and detailed steps for addressing system deficiencies and the future facility needs of the community as identified in the District’s comprehensive planning process

BACKGROUND

The district’s Capital Improvement Plan (CIP) identifies and summarizes all approved and proposed district capital expenditures and revenue sources for a period of five years into the future. Pursuant to ORS 223, it is required that the “Master Plan” i.e. CIP be reviewed and revised to include the district’s on-going and future capital improvement projects identified for System Development Charge funding. The Board of Directors revises and adopts the district’s five-year CIP during the annual budget process.

The CIP summary for fiscal years ending 2015 - 19, attached to Resolution No. 366 as Exhibit A, is the same as that was presented to the Budget Committee on May 14, with three changes. These proposed changes are due to additional project information that was not available at the time of the Budget Committee Meeting. These proposed changes are:

- Pine Nursery Park Phase 3 (Lighting and Playground) – an additional \$30,000 added to the project cost estimate, with the System Development Charge (SDC) funding source, in fiscal year 2014-15.
- Discovery Park development – an additional \$300,000 added to the project cost estimate, with the SDC funding source, in fiscal year 2014-15.
- Alpine Trailhead – an additional \$65,000 added to the project cost estimate, with the SDC funding source, in fiscal year 2014-15.

The proposed additional expenditures in the SDC Fund will not require any additional appropriations within that fund, as the appropriated but unidentified amount in that fund will cover these expenditures.

BUDGETARY IMPACT

The 2015 - 19 Capital Improvement Plan includes \$ 89,047,800 in capital expenditures in fiscal years 2014-15 through 2018-19. \$35,211,393 (~ 40%) is funded with Systems Development Charge revenues, \$22,410,442 (~ 25%) is funded with the 2013 General Obligation Bond proceeds, \$11,633,129 (~ 13%) is funded with property tax revenues, and \$19,792,836 (~ 22%) is funded with alternative funding (i.e. grants, contributions, debt, surplus property sales).

STAFF RECOMMENDATION

Staff recommends adoption of Resolution No. 366, adopting the Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 – 19.

MOTION

I move to adopt Resolution No. 366, adopting the Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 - 19.

ATTACHMENTS

1. Resolution No. 366, Adopting the Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 – 19
2. Exhibit A: Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 – 19

BMPRD RESOLUTION NO. 366

A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN SUMMARY

FOR FISCAL YEARS ENDING 2015 - 2019

WHEREAS, pursuant to ORS 223, the Bend Metro Park and Recreation District adopted a Capital Improvement Plan (“Plan”) on June 4, 2013 with BMPRD Resolution No. 357; and

WHEREAS, the Board has re-examined the park and facility needs for the district and finds that the projects identified on the attached Exhibit A: Bend Park & Recreation District Five-Year Capital Improvement Plan for Fiscal Years Ending 2015 - 2019 are in the public interest and necessary to serve park, recreation facility and trail needs of the district; and

WHEREAS, the Board has adopted Ordinance No. 8 - System Development Charges and Resolution No. 311, A Methodology for Calculating Systems Development Charges, indicating the intention to adopt this resolution.

NOW, THEREFORE, the Board of Directors hereby resolves as follows:

1. The Bend Park & Recreation District Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2015 - 2019, attached hereto as Exhibit A, is hereby adopted.
2. The Plan includes those projects that are needed to serve the park, recreation facility and trail needs of district residents in fiscal years ending June 30, 2015 - 2019 including future need related to residential growth and development as specified in Ordinance No. 8 and Resolution 311 and pursuant to ORS 223.
3. The Plan identifies both those projects and portions of projects eligible to be funded using System Development Charge (“SDC”) revenue as well as those projects funded by other revenue sources. Those expenditures from the SDC Improvement Fee fund and the SDC Reimbursement Fee fund shall be accounted for separately in accordance with statutory requirements for the use of SDC revenues.

ADOPTED by the Board of Directors of the District on this 3rd day of June 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

**Bend Park & Recreation District Five-Year Capital Improvement Plan (CIP)
Adopted for Fiscal Years Ending 2015-2019**

Project Type	Page Number	Project Map	Current Project Cost Estimate	Spent in Prior & Current Fiscal Years	To be Spent FY 2015-19	To be Spent Post FY 2019	FY 2015-19 Spending By Funding Source					Alt. Type	FY 2015-19 Spending by Fiscal Year				
							Property Tax Revenue	Bond Funds	SDC Funds	Alternative Funds	FY 15 Total		FY 16 Total	FY 17 Total	FY 18 Total	FY 19 Total	
Community Parks																	
1st Street Rapids Park	15	1	646,415	30,918	615,497	-	-	-	615,497	-	1	615,497	-	-	-	-	
Discovery Park land acquisition	17	2	1,940,000	5,871	1,934,129	-	1,934,129	-	-	-		1,934,129	-	-	-	-	
Larkspur Park expansion	137	3	500,000	-	500,000	-	-	-	500,000	-		-	-	-	-	500,000	
McKay Park	23	4	1,100,000	20,173	1,079,827	-	-	208,677	500,000	371,150	1	347,227	732,600	-	-	-	
Miller's Landing	25	5	1,401,147	1,381,147	20,000	-	-	-	20,000	-		20,000	-	-	-	-	
Ponderosa Park - Ph. 2 (South Side Imp.)	27	6	402,605	252,705	149,900	-	-	-	149,900	-		149,900	-	-	-	-	
Pine Nursery Park - Phase 1 (Buildings)	31	7	1,639,077	1,606,870	32,207	-	-	-	32,207	-		32,207	-	-	-	-	
Pine Nursery Park - Ph. 2 (Infrastructure)	33	7	1,298,806	980,227	318,580	-	-	318,580	-	-		318,580	-	-	-	-	
Pine Nursery Park - Pickleball Courts	35	7	226,571	200,736	25,835	-	-	-	25,835	-		25,835	-	-	-	-	
Pine Nursery Park - Phase 3 (Lighting & Playground)	37	7	830,000	7,500	822,500	-	135,000	-	687,500	-		822,500	-	-	-	-	
Pine Nursery Park - Phase 4 (Timbers)	119	7	200,000	-	200,000	-	-	-	200,000	-		-	-	200,000	-	-	
Pine Nursery Park - Phase 5 (Ball Fields Renovation)	139	7	2,000,000	-	2,000,000	-	-	-	2,000,000	-		-	-	-	-	2,000,000	
SE Land acquisition	39	8	3,770,000	-	3,770,000	-	-	3,770,000	-	-		3,770,000	-	-	-	-	
SE park development	41	8	8,800,000	-	8,800,000	-	-	-	8,800,000	-		100,000	-	500,000	4,000,000	4,200,000	
Total Community Parks			24,754,621	4,486,147	20,268,474	-	2,069,129	4,297,256	13,530,939	371,150		8,135,874	732,600	700,000	4,000,000	6,700,000	
Neighborhood Parks																	
Land acquisitions	101	N/A	4,616,163	400,000	4,216,163	-	-	-	3,991,163	225,000	2	1,000,000	820,784	845,408	653,078	896,893	
Neighborhood park design	115	N/A	150,000	-	150,000	-	-	-	150,000	-		-	50,000	-	50,000	50,000	
Neighborhood park development	129	N/A	1,945,459	-	1,945,459	-	-	-	1,945,459	-		-	-	492,530	-	1,452,929	
Canal Row Park	43	9	1,187,585	23,886	1,163,699	-	-	-	1,163,699	-		1,163,699	-	-	-	-	
Sunset View Park	107	10	271,265	-	271,265	-	-	-	271,265	-		-	30,000	241,265	-	-	
Rock Ridge Park	45	11	1,310,460	-	1,310,460	-	-	-	1,310,460	-		130,000	1,180,460	-	-	-	
Total Neighborhood Park			9,480,932	423,886	9,057,046	-	-	-	8,832,046	225,000		2,293,699	2,081,244	1,579,203	703,078	2,399,823	
Park Dev. Agreement																	
Discovery Park CP	19	2	3,300,000	15,000	2,786,687	498,313	-	-	2,786,687	-		1,347,000	598,134	293,210	246,547	301,796	
Stone Creek NP	47	12	1,810,658	20,000	1,790,658	-	-	-	1,790,658	-		755,000	245,711	254,311	263,212	272,424	
Boyd Park NP	49	13	1,092,845	890,496	202,349	-	-	-	202,349	-		202,349	-	-	-	-	
Total Park Development Agreements			6,203,503	925,496	4,779,694	498,313	-	-	4,779,694	-		2,304,349	843,845	547,521	509,759	574,220	
Regional Parks																	
Riley Ranch Acq. Reimbursement	51	14	2,700,000	972,000	1,728,000	-	-	-	1,728,000	-		432,000	432,000	864,000	-	-	
Riley Ranch development	53	14	3,740,000	187,314	3,552,686	-	-	552,686	3,000,000	-		3,552,686	-	-	-	-	
Shevlin Park development	55	15	650,000	35,000	615,000	-	-	-	615,000	-		65,000	-	300,000	250,000	-	
Total Regional Parks			7,090,000	1,194,314	5,895,686	-	-	552,686	5,343,000	-		4,049,686	432,000	1,164,000	250,000	-	
Trails																	
Deschutes River Trail	59 - 81	16	4,046,613	185,900	3,860,713	-	-	1,650,000	2,060,713	150,000	1	2,018,681	1,137,031	705,000	-	-	
Miscellaneous trail improvements	127	N/A	150,000	-	150,000	-	-	-	150,000	-		-	-	50,000	50,000	50,000	
Alpine Park trailhead	83	17	140,000	44,477	95,523	-	-	-	65,000	30,523	2	95,523	-	-	-	-	
Haul Road trail	109	18	200,000	-	200,000	-	-	-	200,000	-		-	100,000	100,000	-	-	
Total Trails			4,536,613	230,377	4,306,236	-	-	1,650,000	2,475,713	180,523		2,114,204	1,237,031	855,000	50,000	50,000	

