

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

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

**STAFF PRESENT:** Don Horton, Michelle Healy, Lindsey Lombard, Theresa Albert, Jan Taylor, Matt Mercer, Pat Erwert, Courtney Moran, Jeff Hagler, Jason Monaghan, Kathya Avila Chaquez, Sue Jorgenson, Steve Jorgensen, Colleen McNally, and Quinn Keever.

**LEGAL COUNSEL:** None.

**MEDIA:** None

**VISITORS:** Keith Scott and James Dorofi.

**WORK SESSION**

Chair Dan Fishkin convened the work session at 5:40 pm.

**Staff Introductions**

Jan Taylor introduced Courtney Moran, Community Relations Specialist. Courtney shared her past experience with Eugene, Tualatin Hills and Redmond parks and recreation agencies. She stated she is very excited to be part of the Bend Parks and Recreation District.

Sue Jorgenson introduced Kathya Avila Chaquez, Latino Community Specialist. Kathya stated she is from Peru and has been in the United States for four and half years. She shared her experience with Neighbor Impact and the school district. She stated she is very excited to be a part of the district.

Pat Erwert introduced Jason Monaghan, Facilities Supervisor. Jason cited his past experience with Tualatin Hills Park and Recreation District and stated that he is excited to have finally made it to Bend. He stated he really looks forward to working with everyone.

Pat Erwert introduced Jeff Hagler, Park Stewardship Manager. Jeff stated he received a Master's degree in Recreation Administration from the University of Oregon and shared his experience in the field in Colorado, Newburg, Oregon, and Washington. He stated his position will be challenging and he is excited to be here.

**Deschutes River Trail Update**

Steve Jorgensen stated there are twelve segments of the Deschutes River Trail as a result of the passage of the bond measure. He stated there are eleven miles of trail within the urban area

and with the completion of the bond funded project a few more miles will be added. He cited the Riley Ranch Nature Reserve Bridge and explained a conceptual design has been completed and the permitting process will begin once the easements have been secured from the Coats family. He referred to the Putnam Road piece and explained that staff is working with Brooks Resources and we are hopeful they will integrate the trail into their master plan and development process. He identified potential trailhead parking on this stretch of the trail and stated that the development will be done on Brooks Resource's schedule, although a temporary easement may be made available to the district. Steve identified an irrigation easement connecting Kirkaldy Court to Putnam Road and noted the challenges to meet ADA access in this section. He stated the main focus at this location is working with the neighbors and a meeting is scheduled with adjacent residents. He reported on discussions with the representatives of the Awbrey Meadows Homeowners Association. The board and staff discussed accessibility concerns regarding the Deschutes River Trail. Steve explained there are sections of the trail that will not be accessible due to the topography. He referred to the Archie Briggs Canyon and bridge section of the trail and explained that as a result of the Riley Ranch Nature Reserve Management Plan, it was determined that access in this area might not be a good idea in terms of controlling the use of Riley Ranch. He stated no active design is being done on this in the short term. Steve identified the Pacific Park section of the trail and stated the design will be done in-house and timing will be in consideration of other redevelopment opportunities that may occur. He added the implications of what happens with the PacifiCorp substation and adjacent area will affect the location of the trail in terms of the edge of the river. He referred to the Pacific Park to Drake Park section of the trail and explained the consultants have been asked to focus on the site from the Newport Bridge upstream into Drake Park. He added that Don Horton has been in discussions with the adjacent property owners and a conceptual plan will be developed to share with them to demonstrate what we have in mind for this section of the trail. He cited challenges with accessibility due to the existing dirt trail and a connection that involves a stairway, and explained the consultant has been asked to address these issues. Steve identified the Galveston to Miller's Landing section and Riverfront and Riverside streets and the connection to the Gilchrist Bridge and Columbia Park. He shared the results of the neighborhood survey and meetings with the Old Bend Neighborhood Association and stated there is a lot of interest in this community to do something different. He cited the challenge of a narrow right-of-way on Riverfront and on street parking. Scott Asla stated there is also a current lack of signage for the Gilchrist Bridge. Steve stated more data is needed in terms of traffic and pedestrian count to help determine the placement of the trail in this section. He stated that the district's planning effort on this section ends with the conceptual plan and the district will look to partner with the city in terms of the larger issues related to streets and traffic management. He stated this section may require additional grant funding or alternative funding and a phased approach. Steve identified the Colorado Street undercrossing and noted this project is part of the Colorado Safe Passage project, and explained current use of a dirt trail and the crossing on Colorado creating a dangerous situation. He shared the current status of design and permitting in terms of the WOZ application and stated it is hoped the construction of this section will begin in the spring. Steve cited the River Rim Park to the south UGB boundary section of the trail and reported on meetings with residents of the area and the importance of the public support of the bridge location in association with the environmental analysis. He cited constraints and challenges of this section particularly associated with the areas of special interest, determining the best location for the bridge, concerns of the Forest