**Bend Park & Recreation District Five-Year Capital Improvement Plan (CIP)
Adopted for Fiscal Years Ending 2015-2019**

Project Type	Page Number	Project Map	Current Project Cost Estimate	Spent in Prior & Current Fiscal Years	To be Spent FY 2015-19	To be Spent Post FY 2019	FY 2015-19 Spending By Funding Source					Alt. Type	FY 2015-19 Spending by Fiscal Year				
							Property Tax Revenue	Bond Funds	SDC Funds	Alternative Funds	FY 15 Total		FY 16 Total	FY 17 Total	FY 18 Total	FY 19 Total	
Recreation Facilities																	
Simpson Pavilion	85	19	11,350,000	791,734	10,558,266	-	-	10,558,266	-	-	-		8,117,762	2,440,504	-	-	-
Colorado Safe Passage	87	20	7,350,000	1,097,766	6,252,234	-	-	5,352,234	-	900,000	2		6,252,234	-	-	-	-
Bend Senior Center - renovation	21	3	515,883	65,883	450,000	-	450,000	-	-	-	-		450,000	-	-	-	-
Bend Senior Center - expansion	105	3	13,964,000	-	13,964,000	-	4,316,000	-	-	9,648,000	3		-	100,000	1,000,000	3,216,000	9,648,000
Nature Resource Center	57	15	150,000	-	150,000	-	150,000	-	-	-	-		150,000	-	-	-	-
Riverbend river activity pavilion	141	21	250,000	-	250,000	-	-	-	-	250,000	2		-	-	-	-	250,000
Total Recreation Facilities			33,579,883	1,955,384	31,624,500	-	4,916,000	15,910,500	-	10,798,000			14,969,996	2,540,504	1,000,000	3,216,000	9,898,000
Community Wide																	
Mirror Pond	145	N/A	100,000	-	100,000	-	100,000	-	-	-	-		100,000	-	-	-	-
Redevelopment																	
Hillside Park	89	22	550,000	-	550,000	-	300,000	-	250,000	-	-		50,000	500,000	-	-	-
Juniper Park	113	23	1,350,000	-	1,350,000	-	1,350,000	-	-	-	-		-	100,000	1,250,000	-	-
Total Redevelopment Projects			1,900,000	-	1,900,000	-	1,650,000	-	250,000	-			50,000	600,000	1,250,000	-	-
Asset Mgmt.																	
Accessibility improvements	99	N/A	1,013,000	30,000	983,000	-	983,000	-	-	-	-		370,000	-	200,000	204,000	209,000
District Office solar panel system	93	24	158,752	80,589	78,163	-	-	-	-	78,163	1		78,163	-	-	-	-
Park Services Complex	121	25	8,000,000	-	8,000,000	-	-	-	-	8,000,000	4		-	-	8,000,000	-	-
Skyline field renovations	97	26	350,000	-	350,000	-	350,000	-	-	-	-		70,000	70,000	70,000	70,000	70,000
JSFC - flat roof replacement	91	23	110,000	-	110,000	-	110,000	-	-	-	-		10,000	100,000	-	-	-
Ponderosa Park - bleachers	29	6	75,000	-	75,000	-	75,000	-	-	-	-		75,000	-	-	-	-
Farewell Bend Ped. bridge replacement	95	24	750,000	-	750,000	-	750,000	-	-	-	-		100,000	650,000	-	-	-
Pioneer Park - restroom	111	27	50,000	-	50,000	-	50,000	-	-	-	-		-	50,000	-	-	-
JSFC major maintenance and repair	123	23	150,000	-	150,000	-	150,000	-	-	-	-		-	-	50,000	50,000	50,000
JSFC outdoor pool cover	125	23	180,000	-	180,000	-	180,000	-	-	-	-		-	-	180,000	-	-
Hollinshead Barn - buildings/accessibility	133	28	140,000	-	140,000	-	-	-	-	140,000	5		-	-	-	70,000	70,000
Drake Park Plaza	143	29	250,000	-	250,000	-	250,000	-	-	-	-		-	-	-	-	250,000
Total Asset Management Projects			11,226,752	110,589	11,116,163	-	2,898,000	-	-	8,218,163			703,163	870,000	8,500,000	394,000	649,000
Total Expenses			98,872,305	9,326,192	89,047,800	498,313	11,633,129	22,410,442	35,211,393	19,792,836			34,720,972	9,337,225	15,595,724	9,122,836	20,271,043

Alternative Funding Type Key
1 - Grant Funding
2 - Contributions/Collaborations/Fundraising
3 - Debt Financing
4 - Surplus Property Sales Proceeds
5 - Enterprise Fund Revenues

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Public Budget Hearing, Adoption of the 2014-15 Budget, and Imposing and Categorizing Taxes
STAFF RESOURCE:	Lindsey Lombard, Finance Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Open a Public Hearing to discuss the budget for fiscal year 2014-15, adopt Resolution No. 367 Adopting the Budget and Making Appropriations for Fiscal Year 2014-15, and adopt Resolution No. 368 Imposing and Categorizing Taxes
COMMITTEE ACTION:	The 2014-15 Proposed Budget was previously approved by the Budget Committee on May 14, 2014
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain Financial Stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service

BACKGROUND

The State of Oregon Local Budget Law requires a public hearing be held to discuss the budget as approved by the Bend Park & Recreation District Budget Committee. After receiving public comment, the Board shall close the public hearing.

After such time, the staff will present the approved budget to the Board, and recommend the changed budget's adoption. The Board may adopt the budget as approved, or may make changes based upon public comment or other reasons. By Oregon statute, no increases to expenditures may be greater than 10% of the total approved expenditures in any fund, without the budget requiring referral back to the Budget Committee.

After the public hearing, the governing body must enact the proper resolutions to adopt the budget, make appropriations, and impose and categorize the taxes. The resolution adopting the budget should state the total amount of all the budget requirements, and a schedule of appropriations must be included. This schedule provides the local government with legal spending authority throughout the fiscal year.

Per Oregon Revised Statute (ORS) 294.435(1), local governments that are using ad valorem property taxes to balance their budgets must declare the tax rate by resolution. The resolution should state the rate being certified to the county assessor. Property taxes are imposed for the tax year on the assessed value of all taxable property within the district. The Bend Park & Recreation District's permanent tax rate is \$1.461 per \$1,000 assessed value. The amount approved by the Budget Committee to be levied for the General Obligation Bond debt service for the upcoming fiscal year is \$1,872,263. The governing body must also declare through resolution the tax limitation category into which each of the local government's tax is to be placed. This resolution must show the rate of ad valorem tax for the district's permanent rate tax, and the amount for debt service for general obligation bond debt service.

BUDGETARY IMPACT

Adoption of the district's approved budget for fiscal year 2014-15, allowing expenditures within the appropriated categories. Also authorization of the imposition of property taxes to fund the appropriations.

STAFF RECOMMENDATION

Staff recommends that the Board adopt Resolution No. 367, adopting the budget and making appropriations for fiscal year 2014-15. This resolution adopts the budget exactly as was approved by the Budget Committee.

Staff also recommends that the Board adopt Resolution No. 368, imposing and categorizing taxes for fiscal year 2014-15 for the district's permanent rate tax and for debt service for general obligation bonds.

MOTION

These are two separate motions that need to be voted on individually:

Motion #1: I move to adopt Resolution No. 367, adopting the budget and making appropriations for fiscal year 2014-15.

Motion #2: I move to adopt Resolution No. 368, imposing and categorizing taxes for fiscal year 2014-15.

ATTACHMENTS

1. Resolution No. 367, Adopting the Budget and Making Appropriations
2. Resolution No. 368, Imposing and Categorizing Taxes

BMPRD RESOLUTION NO. 367

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
ADOPTING THE BUDGET AND MAKING APPROPRIATIONS**

ADOPTING THE BUDGET

BE IT RESOLVED that the Board of Directors of the Bend Metro Park and Recreation District hereby adopts the budget for fiscal year 2014-15 in the total of \$ 71,988,242.

MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2014 and for the purposes shown below are hereby appropriated:

	<u>General Fund</u>	
Personnel Services		\$11,157,798
Materials & Services		4,999,831
Capital Outlay		317,130
Transfers		3,262,714
Debt Service		540,000
Operating Contingency		<u>2,025,000</u>
Total Appropriations		\$ 22,302,473
Unappropriated Ending Fund Balance		<u>1,500,000</u>
Total General Fund		\$ 23,802,473

Special Revenue Funds	Personnel Services	Materials/ Services	Capital Outlay	Transfers	Operating Contingency	Total Appropriations
System Development Charges Fund	0	70,000	11,334,491	622,000	0	\$ 12,026,491
Enterprise Fund	150,755	151,500	316,123	0	0	\$ 618,378

Reserve and Capital Projects Funds	Capital Outlay	Materials / Services	Total Appropriations	Reserve for Future Expenditures	Total Fund
Facility Reserve Fund	5,766,543	0	\$ 5,766,543	5,227,690	10,994,233
Equipment Reserve Fund	310,954	0	\$ 310,954	341,459	652,413
Bond Capital Projects Fund	23,649,922	0	\$ 23,649,922	0	23,649,922

Debt Service Funds	Debt Service	Materials / Services	Total Appropriations	Reserve for Future Debt Service	Total Fund
GO Bond Debt Service Fund	1,739,332	0	\$ 1,739,332	5,000	1,744,332

Total Appropriations - All Funds	\$ 66,414,093
Total Unappropriated and Reserve Amounts – All Funds	<u>7,074,149</u>
Total Budget	\$ 73,488,242

ADOPTED by the Board of Directors of the District on this 3rd day of June, 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

BMPRD RESOLUTION NO. 368

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
IMPOSING AND CATEGORIZING TAXES**

IMPOSING THE TAX

BE IT RESOLVED that the Board of Directors of the Bend Metro Park and Recreation District hereby imposes the following ad valorem property taxes for tax year 2014-15 upon the assessed value of all taxable property within the district:

1. At the rate of \$1.461 per \$1,000 of assessed value for permanent rate tax; and
2. In the amount of \$1,872,263 for debt service for general obligation bonds;

CATEGORIZING THE TAX

BE IT RESOLVED that the taxes imposed are hereby categorized for purposes of Article XI section 11b as:

General Government Limitation

Permanent Rate Tax.....\$1.461 / \$1,000

Excluded from Limitation

General Obligation Bond Debt Service\$1,872,263

ADOPTED by the Board of Directors of the District on this 3rd day of June, 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Resolution No. 369, adopting a Revised SDC Fee Schedule effective July 1, 2014
STAFF RESOURCE:	Lindsey Lombard, Finance Director Michelle Healy, Planning and Development Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	The SDC Fee schedule was last set with Resolution No. 354, effective July 1, 2013
ACTION PROPOSED:	Adopt Resolution No. 369, providing for a revised SDC fee schedule effective July 1, 2014 that includes a 4.0% 2014-15 annual index adjustment
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain financial stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service. Maximize the percentage of non-tax revenues through leveraging alternative funding sources.

BACKGROUND

Board Resolution No. 311, which outlines the System Development Charge (SDC) Methodology and the accompanying Resolution No. 332, Appendix C include a formula for re-calculating and adjusting fees on an annual basis. The adjustments are proportionately indexed to the Engineers News Record (ENR), US 20–City Construction Cost Index and to Bend land values as determined by changes in Real Market Value (RMV) as reported by the Deschutes County Assessor. The annual fee schedule adjustment becomes effective on July 1 of each year, corresponding with the district's budget cycle. The decision regarding the fee adjustment is sequenced to correspond with the district's annual budget process and to inform the city of Bend and Deschutes County of SDC fee changes in a timely manner. The current SDC fee schedule went into effect on July 1, 2013, pursuant to Resolution No. 354 adopted on May 7, 2013, and reflected an indexed adjustment slightly up (1.2%) from the 2012-13 fees.