Service, the Wild and Scenic River designation, and property owner Stosh Thompson's position regarding the trail and bridge location. Scott Wallace expressed concern regarding the safety of the Portland Avenue crossing connecting Pacific and Pioneer parks. Don Horton stated that the redevelopment opportunities associated with the PacifiCorp property may provide an opportunity to create a bridge undercrossing in that location to address safety issues. Don stated that it is important to note that some of the trail projects may not be completed within the three-year time frame of expending the bond funds due to various complexities of process surrounding the south canyon section and unknowns related to the association with PacifiCorp and what will happen with that property.

### **Branding Campaign and Recreation Marketing**

Colleen McNally provided a brief overview of information previously presented to the board regarding the development of a new branding campaign. She explained that work led to the district's new tag line: *Play for Life*, and shared how that will be incorporated into all levels of the district going forward. She noted that new district trail maps now incorporate information about district parks and facilities and identified locations for map distribution throughout district facilities and the community. Colleen presented two new television commercials and two new radio commercials and explained how they will be aired throughout the year to meet recreation marketing needs and establishing the branding message. She explained the production of the ads was a district-wide team effort involving staff from each department, their children and district patrons. Jan Taylor explained how the staff and consultants focused on creating a branding campaign and message that is authentic to what the district is. She stated it is so important that what we say about the district is truly authentic to what the public feels about the district. She stated this effort required an immense amount of work and critical thinking on the part of the staff and consulting team.

### **Senior Center Renovation Update**

Matt Mercer shared the scope of the Senior Center renovation project and demonstrated how it has evolved over time. He stated the site development has changed substantially due to a better understanding of the site conditions and in consideration of the citizen committee's priority to have a protected entry, and inclusion of a community garden, sidewalk connections and additional landscaping elements. He stated additional cost of this work is estimated to be approximately \$250,000. He presented a PowerPoint of proposed elements of the renovation and described changes to the configurations and use of various spaces in the center. He stated the scope of the building renovation and expansion has remained consistent with preliminary plans with the exception of approximately \$30,000 in interior renovation to the senior lounge area and \$20,000 in HVAC improvements. Matt also shared details about the community garden design and explained rentable space will be available along with the programmatic element through the Senior Center. He explained the staff estimates the total project cost for the current scope at approximately \$750,000 compared to the \$500,000 originally allocated to the project. He stated that staff is seeking board direction on the revised scope and cost of the renovation project, specifically whether to revise the funding allocation in the CIP or to consider reducing the scope to remain within the original allocation. Matt explained the project was funded in the Facility Reserve Fund, and in the FY 2014-15 adopted budget, the Facility Reserve Fund has \$500,000 of appropriated, yet unallocated funding, a portion of which could be allocated toward the project. He stated that BLRB is working on cost estimates and bid