The recommended 2014-15 fee adjustment is based on the proportional rates of change in the two cost factors between October 2012 and September 2013. The formula for calculating the annual indexed adjustment is outlined in Section 3.10 of the BMPRD SDC Methodology and the accompanying Appendix C. The recommended adjustment factor, based upon the calculation described in the district's SDC methodology, calls for a 2014-15 inflationary fee increase of 4.0%. Applying the index results in a 2014-15 adjusted single-family unit fee of \$6,013. (See attachment 2.)

BUDGETARY IMPACT

The SDC fee schedule has impacts on future SDC fee revenues and the funding available for SDC eligible projects in the district's adopted Capital Improvement Plan.

STAFF RECOMMENDATION

This year the indices call for a fee adjustment increase due to the combined effect of an increase in Bend land values (8.53%) combined with an increase in the ENR 20-city construction cost index (2.26%). Staff recommends adoption of the SDC fee schedule contained in Resolution No. 369 which provides for a 4.0% inflationary adjustment determined with the cost indices included in the 2009 Methodology.

Staff recommends that the board adopt Resolution No. 369 in order to maintain a park SDC fee that attempts to stay current with increased costs of land acquisition and construction. However, staff has determined that the land acquisition cost per acre used in the indexed fee is significantly lower than the district's recent land acquisitions (2010 through 2013). The real estate market in Bend has rebounded from the recession and the district is now experiencing an increase in the costs for land acquisition and development. During the recession, the district's SDC rate was arbitrarily reduced in an effort to help stimulate the local economy. As a result in the upturn in the market, this coming year staff will evaluate the different factors (land cost, development cost, levels of service calculations and population projections) used in the methodology and will share findings with the board to discuss possible changes.

MOTION

I move to adopt Resolution No. 369 setting the district's System Development Charge fee schedule contained therein effective July 1, 2014.

ATTACHMENTS

1. Resolution No. 369, Adopting a Revised Fee Schedule for System Development Charges
2. SDC Adjustment Factor Calculation, Fiscal Year 2014 – 15

BMPRD RESOLUTION NO. 369

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
ADOPTING A REVISED FEE SCHEDULE FOR SYSTEM DEVELOPMENT CHARGES.**

WHEREAS, pursuant to ORS 223.297 et seq., the district has adopted BMPRD Ordinance No. 8 System Development Charges and Resolution No. 311 A Methodology for Calculating Park System Development Charges; and

WHEREAS, BMPRD Ordinance No. 8 allows the district to establish system development charge (SDC) fees necessary to serve future public park needs of the residents of the District; and

WHEREAS, BMPRD Ordinance No. 8 requires the district to review and adjust SDC fees periodically in order to keep pace with the changing costs of land and of construction; and

WHEREAS, a formula for adjusting the district’s SDC fees annually is set forth in BMPRD Resolution #311 Exhibit A – A Methodology for Calculating Park System Development Charges, Section 3.10 – SDC Fee Adjustment, and the Board of Directors finds the need to adjust SDC fees upward by a factor of 4.0% effective July 1, 2014 based upon this formula; and

WHEREAS, the terms “Single Family Dwelling Unit”, “Multi-Family Dwelling Unit” and “Guest Room” are defined in the Methodology and in BMPRD Resolution Nos. 354 and 360.

NOW, THEREFORE, the Board of Directors hereby resolves as follows:

1. Bend Metro Park and Recreation District System Development Charges for the period July 1, 2014 through June 30, 2015 shall be imposed at the full amount allowed under the adopted Methodology, inclusive of indexed adjustments, and shall be:
 - a) Single Family Dwelling Unit: \$6,013
 - b) Multi-Family Dwelling Unit: \$5,651
 - c) Guest Room: \$2,425
2. This Resolution shall take effect July 1, 2014.

ADOPTED by the Board of Directors of the District on this 3rd day of June, 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

System Development Charge Adjustment Factor Calculation FY 2014-15

		<u>Real Market Value (RMV) All Taxable Properties (A)</u>	<u>Real Market Value (RMV) of New Property (B)</u>	<u>Market-Related Change in RMV (A)-(B)=(C)</u>	<u>Market-Related Change in RMV (C1-C2)/C1</u>
1	2013-14	10,438,709,609	144,862,600	10,293,847,009	8.52%
2	2012-13	9,602,750,768	116,678,570	9,486,072,198	

The SDC methodology uses the estimated market-related change in real property value as a proxy for the change in land value because the County Assessor does not publish data about the change in land value alone. The Assessor's Office estimates the total change in real market value (RMV) as well as the value of new construction added to the roll each year. The market-related change in real property values can be estimated by subtracting the new construction value from total RMV. When compared to the base value for RMV from the previous year, an average growth rate for the increase in real property, including land value, can be made.

	<u>20-city Sept. 2013</u>	<u>20-city Sept. 2012</u>	<u>Difference</u>	<u>% Change</u>
ENR CCI	9,552.00	9,341.00	211.00	2.26%

During the 12-month period from September 2012 through September 2013, the Engineering News Record Construction Cost Index 20-City Index changed from \$9,341 to \$9,552. This represents a percentage increase of 2.26%.

To adjust the weight ratio of Construction versus Land Value:

<u>Construction</u>	+	<u>Land Value</u>	=	<u>Adjustment Factor</u>
.73 x (1+2.26%)	+	.27 x (1+8.52%)	=	
0.7465	+	0.2930	=	103.95%
0.72		0.28	=	1.0000

Per the above calculation, the new weight ratios are 72% for Construction and 28% for Land

To adjust the cost based upon the index changes:

<u>Construction</u>	+	<u>Land Value</u>	=	<u>Adjustment Factor</u>
.72 x 2.26%	+	.28 x 8.52%	=	4.0%
0.0163	+	0.0238	=	0.0401

<u>Fees</u>	<u>2013-14 fee</u>	<u>2014-15 fee adjusted for inflation</u>
Single Family	5,782	6,013
Multi Family	5,434	5,651
Guest Room	2,332	2,425

BOARD AGENDA COMMUNICATION

AGENDA DATE:	June 3, 2014
SUBJECT:	Resolution No. 370 Special District Insurance Services Trust Joinder to Trust Agreement
STAFF RESOURCE:	David L. Crowther, Business Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	Adopt Resolution No. 370
COMMITTEE ACTION:	None
STRATEGIC PLAN:	
Theme:	Financial Stewardship
Objective:	Maintain Financial Stability
Initiative:	Provide responsible financial planning and management to support the district's existing and future level of service.

BACKGROUND

Special Districts Association of Oregon (SDAO) and its related Special Districts Insurance Services (SDIS) Trust have historically operated as one legal and financial entity. With changes in law, business practices and philosophy over time, they have now become two separate entities – SDAO is a non-profit and SDIS is a governmental entity. There is now a need to have all members of SDAO that wish to participate in the SDIS insurance pool sign an agreement.

The Board of Directors of the Special Districts Association of Oregon (SDAO) and the Trustees of the Special District Insurance Services (SDIS) Trust have determined that a restatement of the Amended Trust Declaration in the form of this First Restatement of Declaration of Trust, is in the best interests of the initial members and prospective members, and have determined that this First Restatement of Declaration of Trust should be submitted to the initial members, and to prospective members as appropriate, to allow them to become members.

The purposes of the Trust shall continue to be in the operation of a program of self-insurance whereby the members' exposures in the areas of tort liability, property, workers compensation, and ancillary program areas may be effectively and economically managed, and whereby insurance and risk retention strategies to manage such risks may be most responsibly and economically funded, and to provide life, health, and disability programs and other personnel benefit services to members.

STAFF RECOMMENDATION

Staff recommends that the Board of Directors adopt Resolution No. 370 to adopt the Joinder to Trust Agreement and authorize the Executive Director to execute the Agreement to be eligible to participate in the self-insured programs.

BUDGETARY IMPACT

None

MOTION

I move to adopt Resolution No. 370 to adopt the Joinder to Trust Agreement with Special District Insurance Services Trust, and to authorize the Executive Director to execute the Agreement.

ATTACHMENT

**Resolution No. 370 Adopting Joinder to Special District Insurance Services Trust Agreement
First Restatement of Declaration of Trust**

BMPRD RESOLUTION NO. 370

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS
ADOPTING SPECIAL DISTRICT INSURANCE SERVICES TRUST
JOINDER TO TRUST AGREEMENT**

WHEREAS, Oregon Revised Statute Chapter 30.282 authorizes Public Bodies within the state of Oregon to create and participate in self-insurance programs through intergovernmental agreements;

WHEREAS, the Special District Insurance Services (SDIS) Trust has adopted a new Declaration of Trust which is an intergovernmental agreement;

WHEREAS, the SDIS Trust requires that all Trust members join the Trust by having their Boards adopt the Joinder to Trust Agreement in order to participate in any of the SDIS self-insured programs;

WHEREAS, the Bend Metro Park and Recreation District Board of Directors elect to participate in one or more of the self-insured programs offered through the SDIS Trust.

NOW, THEREFORE, the District's Board of Directors hereby resolves to adopt the attached Special District Insurance Services Joinder to Trust Agreement and authorizes the Executive Director to execute the Agreement.

ADOPTED by the Board of Directors of the District on this 3rd day of June 2014.

Scott Wallace, Board Chair

Attest:

Don P. Horton, Executive Director

Special Districts Insurance Services Trust

First Restatement of Declaration of Trust

RECITALS

1. Oregon Revised Statutes Chapter 30.282 authorizes Public Bodies within the state of Oregon to create and participate in self-insurance programs through intergovernmental agreements;
2. On July 1, 1985, the Special Districts Association of Oregon and certain trustees entered into a Declaration of Trust for the Special Districts Insurance Services Trust, which set forth the terms and conditions upon which a self-insurance program solely for the benefit of governmental entities would be organized and operated pursuant to Oregon Revised Statutes Chapter 30.282, which Declaration of Trust was amended on October 22, 1987, February 18, 1988, January 25, 1989, June 27, 1991, June 2, 1994, December 9, 1999, September 21, 2000, January 10, 2002, April 17, 2003, and June 7, 2006 (the "Amended Trust Declaration");
3. The Initial Members have made Contributions to the trustees of the Trust and the trustees have implemented a self-insurance program with multiple pools for the benefit of the Initial Members, and the funds associated with such program constitute a trust fund that has been held for the exclusive benefit of the Initial Members participating in a self-insurance program;
4. Article 7 of the Amended Trust Declaration provided that the Amended Trust Declaration could be amended by the Board of Directors of the Special Districts Association of Oregon, by delivery of a copy of the amendment to each Trustee, provided however, that no amendment could operate to the prejudice of any vested rights held by any participant in the program of the Trust under a policy, contract, or other document for the benefit of such participant; and
5. The Board of Directors of the Special Districts Association of Oregon and the trustees of the Trust have determined that a restatement of the Amended Trust Declaration in the form of this First Restatement of Declaration of Trust, is in the best interests of the Initial Members and prospective Members, and have determined that this First Restatement of Declaration of Trust should be submitted to the Initial Members, and to prospective Members as appropriate, to allow them to become Members.