documents are ready to go out providing the cost estimate demonstrates the scope is within the \$750,000. Don Horton stated these added elements in the scope are some of those that would have been done in future phases of the expansion. He added these funds would come from money that is being saved for the larger project. Dan Fishkin asked if the expanded scope is a result of what the community wants or the elements were added because it makes sense to do them in this phase and saves money. Matt explained that the change in scope encompasses both areas and noted there was very strong community sentiment toward a covered entry and the community garden. He explained the change in the community garden location was affected by the Reed Market Road easement. Scott Asla stated he feels this is a good approach and eliminates the look of a project half finished. Craig Chenoweth stated he thinks this plan is a good interim upgrade to the building and will tie in once we get further along in the master plan. He asked if there are any concerns about drawing down the Facility Reserve Fund \$250,000. Don stated the funds in the Facility Reserve Fund are specifically saved for this project. Dan asked about the improvements to the senior lounge and asked if that is in response to a current direct need. Matt stated the \$30,000 to be spent on that piece of the project involves ceiling, floor and lighting improvements to create a space that is conducive to the type of activities we would like to be doing there and make it a more comfortable space. The board and staff discussed the cost estimating process and how that will be refined before going out to bid on the project. Don stated the bid will require board approval. Matt added we would like to be able to coordinate this project with the Reed Market Road closures and there will be significant site work and asphalt work and it is important to get that done before winter. The board reached consensus to move forward with the cost estimates and bidding process.

## **REGULAR MEETING**

Chair Dan Fishkin called the regular meeting to order at 7:35 pm.

## **VISITORS**

James Dorofi addressed the board regarding the Old Farm Canal Trail. He noted he had emailed a presentation to each of the board members regarding this topic. He stated he is working on trail access from Hansen Park to the Deschutes River in the Old Mill District by way of the canal. He noted the district is in possession of approximately 50% of the trail and maintains 10% of it. He urged the district to maintain the trail and gain needed access to create the trail access.

Keith Scott addressed the board regarding the purchase of the J. L. Ward property in southeast Bend.

## **CONSENT AGENDA**

### **Minutes: July 1, 2014, Regular Meeting**

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

## **BUSINESS SESSION**

### **Purchase and Sale Agreements with JL Ward Company – 37 Acres in SE Bend**

Don Horton stated the purchase had been discussed in executive session and there are no changes in the configuration that was presented at that time. Scott Wallace announced that he has a potential conflict of interest in consideration of past work with JL Ward. He stated he does not have an existing contract with the company, but he will recuse himself from the discussion. Don explained the existing contract contains no contingencies, however, he has advised the seller he will not sign the contract until certain conditions are met as identified in the board agenda communication provided in the board report. He stated the seller has agreed to pay for the survey work, environmental study, boundary work for the easements, etc. He explained the condition of the seller to provide the district with a commitment letter or other legal instrument from the City of Bend that the district will not be subject to any assessments or otherwise be financially responsible for improvements to Murphy Road including any roundabouts. Don stated we want to make sure that is in place before we agree to buy the property to ensure the city will assess normal SDCs for sewer, water and transportation and not condition the district to provide additional offsite costs to make any improvements to a roundabout or Murphy Road. Don and the board discussed the lack of a written contract with contingencies and the potential for the seller to back out of the sale. Don stated that in consideration of his discussions with Jan Ward, there is nothing that leads him to believe that will happen. Craig Chenoweth moved to authorize the Executive Director to negotiate and execute a contract with JL Ward Company to acquire 37+/- acres as defined in the Board Agenda Communication for an amount not to exceed \$98,000.00 per acre plus closing costs and for the Executive Director to assure that the conditions outlined in the Board Agenda Communication are completed with outcomes beneficial to the district. Dan Fishkin recommended that the motion be reworded to state “to the Executive Director’s satisfactions the conditions precedent to entering into the contract have actually been met”. Scott Asla seconded the motion. Dan Fishkin, Craig Chenoweth, Ted Schoenborn, Scott Asla and Scott Wallace voted aye. Motion passed. Dan Fishkin moved to authorize the Executive Director to accept easements associated with the purchase of 37+/- acres of land and to assure that those easements are free of claims and receive a “no further action” on an environmental assessment. Craig Chenoweth seconded the motion. Dan Fishkin, Craig Chenoweth, Ted Schoenborn, Scott Asla and Scott Wallace voted aye. Motion passed.