SECTION 1 DEFINITIONS

- 1.1 **Definitions.** All capitalized terms in this Agreement shall have the meanings given to them in this Section 1.
- 1.2 **"Agreement"** means this First Restatement of the Declaration of Trust.
- 1.3 **"Amended Trust Declaration"** means the Special Districts Insurance Services Trust Declaration of Trust described in the Recitals.
- 1.4 **"Associated"** means, when used in the phrase "Associated with" an organization, the status of being a current employee of, or a member of the governing body of, that organization, or being a volunteer in good standing of an organization (in accordance with the policies and procedures of that organization) who is nominated in a writing signed by the Chair of the Board of Directors of the organization.
- 1.5 **"Audit Committee"** means the committee established by the Board, as described in Section 4.8(c).
- 1.6 **"Board"** means the Board of Trustees of the Trust.
- 1.7 **"Board Observer"** means the person designated by the Sponsoring Member to attend Board meetings pursuant to Section 4.1(b).
- 1.8 **"Contribution"** means the amount a Member contributes to the Trust annually pursuant to the Coverage Document.
- 1.9 **"Coverage Document"** means a contract between the Trust and a Member with respect to self-insurance coverage with respect to which a Member makes a Contribution.
- 1.10 **"Deadlocked"** means a situation in which the vote of the Trustees on a matter is evenly split for two or more meetings at which such matter is submitted to a vote.
- 1.11 **"Effective Date"** means April 1, 2014.
- 1.12 **"Executive Committee"** means the committee established by the Board, as described in Section 4.8(a).
- 1.13 **"Former Member"** means a Special District, Public Body or Sponsoring Member that was at one time a Member, but whose membership has Terminated.
- 1.14 **"Initial Members"** means those Special Districts and Public Bodies that had in effect a Coverage Document on the day before the Effective Date.
- 1.15 **"Joinder"** means a document, substantially in the form attached as Exhibit A, the execution of which constitutes a Member's agreement to be bound by the terms and conditions of this Agreement, and shall include a duly executed resolution in substantially the same form.

- 1.16 **"Majority"** means more than 50%.
- 1.17 **"Member"** means a Special District or Public Body that has executed a Joinder to this Agreement and the Sponsoring Member, the membership of which has not Terminated.
- 1.18 **"Nominating Committee"** means the committee established by the Board as described in Section 4.8(b).
- 1.19 **"Public Body"** means an entity described in Oregon Revised Statutes 30.260.
- 1.20 **"Quorum"** means a Majority of the Trustees.
- 1.21 **"Special District"** means a governmental entity described in Oregon Revised Statutes 198.010.
- 1.22 **"Sponsoring Member"** means the Special Districts Association of Oregon.
- 1.23 **"Termination"** means the cessation of the membership of a Member pursuant to this Agreement.
- 1.24 **"Trust"** means the Special Districts Insurance Services Trust.
- 1.25 **"Trustee"** means a person who has executed this Agreement or a duplicate thereof agreeing to accept the responsibilities of trusteeship under this Agreement, and who has not resigned or been removed as a Trustee.
- 1.26 **"Trust Property"** means cash, property or any asset held by the Trustees and subject to this Agreement.

SECTION 2 PURPOSES AND OPERATON OF TRUST

2.1 **Purposes.** The purposes of the Trust shall continue to be the operation of a program of self-insurance whereby the Members' exposures in the areas of tort liability, property, workers compensation, and ancillary program areas may be effectively and economically managed, and whereby insurance and risk retention strategies to manage such risks may be most responsibly and economically funded, and to provide life, health, and disability programs and other personnel benefit services to Members. The Trustees shall endeavor to accomplish these goals by:

(a) Acting to ensure that there is available to Members markets for liability, property, workers compensation, and ancillary coverages appropriate to risks to which such Members are exposed and markets, programs and services for employee benefits and health, life, and disability insurance coverage needs of Members.

(b) Aggregating the collective buying power of Members and the economic advantages of individual and pooled risk retention and other strategies, where lawful and actuarially sound, and to reduce and stabilize the cost of funding those risks.

(c) Making available to Members resources and expertise in the management of risk through loss prevention and loss control programs, claims management, consulting, data gathering, information sharing and related services.

(d) Acting as a representative and information resource for Members in presenting to appropriate legislative and administrative bodies and committees, data and policy issues related to the cost of public risk in Oregon.

(e) Creating, upon authorization by the Board, pooled self-insured programs funded by Member Contributions and based on sound actuarial analysis, which may be structured as separate pools for various types of risk, with physical or accounting segregation as determined by the Board.

(f) Developing and providing other insurance programs, retirement programs or other related services as are approved by the Board, including but not limited to loan or grant programs in amounts not material to Trust operations and designed to further the objectives of the Trust.

(g) Providing access for Members to coverages with respect to which the Trust is not an indemnitor.

2.2 Trust Property. The Trustees shall collect and manage Trust Property, including but not limited to insurance premiums, Contributions and other revenues, shall make appropriate disbursements from the Trust, and shall oversee the management and administration of the programs of the Trust, approving the necessary contracts, insurance policies, premium contributions, fee schedule group purchases and making such other arrangements and implementing such strategies as necessary to carry out purposes described herein regarding the self-insurance programs, for the exclusive benefit of the Members and as described in this Agreement.

SECTION 3 CONTINUATION OF TRUST AND FUTURE CONTRIBUTIONS

3.1 Trust Agreement. The Trustees and the Sponsoring Member hereby enter into this First Restatement of Declaration of Trust, to be effective on the Effective Date. The Trustees shall invite the Initial Members, and such other Special Districts or Public Bodies as appropriate, to become Members.

3.2 Trust Continuation. The Trust shall continue without interruption on and after the Effective Date and shall be operated from the Effective Date pursuant to this First Restatement of Declaration of Trust.

3.3 Existing and Future Trust Property. The Members confirm that the Trust Property subject to the Amended Trust Declaration as of the Effective Date of this Agreement, including all Contributions and income and profits therefrom, shall remain Trust Property, to be held, managed and distributed pursuant to this Agreement.

3.4 Contributions. Any Contributions made on or after the Effective Date of this Agreement, along with any and all income and profits therefrom, shall be Trust Property, and shall be held, managed and distributed pursuant to this Agreement. A contributing Member's Contribution is irrevocable.

3.5 Agreement by Trustees. The Trustees hereby declare that they will administer, manage, collect, receive, dispose of and distribute all Trust Property for the exclusive benefit of the Members as provided in this Agreement.

SECTION 4 BOARD OF TRUSTEES

4.1 Board of Trustees.

(a) *In General.* The Trust shall be governed by a Board of Trustees ("the Board") composed of not fewer than five, nor more than nine, Trustees. Until changed by a vote of the Board, the number of Trustees shall be seven.

(b) *Board Observer.* As long as the Sponsoring Member is a Member, it shall from time to time designate a Board Observer, who shall be entitled to attend all meetings of the Board, but who shall not be a Trustee, shall have no fiduciary duties, and shall not vote. The Board Observer shall advise the Board on matters potentially affecting Special Districts throughout Oregon, as such matters relate to the activities of the Trust. The Board Observer shall be a nonvoting member of all standing and ad hoc committees of the Board. If the Sponsoring Member ceases to be a Member, there shall be no Board Observer position.

(c) *Continuation of Trustees.* Notwithstanding any requirement of Section 4.3, Trustees of the Trust serving as of the Effective Date shall continue to serve as Trustees until the expiration of their terms of office.

(d) *Election of Trustees.* The Board shall elect a Trustee to fill any vacant Trustee position, which elected Trustee shall serve until expiration of the vacated position.

4.2 Meetings.

(a) *Annual Meeting.* An annual meeting of the Trustees shall be held in June of each year.

(b) *Special Meetings.* Special meetings of the Trustees may be called by the Sponsoring Member, Chair, the Vice-Chair, or a Majority of Trustees, by giving written notice to the Chair or the Vice-Chair.

(c) *Quorum.* A Quorum of Trustees must be present to conduct business at a duly called meeting.

(d) *Manner of Acting.* With respect to any matter to be decided by the Trustees, the Trustees shall act by Majority vote of all Trustees.

(e) *Location of Meeting.* All meetings shall be held within the State of Oregon. While every meeting must have a physical location at which at least one Trustee appears, Trustees may participate in the meeting by means of a conference telephone call or electronic communication method if all persons participating in the meeting can hear each other at the same time.

4.3 Qualifications of a Trustee.

(a) *In General.* Except as provided in Section 4.3(b), as a qualification for appointment and continued service, each Trustee shall be a natural person Associated with a Special District which is a Member.

(b) *Continued Service by Trustee.* If a Trustee becomes no longer Associated with a Member during the Trustee's term of office, the Trustee may serve out the remainder of the Trustee's term.

4.4 Term of Office of Trustee.

(a) *Fixed Terms.* Trustees shall be appointed for a fixed term. Terms shall be three years and shall be staggered so that no more than three Trustees' terms expire during any calendar year. There shall be assigned position numbers to each Trustee position.

(b) *Reappointment.* A Trustee may serve any number of consecutive terms.

4.5 Resignation of a Trustee. A Trustee may resign at any time by giving written notice to the Chair, Vice-Chair or Secretary of the Trust, which resignation shall be effective upon delivery or on such later date specified in the resignation.

4.6 Removal of a Trustee.

(a) *Removal by Trustees.* A Trustee may be removed by a Majority Vote of the Trustees other than the Trustee who is being considered for removal.

(b) *Deadlock Process.* If the Board is Deadlocked on removal of a Trustee, the matter shall be submitted pursuant to the Deadlock Process described in Section 4.13. The Board of Directors of the Sponsoring Member shall determine whether the affected Trustee is to be removed as a Trustee, which decision shall be final. If the Board of Directors of the Sponsoring Member determines that a Trustee should not be removed, that Trustee shall serve until the expiration of his or her term, unless the other Trustees determine that the affected Trustee has engaged in intentional misconduct or gross negligence in carrying out his or her duties, in which case such Trustee may be removed using the processes described in Section (a) and (b) of this Section 4.6.

4.7 Officers.

(a) *Officers.* The officers of the Board shall be a Chair, a Vice-Chair, a Secretary, and a Treasurer. The same person may not concurrently occupy more than two offices.

(b) *Appointment.* Officers shall be elected by the Board at the annual meeting and shall serve a one-year term or until their successors are elected by the Board.

(c) *Resignation.* An officer may resign at any time by giving written notice to the Chair, Vice Chair or Secretary of the Trust, which resignation shall be effective upon delivery or on such later date is specified in the resignation. In the event of a vacancy in an officer's position, the Board shall fill the unexpired portion of the term by election at the next Board meeting.

(d) *Duties of Chair.* The Chair shall, when present, preside at all meetings of the Board and of the Members. He or she shall serve as the chair of the Executive Committee and shall be an ex-officio Member of all other standing committees. The Chair shall perform all duties required of him or her by the Board.

(e) *Duties of Vice-Chair.* The Vice-Chair shall preside at all meetings of the Board and of the Members in the absence of the Chair. He or she shall perform such other duties as assigned by the Board or the Chair. The Vice-Chair shall be the chair of the Nominating Committee.

(f) *Duties of Secretary.* The Secretary will keep or cause to be kept at the Trust's principal office all of the minutes of the meetings of the Board and Members showing the time and place of meeting, the notice given, the names of those present and the content of such meeting in reasonable detail. The Secretary shall perform such other duties as assigned by the Board or the Chair.

(g) *Duties of Treasurer.* The Treasurer will be responsible for oversight of (i) the funds of the Trust; (ii) deposits and withdrawals of such funds in such depositories as may be authorized by the Board; and (iii) the keeping of a full and accurate account of receipts and disbursements at the Trust's principal office. The Treasurer shall be the chair of the Audit Committee and shall perform such other duties as assigned by the Board or the Chair.

4.8 Committees.

(a) *Executive Committee.* The Board shall establish an Executive Committee, the objective of which is to prepare for Board meetings, address the business of the Trust between Board meetings in a manner delegated by the Board, and recommend to the Board the admission of new Members and Termination of existing Members, as necessary.

(b) *Nominating Committee.* The Board shall establish a Nominating Committee, the objective of which is to identify and recommend to the Board appropriate candidates for trusteeship from among the Members.

(c) *Audit Committee.* The Board shall establish an Audit Committee, the objective of which is to assure that the Board is adequately and currently informed of the financial condition of the Trust through reports and other methods.

(d) *Other Committees.* The Board may establish such other committees as it deems necessary and appropriate to carry out its responsibilities, which committees may be standing or ad hoc committees, in the discretion of the Board.

4.9 Salaries and Expenses. Trustees shall serve without compensation, but shall be entitled to reimbursement for expenses in accordance with the applicable expense policies of the Trust.

4.10 Policies and Procedures. The Trustees may from time to time adopt policies and procedures for operation of the Board, committees, and the Trust that are not inconsistent with this Agreement. The Trustees shall establish and maintain policies and procedures designed to cause the Trust to retain net assets sufficient to satisfy projected liabilities at appropriately high actuarially determined confidence levels in the event of catastrophic loss.

4.11 Powers of Trustees. The Trustees shall have each and every power accorded to Trustees under Oregon law and the authority to act in all matters relating to the Trust and Trust property, including but not limited to the power to:

- (a) make and enter into contracts;
- (b) incur debts, liabilities, and obligations;
- (c) acquire, hold, or dispose of property, contributions and donations of Property, funds, services, and other forms of assistance from any person;
- (d) sue and be sued in the name of the Trust, and to settle or compromise any claim;
- (e) engage and employ agents, employees, consultants, contractors, advisers, and any other personnel to assist in the activities of the Trust;
- (f) receive, collect, and disburse monies from any source;
- (g) authorize and pay or credit to Members (and not Former Members) such amounts, from the excess of available funds over amounts required or projected by the Board to fund Trust operations and claim liabilities, as determined appropriate by the Board, in its sole discretion; and
- (h) do all other things necessary and appropriate to carry out the purposes of the Trust and permitted by law.

4.12 Services Contract. The Trustees may enter into a contract with a Member to perform duties of administration of the Trust, which duties shall include but not be limited to claims administration, loss control, underwriting, and other consulting services as may be specified by contract between the Trust and the service provider.

4.13 Deadlock. If at any time the Trustees are Deadlocked on any issue, the Chair or Vice-Chair shall prepare a memorandum summarizing the facts and circumstances of the

situation in reasonable detail, and shall submit this memorandum to the Chair of the Board of Directors of the Sponsoring Member. The Board of Directors of the Sponsoring Member shall resolve the Deadlock and inform the Trustees of its decision, which decision shall be binding upon the Board.

SECTION 5 MEMBERSHIP

5.1 Sponsoring Member. The Special Districts Association of Oregon is the Sponsoring Member of the Trust. The role of the Sponsoring Member is to provide the experience and continuity needed by the Trust to best serve its Members. The Sponsoring Member shall have ongoing duties to the Trust, including:

- (a) Working closely with others engaged by the Trust to provide various services;
- (b) Appointment of a Board Observer, as described in Section 4.1(b);
- (c) Providing its Executive Director as Trust Administrator for the Trust, who shall act in the role of chief operating officer and shall carry out the day-to-day duties of trust administration, as delegated by the Trustees;
- (d) Facilitating strategic planning for the Trust and recommending strategies for improving services to Members and improvement of ongoing operations of the Trust; and
- (e) Engaging in such other duties as reasonably requested by the Board to carry out the objectives of the Trust.

5.2 Distribution to Sponsoring Member. The Trust shall make an annual distribution to the Sponsoring Member in an amount to be determined by the Board in consultation with the Sponsoring Member.

5.3 Qualifications for Membership. A Member other than the Sponsoring Member must be a Special District or Public Body, within Oregon, that is a member in good standing of the Special Districts Association of Oregon.

5.4 Effect of Membership. A Member shall be eligible to participate in the coverages and services offered by or through the Trust on such terms and conditions as set forth in the Coverage Documents. Once an entity becomes a Member, such membership shall continue until terminated in accordance with this Agreement.

5.5 Initial Members. All entities who are Initial Members on the day before the Effective Date shall be eligible to become Members of the Trust as of the Effective Date by executing a Joinder.

5.6 New Members. Upon application by a Special District or Public Body to become a Member of the Trust, the Board may approve membership of such entity on such terms and

conditions as Board determines, in its sole discretion. The Board shall have the exclusive authority to approve or deny an application for membership, in its sole discretion.

5.7 Termination of Membership.

(a) *Termination of All Coverages.* Upon the termination of all participation in programs of the Trust, including but not limited to coverage under all Coverage Documents with respect to a Member (other than the Sponsoring Member), a Member's membership shall cease.

(b) *Sponsoring Member.* The Board may Terminate the membership of the Sponsoring Member for intentional wrongdoing or gross negligence, in its conduct as a Member, by a vote of two-thirds of the Trustees.

5.8 Liability after Termination of Membership. Upon Termination of membership, the Member will continue to be liable for the payment of any Contributions due as of the date of Termination. In the event the Trust is unable to perform its contractual obligations on a Former Member's behalf, the Member will continue to be liable for the payment of its own claims and liabilities arising out of the period when the Former Member was a Member.

5.9 Resumption of Membership after Termination. A Former Member may reapply for membership three years after Termination of membership. The Board in its discretion may waive this time limit or impose additional waiting periods.

5.10 Duties and Obligations of Members.

(a) *Joinder to First Restatement.* Each Member (other than the Sponsoring Member) shall execute a Joinder to this Agreement in a form approved by the Board and shall execute such other documents as are reasonable and appropriate, in the determination of the Board, to evidence membership in the Trust.

(b) *Information.* Each Member will furnish to the Trustees such underwriting and other information as may be reasonably required to carry out the purposes of the Trust at least 45 days prior to the end of the coverage period as described in the Coverage Documents.

(c) *Contributions.* Each Member shall make an annual Contribution based on the coverages the Member elects to the Trust in the amount determined by the Trustees, which amount shall be communicated to the Members within a reasonable period prior to renewal of coverage. The amount of the Contribution of each Member shall be determined by the Board, in its sole discretion, based on the coverages the member elects.

(d) *Cooperation.* As participants in a self-insured program, Members have an obligation to control claim costs by minimizing risk by establishing best management and safety practices. Each Member shall cooperate fully with the Trustees and their agents in the mitigation of risk and the administration of claims. Members' required cooperation shall include, but not be limited to:

(i) Following the loss prevention and risk management programs of the Trust, and abiding by all conditions, requirements, rules or regulations regarding loss control and risk management which may be promulgated by the Trust or its agents.

(ii) Annually completing a best practices checklist as requested by the Trust and endeavoring to the best of its abilities to adhere to the best practices identified on the checklist.

(iii) Giving prompt notification of any claim to the Trust as provided in the Coverage Documents.

(iv) Permitting the Trust's agents at any reasonable time to inspect the Member's properties and operations, and to examine the Member's books, documents and records of any and every kind pertinent to membership or in the administration of the Trust.

(v) Answering questionnaires pertinent to the operation of the Trust, or any particular pool maintained by the Trust, regarding the operations of the Member.

(e) *Trust Insolvency.* In the event of insolvency of the Trust, each Member or Former Member will continue to be liable for the payment of its own claims and liabilities arising during the period of membership.

5.11 Appointment as Agent. Each Member hereby appoints the Trust or its designated agent to act as the Member's agent and attorney-in-fact to act on its behalf, to execute all contracts, reports, waivers, agreements and service contracts, and to make an arrangement of payment of claims and all other things required for the proper and orderly operation of the Trust. Each Member agrees that the Trust or its designees shall have the sole responsibility for the adjustment and/or settlement of any and all claims.

SECTION 6 LIABILITY OF TRUSTEES AND INDEMNIFICATION

6.1 Errors and Omissions Insurance. The Trustees shall secure errors and omissions insurance covering each Trustee in such amounts and on such terms and conditions as determined appropriate by the Board.

6.2 Indemnity.

(a) *In General.* The Trust will indemnify to the fullest extent permitted by law any person who is made or threatened to be made a party to, witness in, or otherwise involved in, any action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of the Trust) by reason of the fact that the person is or was a Trustee, Board Observer, or a fiduciary within the meaning of the Employee Retirement Income Security Act of 1974 with respect to any employee benefit plan of the Trust. The Trust may indemnify to the fullest extent permitted by law any person who is made or threatened to be made a party to, witness in, or otherwise involved in, any action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of the Trust) by reason of the fact that the person is or

was an employee or agent of the Trust. Any indemnification provided pursuant to this Section 5.4(a) will not be exclusive of any rights to which the person indemnified may otherwise be entitled under any provision of any agreement, statute, policy of insurance, vote or resolution of the Board, contract, or otherwise. Notwithstanding the foregoing, the Trust shall not have any obligation to indemnify any person based on actions of such person that are found to constitute gross negligence or intentional misconduct by a court decision from which no appeal may be taken.