### **Easements Along Deschutes River**

Michelle Healy explained that staff has been working with Bill Smith and adjacent property owners on the extension and improvement of the Deschutes River Trail from Miller’s Landing Park through a new undercrossing of Colorado Avenue, connecting to the existing paved trail in the Old Mill District. She explained the district needs to acquire easements for construction and the long-term operation and maintenance of the improvements. She stated the district currently has a trail lease agreement that covers the existing trails through the Old Mill District, and in the process of the discussions staff felt it would be prudent to convert the lease agreement to an easement. She identified the current leased areas on a map of the site, a new trail on river right, a segment currently under public easement to be relocated closer to the river and noted the easement includes the Colorado Dam pedestrian bridge and work done associated with the safe passage project. She stated that Bill Smith has been amenable to the negotiations and this presents a great opportunity to secure public access longer term. She

added the easements need to be in place for the RTP grant the district is submitting with Bend Paddle Trail Alliance (BPTA). Don Horton referred to the pedestrian bridge and the dam and explained the district owns half of the bridge and dam and Bill Smith owns the other half. He stated this is shown on the land plats and eventually a lot line adjustment will result in the ownership of the entire dam and the bridge. He stated this will protect the investment we are about to make in the dam and Bill Smith is willing to give the district the bridge at no cost. Don stated the easements will be irrevocable and provide Bill Smith with protection under the recreational immunity act. Scott Wallace moved to authorize the Executive Director to execute the necessary documents acquiring the easements along the Deschutes River from Fifteen SW Colorado, LLC, William Smith Properties, Inc., Old Mill Properties, LLC, Mill A Associates Limited Partnership, River Bend Limited Partnership, Mill Shops LLC and River Shops II, LLC for the Colorado Dam Safe Passage and Deschutes River Trail projects. Ted Schoenborn seconded the motion. Dan Fishkin, Craig Chenoweth, Ted Schoenborn, Scott Asla and Scott Wallace voted aye. Motion passed. Michelle Healy reported that Chelsea Schneider did an excellent job of presenting the Colorado Dam Project to the City Planning Commission on behalf of the district. She stated the project was unanimously approved by the commission.

#### **Trail Easements at Alpine Park**

Steve Jorgensen explained the district has been working to design trailhead improvements to Alpine Park located just outside the Bend Urban Growth Boundary on Swarens Road. He stated the district is seeking easements from Tetherow development that surrounds Alpine Park related to trailhead improvements. He stated in working with the city and county the district was required to improve half of Swarens Avenue in front of the park and described the location of the trail and connection at Skyline Park. He stated the trailhead will be developed with on-street parallel parking and noted that once the neighborhood park is developed there should be no further street improvement requirements. He described the easements and how they are associated with the district's trail work. He stated the approval of the easements will go before the Tetherow board this week and the district's board action would allow Don to sign the easements once the process is complete. Dan Fishkin moved to authorize the Executive Director to execute the necessary documents acquiring the three trail easements at Alpine Park. Scott Asla seconded the motion. Dan Fishkin, Craig Chenoweth, Ted Schoenborn, Scott Asla and Scott Wallace voted aye. Motion passed.

#### **EXECUTIVE DIRECTOR'S REPORT**

Don Horton noted the Colorado Dam Project involves permitting with all of the state regulatory agencies, and the public comment period of these agencies closed resulting in no comment. He added the Planning Commission did not make comment and he feels this is a testament to the district's public process to address concerns prior to the permitting stage. He stated he thinks this is amazing that we were able to get through this without any opposition.