(b) *Advancement of Expenses.* The expenses incurred by a Trustee or other person in connection with any threatened, pending or completed action, suit or proceeding (except for an action, suit or proceeding by or in behalf of the Trust), whether civil, criminal, administrative, investigative, or otherwise, which the Trustee or other person is made or threatened to be made a party to or witness in, or is otherwise involved in, will be paid by the Trust in advance upon the written request of the Trustee or other person if he or she (i) furnishes the Trust a written affirmation that in good faith the Trustee believes that he or she is entitled to be indemnified by the Trust; and (ii) furnishes the Trust a written undertaking to repay such advance to the extent that it is ultimately determined by a court that such Trustee or other person is not entitled to be indemnified by the Trust.

(c) *Amendment.* No amendment to this Section 6.2 that limits the Trust's obligation to indemnify any person will have any effect on such obligation for any act or omission that occurs prior to the later of the effective date of the amendment or the date notice of the amendment is given to the person.

(d) *Further Action.* To the fullest extent permitted by law, no Trustee of the Trust or Board Observer will be personally liable to the Trust or the Members for monetary damages for conduct as a Trustee. Without limiting the generality of the preceding, if after this Section 6.2 becomes effective the Oregon statutes are amended to authorize Trust action further eliminating or limiting the personal liability of a Trustee or Board Observer, then the liability of Trustees of the Trust and the Board Observer will be eliminated or limited to the fullest extent permitted by the Oregon statutes, as so amended. No amendment or repeal of this Section 6.2 nor a change in the law, will adversely affect any right or protection that is based upon this Section 6.2 and that pertains to conduct that occurred prior to the time of such amendment, repeal, adoption or change. No change in the law will reduce or eliminate the rights and protections set forth in this Section 6.2 unless the change in the law specifically requires such reduction or elimination.

6.3 Use of Trust Assets to Defend Trust. Trust Property may be used to defend claims of any type made against the Trust or Trustees, and such use shall not be deemed a conflict of interest for any Trustee.

SECTION 7 TERMINATION OF TRUST

7.1 Termination of Trust. The Trust shall terminate upon a vote to terminate the Trust by (A) the Board of Directors of the Sponsoring Member (if the Sponsoring Member is a Member) and (B) either (i) two-thirds of the Trustees or (ii) three-fourths of the Members. The

Trust shall terminate upon a determination by a court of competent jurisdiction that the purposes of the Trust cannot be accomplished, even with amendment or modification of the Agreement or Trust structure. In the event of termination, the Trust shall continue for the purpose of making allowances for claims, retiring any debt, distributing all assets, and performing all other functions necessary to conclude the affairs of the Trust, all of which shall be the responsibility of the Sponsoring Member, for which it will be paid reasonable compensation.

7.2 Distribution of Assets. Upon termination of the Trust, all Trust Property shall be distributed among the Special Districts and Public Bodies who are Members at the date of termination of the Trust, in proportion to their Contributions to the Trust during the 5 years immediately preceding the effective date of termination of the Trust.

7.3 No Assessments. The Trust shall not have the authority to assess Members or Former Members for additional Contributions in the event of Trust insolvency.

SECTION 8 AMENDMENT

8.1 Method of Amendment. This Agreement may be amended by vote of two-thirds of the Trustees and the approval of the Board of Directors of the Sponsoring Member. Amendments shall be distributed to the Members within 60 days of adoption.

8.2 Limitation on Amendments. No amendment to this Agreement shall be adopted which provides for distribution upon dissolution to other than the Members, that causes gratuitous diversion of Trust Property for the benefit of private interests, or retroactively divests a Member of a vested right granted to that Member pursuant to a Coverage Document.

SECTION 9 MISCELLANEOUS

9.1 Title to Trust Property. Legal title to all Trust Property shall be held by the Trustees for the exclusive benefit of the Members as described in this Agreement.

9.2 No Interest in Trust Property by Members. No Member shall have any right to or interest in Trust Property, and no creditor of any Member shall have any claim against Trust Property for any debt or obligation of a Member.

9.3 Intergovernmental Agreement. This Agreement is intended to be an intergovernmental agreement as described in Oregon Revised Statutes 30.282 for three or more Public Bodies to create a program of self-insurance, and shall be interpreted for all purposes as such an agreement.

9.4 Governing Law. This Agreement shall be governed by the laws of the State of Oregon.

9.5 Joinders. Any Joinder to this Agreement executed by a Member will be deemed to be that Member's assent to the entirety of this Agreement, as if such Member had executed an original of this Agreement.

9.6 Dispute Resolution.

(a) *Appeal to Board of Trustees.* In the event of any dispute arising from the operation of the Trust, the affected Member shall first appeal to the Board. In a matter relating to a claim under a Coverage Document, the appeal must be made within 30 days of the Trust's proposed resolution of the disputed claim unless otherwise provided in the Coverage Document. To institute an appeal, the Member must give written notice to the Chair or Vice-Chair of the Board, providing a written summary of the dispute, detailing in reasonable detail the facts and circumstances of the issue and the requested remedies. At the next scheduled Board meeting or at such other time as determined by the Chair, the Board will review the matter, using procedures as promulgated by the Board. The Board's decision will be communicated to the Member within 90 days of the Board's hearing of the appeal.

(b) *Mandatory Mediation.* If a dispute is not resolved by appeal to the Board, it must be submitted to the Arbitration Services of Portland ("ASP"), or its successor, for mediation. The Trust or any Member may commence mediation by providing ASP and the other affected parties a written request for mediation, setting forth the subject of the dispute and the relief requested. The Trust and each affected Member shall cooperate with ASP and with one another in selecting a mediator from the ASP panel of neutrals and in scheduling the mediation proceedings. They agree that they will participate in the mediation in good faith and that they will share equally in the costs (the Trust will pay one half of the costs and the other half will be paid by the affected Member, or if more than one Member, each shall contribute equally to that half or otherwise as they may agree). All of the offers, promises and conduct and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts and attorneys, and by the mediator or any ASP employees, are confidential and privileged and inadmissible for any purpose, including impeachment, in any arbitration or other proceeding involving the parties, providing that evidence that is otherwise admissible and discoverable will not be rendered inadmissible or non-discoverable as a result of its use in the mediation.

(c) *Mandatory Arbitration.* If the matter is not resolved through mediation, then it shall be submitted to ASP, or its successor, for final and binding arbitration pursuant to the rules of commercial arbitration for ASP. The Trust or a Member may initiate the arbitration with respect to the matter submitted to mediation by filing a written demand for arbitration at any time following the initial mediation session or at any time following 45 days from the date of filing the written request for mediation, whichever occurs first ("Earliest Initiation Date"). The mediation may continue after the commencement of arbitration if the parties agree. At no time prior to the Earliest Initiation Date will either side initiate an arbitration or litigation related to this Agreement, except as provided by the rules of commercial arbitration for ASP or by agreement of the parties. All applicable statutes of limitations and defenses based upon the passage of time shall be tolled until 15 days after the Earliest Initiation Date. The parties will take such action, if any is required, to effectuate such tolling. The dispute will be settled by a single arbitrator. The parties will cooperate with ASP and with one another in selecting an arbitrator and in scheduling arbitration proceedings. Arbitration will occur in Salem, Oregon unless the parties otherwise agree. The parties will be entitled to conduct discovery in accordance with the Federal Rules of Civil Procedure, subject to limitation by the arbitrator to secure the just and efficient resolution of the dispute. If the amount in controversy exceeds

\$250,000, the arbitrator's decision shall include a statement specifying in reasonable detail the basis for and computation of the amount of the award, if any. In any arbitration arising out of or related to this Agreement, the arbitrator may not award any incidental, indirect or consequential damages, including damages for lost profits. The decision of the arbitrator will be final and binding. The party prevailing in the arbitration will also be entitled to recover any amount for his or her costs and attorney fees incurred in connection with the arbitration as determined by the arbitrator. Judgment upon the arbitration award may be entered in any court having jurisdiction.

(d) *Coverage Document Dispute Resolution.* The dispute resolution provisions in any Coverage Document shall apply for the matters to which such provisions are made applicable in the Coverage Document, and shall supersede the dispute resolution provisions of this Section 9.6. If a Coverage Document is silent, or the dispute resolutions contained within it do not apply to a particular dispute, the dispute resolution provisions of this Section 9.6 shall apply.

This First Declaration of Trust is executed by the Sponsoring Member and by the Trustees, who by affixing their signature hereto, agree to accept their appointment as Trustees under this First Restatement of the Declaration of Trust of the Special Districts Insurance Services Trust as of the Effective Date.

SPONSORING MEMBER:

Special Districts Association of Oregon

By: _____

Its: _____

TRUSTEES:

Position No. 1 _____

Position No. 2 _____

Position No. 3 _____

Position No. 4 _____

Position No. 5 _____

Position No. 6 _____

Position No. 7 _____

EXHIBIT A
FORM OF
JOINDER TO TRUST AGREEMENT
FOR INITIAL MEMBERS

By execution of this Joinder, the undersigned public body hereby agrees to become a party to, and is bound by, the First Restatement of Declaration of Trust of the Special Districts Insurance Trust effective as of April 1, 2014 (and as the same may be amended, supplemented or otherwise modified from time to time, the "Agreement"), by and among the Trustees and the Members, in the same manner as if the undersigned were an original signatory to such Agreement.

The undersigned represents and warrants that (i) the undersigned has received a copy of, and has reviewed the terms of, the Agreement and all related or relevant documents and agreements, (ii) undertakes to become a Member of the Special Districts Insurance Trust with all the rights and obligations thereof, and (iii) such undertaking has been duly authorized as an intergovernmental agreement to create a program of self-insurance pursuant to ORS 30.282.

Capitalized terms used but not defined in this Joinder shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder as of this 4th day of June, 2014.

Bend Metro Park and Recreation District
Name of District

By: _____

Name: Don P. Horton
Title: Executive Director

Address for Notices:

799 SW Columbia Street
Bend, Oregon 97702

With copies to:

**Board Calendar
2013-14**

**This working calendar of goals/projects is intended as a guide for the board and subject to change.*

June 17

Work Session

- ◆ Recreation Report – School Year 2013-14
- ◆ Inclusion Policy & Report
- ◆ ADA Transition Plan
- ◆ Facilities Maintenance Standards

Business Session

- ◆ Approve McKay Park Master Plan

July 1

- ◆ Annual Action Plan Year End Report

July 15

Work Session

Business Session

August 5

Work Session

Business Session

- ◆ Approve Riley Ranch Nature Reserve Master Plan

TBD

Skate Park Master Plan

Approve Riley Ranch Construction Contract – July/August 2014

Natural areas/open spaces/trails standards

Award Simpson Pavilion Construction Contract

Pine Nursery Phase 3 Playground & Lighting Construction Contract

Award Senior Center Construction Contract

Canal Row Park Construction Contract Award

Skyline ADA improvements construction contract award

Approve Lands Bend Development Agreement

Approve CA contract for Colorado Dam

Financial Policies

First Street Rapids Park Construction Contract Award

Colorado Dam Safe Passage Construction Contract Award

**Community Relations Department
April & May 2014**

Community Relations

- Continue critique and planning for new park and pavilion reservation process (incorporating business use criteria); finalize for approval.
- Prepare City Club introduction for sponsorship of recreation forum.
- Pursued definition regarding free speech in parks.
- Public inquiries: potential small dog park, business use in parks, river safety
- In the news: Discover Nature Day, dog park clean up, aggressive dogs in parks/potential small dog park, pickleball courts, summer recreation registration, great horned owl, older adult wellness programs, teen summer volunteers, outdoor pool cover off for summer

Targeted Campaigns/Promotions

- Recreation focus: Summer recreation registration, summer camps, Hershey's Track & Field Games, league sign-ups, fishing opportunities, Summer Playbook, FreePlay
- Bend Senior Center: wellness programs, cooking and arts, gardening
- Rental facility marketing:
- JSFC: swim lessons, indoor fitness, summer kick-off week
- General Recreation: dogs in parks, pickleball, fishing, Earth Day activities
- District-wide branding and communications: recreation campaign on television/radio/print, new Summer Playbook

Website/Social Media

- Employee website development (progress): Website platform is in development. Content uploading underway with staff directory data collection.
- Updated website: all Current Projects updated with additional Deschutes River Trail projects added, interactive map re-launched, summer recreation information implemented, pickleball and tennis court calendars added, July 4th event and vendor registration, July 4 Google calendar
- Google Places and Map Project: completed.
- March 2014 website traffic (compared to March 2013):
44,449 visits (+12%) 23,493 visitors (+16%)
115,026 pageviews (+16%) 2.59 pages per visit (+3%)
02:13 avg. visit duration (+18%)
Device used: Desktop - 24,747 (-8%), Mobile – 13,941 (+50%), Tablet – 5,761 (+74%)
- April 2014 website traffic (compared to April 2013):
41,208 visits (+4%) 22,842 visitors (+13%)
101,803 pageviews (+9%) 2.47 pages per visit (+4%)
02:16 avg. visit duration (+32%)
Device used: Desktop - 23,385 (-15%), Mobile – 12,582 (+46%), Tablet – 5,241 (+60%)
- Increasing fan base in social media:
Facebook: as 05/28/14 Twitter: as 05/28/14
BPRD – 2,723 likes BPRD – 2,395 followers
JSFC – 1,646 likes
BSC – 127 likes

- Updated website

New Branding

- Developed copy for both radio and television; determined visual associations and camera shots for television advertising, identified music for radio and television.
- Designed templates for collateral; distributed style guides for various delivery methods

Outreach/Events

OLA Clean Up Day Event

- Coordinated and held cleanup events at all 7 BPRD off leash areas.
- BPRD Adopt-a-Park volunteers who have adopted the OLA's served as host at each site.
- DogPAC volunteers supported the event at all OLA's.
- More than 100 people participated in the cleanup.

Discover Nature Day

- Coordinated and supported volunteers for Discover Nature Day.
 - Volunteers from Bend High Honor Society, COCC and Kohl's
 - Because 5 Kohl's employees volunteered, Kohl's makes a \$1500 donation to scholarships funded by their Associates in Action program.

Public Events in Parks

April & May Events

- Jingle bell Run – Pine Nursery
- JDRF –Riverbend
- Walk MS- Riverbend
- March for Babies – Riverbend
- CASA Lt of Hope – Riverbend
- Easter Egg Hunt – Juniper
- Salmon Run- Riverbend
- SNIP Barks and Recreation – Drake
- PPP – Riverbend
- Happy Girls- Riverbend

BPRD Outreach

- Earth day w/Kiosk
- Paddlefest w/kiosk
- Happy Girls fitness warm ups
- COCC – Exercise science education
- COCC – Yoga Teacher Training

District Events

- Sponsorships secured
- Planning underway – July 4th Festival and Pet Parade
- **BPRD Pet Parade is now recognized by the State as an Oregon Heritage Tradition Event**

Volunteers

Volunteer Appreciation

- BPRD participated in the Network of Volunteer Administrator's annual volunteer appreciation event. This event is supported by the Deschutes County Commissioners. BPRD honored the following volunteers as part of this event:

- Lindsey Brodeck - teen who volunteers with tennis programs and has raised over \$2,750 to support scholarships.
- Jerri Pacini – volunteer at Bend Senior Center who supports multiple programs and activities.
- Jan Gifford – volunteer from DogPAC who works collaboratively with BPRD to support the OLA’s.
- Held appreciation lunch for Bend Senior Center volunteers

Volunteer Group Projects

- Chamberlain School – 15 students planted trees at Shevlin Park
- Lava Ridge 5th grade students – 30 students plus staff/parents cleaned up decayed and stray tree protection (deer) baskets at Shevlin Park
- Seven Peaks School – 275 students plus staff/parents walked Coyner/Larkspur trail to Pilot Butte picking up litter and pulling weeds.
- Heart of Oregon Corp. – 15 people pulled weeds and cleaned up litter on West Bend Trail.
- New Leaf Academy – 10 students plus staff cleaned up tree protection baskets.
- New Leaf Academy – 12 students plus staff helped prep raised garden beds at Bend Senior Center.
- New Hope Church – 5 volunteers helped lay sod at Juniper and Hollinshead Parks.
- Target – 12 employees raked and supported seasonal cleanup of the trail at Juniper Park.
- Pilot Butte Middle School – 38 students helped with seasonal cleanup at Hollinshead Park.
- United Way Days of Caring group – 5 volunteers helped assemble signs for July 4th Festival.
- United Way Days of Caring group – 20 volunteers spread bark at Riverbend Park.

Volunteer recruitment and promotion

- Opportunities with summer youth recreation programs
- Health screening and plant day events at Bend Senior Center
- Hershey Track & Field Games
- Pet Parade and July 4th Festival

New volunteers

JSFC – fitness, Fit Kids – 8 new volunteers

Bend Senior Center – 1 new volunteer supporting fitness programs

Therapeutic Recreation – 2 new volunteers

Adopt-a-Park – IBEX Global adopted Farewell Bend Park

BPR Foundation

Fundraising

- FootZone/Outside In Girl’s Night Out event
 - BPR Foundation was the recipient of this fundraising event.
 - Event generated more than \$1400 for scholarships.
- Gopher Broke Scramble
 - Recruiting sponsors and players
 - Coordinating event details

Other

- Held BPR Foundation board meeting.
- Participated in endowment building webinar.
- Refining scholarship program and message as well as new logo/image for Foundation.

Community Relations Administration

- Created position description for Community Relations Specialist – incorporating expanded CR support with district event and outreach. Coordinated recruitment and hiring details
- Prepare for CAPRA report processes.
- Prepared ORPA Private Sector Partner Award nomination honoring Bend Pickleball Club.
- Worked with IT staff to develop DocuWare system for plaques and dedications.
- Prepared supportive budget documents and board presentations.

Park Services
April and May, 2014

Facilities/Construction

Maintenance

- Upgraded Juniper Park horseshoe pits
- Installed alert buttons at Senior Center and alert buttons/security cameras at JSFC and district office
- Installed five new memorial bricks at Brooks Park
- Installed new memorial bench along South Canyon trail
- Completed tool shop construction at Pine Nursery Park
- De-winterized and reopened park restrooms and drinking fountains
- Completed parking lot sweeping

Construction

(See Planning and Design report)

Landscape

- Spring start up on infields and prep for tournament play and nightly programs
- Participated in the volunteer Off Leash Area cleanup event
- Irrigation startup, thatch, fertilization and aeration programs, spring cleanups, broadleaf spraying and bed work in the parks
- Replacement tree planting at Pioneer, Drake and Farewell Bend parks
- Planted flower flag in Brooks Park
- Supported Bend Elks Memorial Day Triple Crown Tournament

Natural Resources

- Completed Haul Road Trail fuels reduction from Mt. Bachelor Village to Entrada Lodge
- Finished Alpine Park and Three Pine's Trail fuels reduction
- Heart of Oregon crews finished Hansen property fuel reduction and garbage cleanup project
- Contractor has treated Pine Nursery (natural areas), Simpson site, Al Moody Park (natural areas), Ponderosa Park, Hansen property, Coyner and Larkspur trails for noxious weeds
- Deschutes County sprayed 40 acres at Riley Ranch (meadow) for noxious weeds
- Natural Resource crew is spraying noxious weeds along West Bend Trail, Haul Road Trail and Jeffer's property
- Staff and Wildlife Services are locating goose nests and oiling eggs
- Mid-May intense hazing started in the parks to try to get the geese to migrate before they molt
- Connecting Alpine Trail from the north end of the park (off of Meeks Road) to the south end of the park
- Re-routed the trail going from Overturf Park to the dog park and started to rehab the old trail route which was causing runoff in the park

- Installed signs on Coyner Trail
- Mural is being painted at Ponderosa Park playground with Bear Creek 4th grade classes
- Bi-lingual interpretive signs and a pollinator garden was installed in Ponderosa Park
- Ponderosa School is doing an art piece at Pine Nursery in the natural area between the school and park

Shop Staff

- Received 2 new pickups and a transit van
- Modifying trucks to meet Premier and Neighborhood crew needs
- Completed truck/trailer, tractor operation and safety, shop orientation and large mower operation and safety training for new and seasonal staff
- Completed safety fence around the kid's slide at JSFC
- Installed gate at Pine Nursery Yeoman Road entrance

BPRD PROJECT UPDATES

May 2014

Bond-Funded Projects



Colorado Dam Safe Passage: Permit documents are submitted to the regulatory agencies and are currently under review. Final design of the project is proceeding concurrently. The project is scheduled to be presented to the city of Bend Planning Commission on July 14. Construction contracting should occur this summer and pending permit approval construction is expected to begin in the fall of 2014. An alignment for the Deschutes River Trail connection under Colorado Avenue is also currently being designed.