Don Horton stated he is concerned about the rising cost of construction and shared an example with Discovery Park road construction that has increased from \$600,000 to \$760,000. He stated we have a lot of large projects coming up, and he is concerned about costs. He stated if the district's projects come in over engineers estimate, staff will have a plan of what we propose to do or how we intend to fund the additional cost and that information will be brought to the board.

Don Horton reported a donor has approached the district and proposed a \$250,000 donation to build the next series of pickleball courts. He stated staff has prepared a cost estimate to complete the entire project including the courts, lighting, water, electricity, plazas and landscaping and it is anticipated the district will need to contribute approximately \$150,000 toward the project. He stated the donor has asked if the district is willing to complete the entire project. He noted the current eight courts are reserved from 7:00 am until noon every day, and they are full throughout that time period. He added the Bend Pickleball Club's membership tripled within the first week after the courts were opened. He stated the district is also offering pickleball classes that are full with people on the waiting list. He stated this is not an official project, but a change order will be done to the contract with the current engineer who is working on other Pine Nursery projects, and staff will return to the board with proposed modifications to the CIP. Dan Fishkin asked how the donor will commit to his portion of the project. Don explained there will be a three-way agreement between the district, BPR Foundation and the donor. Ted Schoenborn clarified half of the courts will be lit. Don stated that is what the pickleball club has requested. The board reached consensus to move forward with the project.

Don Horton noted there are two large projects coming up and cited the need to start construction as soon as possible on the Colorado Dam Project and the Simpson Pavilion. He stated there may need to be a special called meeting of the board in September to approve contracts to get these projects going.

Don Horton reported on the status of the Boys and Girls Club operation and maintenance backlog. He explained that Matt Mercer and Pat Erwert had toured the building and identified a series of maintenance needs. He noted the district is helping with the property insurance premium and stated he would like to propose the district assist with and maintenance needs. He estimated a cost \$20,000 to address the maintenance issues and noted that it would be an investment in a building the district owns. He added there may be some more ongoing assistance the district could provide and that would be a part of next year's budget discussion. Dan Fishkin asked how we differentiate between non-profits and our facilities when there is a legitimate need such as the Cascade School of Music's need to replace the heating system. Don explained that Cascade School of Music is more financially stable and the district split the cost of an HVAC unit. He stated the Boys and Girls Club is in trouble to the extent they are considering closing the doors. He stated the district is one of many the club is reaching out to and given that their mission is so closely aligned with the district's mission and how they help kids in this community he felt we could do more for them. Ted Schoenborn stated he feels it is an investment in the district's facility. Dan stated he raises the question in terms of being able to justify the district's involvement in the event another non-profit asks for assistance. Don stated he feels the Boys and Girls Club offers a service on the district's behalf and the community would look to the district to provide that service if the club were to close. The board reached consensus to assist the Boys and Girls Club as proposed.

Don Horton reported he will be on vacation July 16 – 27 and Lindsey Lombard will be serving as acting Executive Director in his absence.

**GOOD OF THE ORDER**

Scott Wallace reminded the board the city council will be conducting the first reading of an ordinance to change the zoning related to the Simpson site. Dan Fishkin noted that he has asked Scott to speak on behalf of the district given his and his family’s history with the incentive to have an ice arena in the community.

As there was no further business the meeting was adjourned at 8:45 pm.

**EXECUTIVE SESSION**

Chair Dan Fishkin convened an executive session pursuant to ORS 192.660(2)(i) for the purpose of reviewing and evaluating the job performance of public officers and employees. The executive session was concluded at 9:30 pm.

Prepared by,

Paula Lowery  
Executive Assistant

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Dan Fishkin, Chair

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Craig Chenoweth, Vice-Chair

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Ted Schoenborn

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Scott Asla

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Scott Wallace