McKay Park: Planning and design for improvements to McKay Park have begun. The park is proposed to be enhanced with an accessible beach, updated plaza with a new restroom/changing facility, spectator viewing areas, improved trail connections and riparian habitat restoration. The master plan for the park renovation will be presented to the board in June. Staff submitted an application for an Oregon Park and Recreation Department Local Government Grant to help fund some of the proposed improvements and will present to the grant committee in early June. The district should hear back about the grant in late summer.



Pine Nursery Park Infrastructure: The board approved a contract with Paul Brother's, Inc. to complete the landscaping and irrigation associated with the infrastructure construction. Paul Brother's should be done by the end of the summer. The Pickle-Ball® nets and court surfacing are complete and the courts opened May 24. The entrance plaza and installation of picnic tables around the courts are also included in Paul Brother's contract and are nearly complete.



Simpson Pavilion: Design development and construction drawings are in progress. A site plan permit package was submitted to the city of Bend at the end of May. An all-day meeting to review the design development package is planned for June 11. After that the design team will begin preparing final construction documents. Pending permit approval construction of the Pavilion should begin in the fall.



Riley Ranch Nature Reserve (RRNR): The citizen’s advisory committee met on May 12 to review the draft management plan and help formulate a proposed development program. After a full day discussion the committee agreed upon a list of recommended elements for park development and the consultant team was charged with developing two master plan alternatives. The advisory committee will meet on June 13 to review the alternatives. A public meeting to review the draft master plan and general project information is expected in July (date and time to be determined). Site survey and geotechnical borings required for the engineering and design of the proposed maintenance/emergency bridge to the property were also completed in May.

For safety reasons, the Riley Ranch property remains closed to public access until the park is formally opened.



Deschutes River Trail (DRT):

South UGB Segment – Staff is beginning an evaluation of environmental requirements and assembling a list of neighborhood and open house citizen contacts. The contact list will be used to reach out to citizens interested in participating on a project advisory committee. The project advisory committee will review information and provide input on how to proceed with the project.

Galveston to Miller’s Landing Park – A community questionnaire to determine neighborhood concerns regarding urban trail improvement options was mailed out to 450 residents on May 21. The questionnaire is also provided online.

Archie Briggs Canyon Trail and Bridge – This segment has been delayed pending the outcome of Riley Ranch Nature Reserve management planning. Concerns have been raised relative to the ultimate number of access points to Riley Ranch and what types of users are appropriate in the various areas of the Nature Reserve.

Non Bond-Funded Projects



Canal Row Neighborhood Park: In response to a Federal Bureau of Reclamation (BOR) requirement, an archeologist was contracted to conduct a preliminary evaluation of historic features on-site. The archeologist’s report was submitted to BOR and the State Historic Preservation Office (SHPO). SHPO has responded and provided approval for the project. Final review of the development plan is pending with BOR. The approved master plan includes

children’s play areas, pathways, open lawn, natural area and parking. Pending permit approvals, construction of the park should begin by 2015.



1st Street Rapids Park: The board approved the master plan for future improvements to the park at the March 18 meeting. Design and engineering is being finalized for the east and west side routes to the new bridge and for other park improvements.



Bend Senior Center Remodel and Expansion: The district is planning for a modest remodel of the Bend Senior Center this fall. The remodel would include the addition of a fitness/exercise room, reconfiguration of existing spaces to better meet current user needs and relocation of the main entrance and reception area closer to parking. The initial renovation is small in scale, but an important first step in the overall master plan that envisions a future 32,000 square foot facility including a gym, warm water aquatics, expanded fitness/wellness facilities and improved senior and community services. The architects expect to have construction documents for the remodel done this summer and work is expected to commence in the fall.



Pine Nursery Community Park: Construction of two restrooms, a picnic shelter, four dugouts and field house continues. The dugouts are complete and the remainder of the building work should be done by July.

The district is working with DogPac, an off-leash advocacy group, to construct a small spray park for dogs. DogPac has collected funds to help pay for the spray park that will commemorate off-leash advocate and volunteer, Bob Wenger. Funding is also being provided by the BPRD Foundation. Construction plans are complete for the small spray plaza and a contract for the work is being awarded. Construction should be underway this summer.

Planning and design has begun for the next phase of construction at Pine Nursery. The scope of work includes a playground, parking lot lighting, an accessible walk to the disc golf area, shade provisions for the sports complex, a trash enclosure, bike parking and structural improvements to the existing ball field backstops.



Miller’s Landing Park: Construction of the boardwalk is substantially complete and the district is awaiting final approval by the city. Community garden construction should be underway by

June and is expected to be completed in early summer. Final landscape installation is also progressing and should be complete by the end of the summer.



Ponderosa Park: Additional landscaping and irrigation work is proceeding, including road signage for improved safety. Community park elements near the skatepark (e.g. picnic shelter, paver plazas, pathways) are substantially complete. Installation of landscaping and irrigation around the skatepark has begun and should be complete by the end of summer. The district collaborated with the Deschutes Children’s Forest (DCF) and Bear Creek Elementary School to complete a mural on the playground wall. Other nature inspired projects (e.g., interpretive signage, pollinator garden planting) in the park were also completed. A community gathering to celebrate the nature inspired student projects is planned from 5pm to 7pm on May 29 at Ponderosa Park.



Discovery Park: The district received 100% construction documents for Discovery Park in May. Those plans have been reviewed and comments were provided back to the developer. A final review of proposed construction documents will be required prior to construction. The developer submitted an updated construction estimate which is currently under review and discussion. The park is expected to be complete by spring of 2015.



Alpine Park Trailhead: Design and engineering of trailhead improvements adjacent to the future Alpine neighborhood park continues. Staff is working with city staff on design options and will be meeting with area residents about plans once the drawings are available. Public outreach should happen in early June.



Irrigation System Conversion (Riverbend Park): The irrigation system conversion for Riverbend and Farewell Bend Parks is complete. The pump system is currently online and operational for irrigation use. The district is using river water rights to irrigate Riverbend Park this spring and summer, and anticipates a connection to Farewell Bend Park within the next two years.

Mirror Pond: Discussions with PacifiCorp regarding the fate and ownership of the dam continue. The dam inspection report by Gannett Fleming was released to the public on May 12 following a decision by the City of Bend District Attorney regarding public records law. The Ad Hoc Committee met May 21.

Americans with Disabilities Act (ADA) Transition Planning: The district is assembling a plan that will incorporate all aspects of providing park and recreation services to people with disabilities. Staff is currently identifying which barriers to access should be accomplished under the Capital Improvement Plan and which improvements can be performed by Park Services as part of the asset management plan. A draft of the plan is expected to be shared with the board in June.

Recreation Report Spring, 2014

Overall Participation Trends

- Winter/Spring Overall Revenue through April 30 is up 5.1% over last year. Fiscal Year is up 5.4%.
- Pre-Registration for Summer Programs through May 27 is up 10.9% over last year

Planning, Projects and Program Development

- Pickleball courts at Pine Nursery opened May 24. Courts were full with people waiting the first four days of the organized play times run by the Bend Pickleball Club.
- Programming of the pickleball courts has been developed in collaboration with Bend Pickleball Club. Agreement has been executed regarding the Club's programming and operation support. District offered weekly introductory classes are filling quickly.
- Final work on the new skatepark at Ponderosa was completed in April. Landscaping is underway and will be completed this summer.
- Ground lease with Bend FC Timbers has been executed and regular planning meetings with Timbers board has begun,
- Conducted floor testing for Simpson Pavilion and made recommendation to board on ice refrigeration system, sport floor selection and rink size.
- Staff recruitment and training for the summer season is in full gear.

Youth, Outdoor, Therapeutic Recreation and Enrichment

- Kids Inc. afterschool program concludes with the last week of the school year. Program started strong and grew throughout the year ending and with the addition of a site at Miller ended with the participation ever.
- Early Release Wednesdays wrapping up another successful year next week. Program expanded to three additional schools this year and had strong participation.
- RAD Recess, a collaborative effort between the District and Ponderosa Elementary School PTA, to provide recreation activities during the lunch recess three days a week is concluding its first year. Data collected by the school staff shows that behavior referrals were much lower on RAD Recess days than the days when RAD recess did not occur.
- Discover Nature Day held April 5th in Shevlin Park was a great success and well attended by hundreds of children and families. The second year event included activities provided by partners of the Deschutes Children's Forest and integrated the annual Arbor Week Tree planting.
- "Naturehood" projects were celebrated on May 28 at Pine Nursery (Ponderosa Elementary School) and May 29 at Ponderosa Park (Bear Creek Elementary School). The "Naturehood" projects were created by the schools in collaboration with Deschutes Children's Forest and the district. Ponderosa Elementary students developed an App for their I-pads and a brochure to go along with it. The App teaches the user about plants, wildlife and pond life at Pine Nursery. Bear Creek Elementary PTA received a grant that helped to provide bilingual interpretive nature signs, a butterfly garden and a mural at Ponderosa Park designed by students.
- Three interns have joined the recreation staff for the summer, two in our Therapeutic Recreation program and one in our Outdoor programs.

Sports

- Youth Lacrosse Season wraps up a successful season this week with 43 teams and 630 participants, most in the program's history.
- Girls ASA Fast Pitch Softball League finishes June 5 with 17 teams and 281 participants, most in the program's history.
- Adult softball leagues including Men's Metro, Women's Metro, Senior Metro, Men's rec and Coed Rec started play in late April and run through the summer with 122 teams and nearly 2,000 participants.
- Offered a variety of camps including All Sport, Basketball, Volleyball, Track, Lacrosse, Baseball and Softball with 468 participants.
- Provided support for a Memorial Day Youth Baseball Tournament run by Triple Crown Sports. Play took place on 13 of our 15 ball fields and included 172 teams from all over the Pacific Northwest making it one of the largest tournaments of the region,

Juniper Swim & Fitness Center

- 50-meter pool cover was removed the week of May 12-16 just in time to enjoy the sunny, warm weather.
- Activity Pool opened Memorial Day weekend. Pool will operate weekends only until the full summer season begins on Friday June 14.
- Hosted the Bend Long Course Invitational Swim Meet May 3-4 with over 250 swimmers from around the state.
- Spring youth swim lesson classes and novice swim teams going strong with all time slots utilized and most classes at or near capacity
- "Summer Kickoff into Fitness" event May 30- June 7 including 14 free clinics and classes.

Bend Senior Center

- Hosted Stroke Awareness Day on May 6 in partnership with St Charles
- Provided a free shredding event on May 7 in cooperation with Bend Garbage and Recycle
- St Patrick's Day Dinner Dance drew 90 people and Comedy Night on April 4 featuring the Triage Improv Group drew over 30 people,
- Kicked off Free Nordic Walking program at Larkspur Park on May 22
- Day trips have proven popular with most filling to capacity. Multi-day tours offered with Collette Tours are also getting good interest.
- Fitness classes continue to grow including the late afternoon and early evening classes.