



Bend Metro Park & Recreation District

June 19, 2018

# Board of Directors

## Agenda and Reports

[www.bendparksandrec.org](http://www.bendparksandrec.org)



*play for life*



## **Our Vision**

To be a leader in building a community connected to nature, active lifestyles and one another.

## **Our Mission**

To strengthen community vitality and foster healthy, enriched lifestyles by providing exceptional park and recreation services.

## **We Value**

Excellence by striving to set the standard for quality programs, parks and services through leadership, vision, innovation and dedication to our work.

Environmental Sustainability by helping to protect, maintain and preserve our natural and developed resources.

Fiscal Accountability by responsibly and efficiently managing the financial health of the District today and for generations to come.

Inclusiveness by reducing physical, social and financial barriers to our programs, facilities and services.

Partnerships by fostering an atmosphere of cooperation, trust and resourcefulness with our patrons, coworkers and other organizations.

Customers by interacting with people in a responsive, considerate and efficient manner.

Safety by promoting a safe and healthy environment for all who work and play in our parks, facilities and programs.

Staff by honoring the diverse contributions of each employee and volunteer, and recognizing them as essential to accomplishing our mission.



**District Office | Don Horton, Executive Director**

799 SW Columbia St., Bend, Oregon 97702 | [www.bendparksandrec.org](http://www.bendparksandrec.org) | (541) 389-7275



**EXECUTIVE DIRECTOR'S REPORT**  
**BOARD MEETINGS CALENDAR REVIEW**  
**PROJECT REPORT**  
**GOOD OF THE ORDER**  
**ADJOURN**

◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆

Accessible Meeting/Alternate Format Notification

This meeting location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format or other accommodations are available upon advance request. Please contact the Executive Assistant no later than 24 hours in advance of the meeting at [sheilar@bendparksandrec.org](mailto:sheilar@bendparksandrec.org) or 541-706-6151. Providing at least 2 business days' notice prior to the meeting will help ensure availability.

<b>BOARD AGENDA COMMUNICATION</b>
-----------------------------------

<b>AGENDA DATE:</b>	June 19, 2018
<b>SUBJECT:</b>	Comprehensive Plan – Draft Plan Public Comments
<b>STAFF RESOURCE:</b>	Quinn Keever, Planner Michelle Healy, Planning & Park Services Director
<b>PREVIOUS BOARD ACTION:</b>	Board Update, September 20, 2016 Board Update, February 7, 2017 Board Update, June 20, 2017 Board Update, July 18, 2017 Board Update, December 19, 2017 Board Update, January 16, 2018 Board Update, February 20, 2018
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Review, monitor and periodically revise the Comprehensive Plan and Strategic Plan to ensure that they provide direction to address system deficiencies, respond to the needs of a growing community and plan for equitable distribution of facilities.

**BACKGROUND**

On May 16, 2018, staff released the Draft *Bend Park and Recreation District Comprehensive Plan* for public review. Staff notified the public about the availability of the plan in the following ways:

- Contacted all neighborhood associations
- Emailed approximately 350 people on the Comprehensive Plan mailing list
- Contacted all focus group participants (including City of Bend, Deschutes County, irrigation districts, Central Oregon Intergovernmental Council and the Metropolitan Planning Organization)
- Placed advertisements in The Bulletin and The Source newspapers
- Conducted television and radio interviews
- Posted to social media
- Updated the District's webpage
- Hosted a public meeting with 51 attendees

The public comment period closed on June 3, 2018. Staff received just over 50 written comments from 17 individuals, the City of Bend, and Central Oregon LandWatch. The majority of the

comments focused on projects such as:

- Mirror Pond
- The South UGB Bridge and Deschutes River Trail
- Cedarwood Trailhead
- Acquiring the ponds between Hwy 20 and Bear Creek Road
- Acquiring land in the Bend Central District
- Support for trails
- Support for urban plazas
- Support for safe crossings to parks

A few comments were grammar suggestions and others provided more detailed definitions of technical terms. The verbal comments received during the public meeting were similar to the written comments, in that most of them were questions about specific projects.

Staff will provide further details on the extent of the public comments at the June 19 Board Meeting.

**BUDGETARY IMPACT**

None

**STAFF RECOMMENDATION**

None

**MOTION**

None

**ATTACHMENTS**

None



## Board of Directors

June 5, 2018

District Office Building | 799 SW Columbia | Bend, Oregon

### **BOARD PRESENT**

Nathan Hovekamp, Chair  
Brady Fuller, Vice Chair  
Lauren Sprang  
Ellen Grover

### **ABSENT**

Ted Schoenborn

### **STAFF PRESENT**

Don Horton, Executive Director  
Michelle Healy, Planning and Park Services Director  
Lindsey Lombard, Administrative Services Director  
Matt Mercer, Director of Recreation  
Julie Brown, Manager of Communications and Community Relations  
Sheila Reed, Assistant to the Executive Director  
Brian Hudspeth, Development Manager  
Kim Johnson, Community Engagement Supervisor  
Colleen McNally, Marketing Manager  
Bryan Longoria, Marketing Coordinator  
Jeff Hagler, Park Stewardship Manager

### **LEGAL**

Paul Taylor, BLJ Attorneys at Law

### **MEDIA**

Stephen Hamway, The Bulletin

♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦ ♦

**4:00 p.m. EXECUTIVE SESSION** - The Board met in Executive Session prior to the regular meeting pursuant to ORS 192.660(2)(e) for the purpose of discussing real property transactions, ORS 192.660(2)(h) for the purpose of consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed and ORS 192.660(2)(i) for the purpose of reviewing and evaluating the performance of an officer, employee, or staff member.

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



## **NEW STAFF INTRODUCTIONS**

Roxy Kanable, Park Maintenance 1: Community Parks Crew

Dave Arnold, IT Manager

Betsy Tucker, Finance Manager

Laura Mercier, Payroll Specialist

Chloe Knievel, JSFC Shift Supervisor

## **WORK SESSION**

1. City of Bend Transportation System Plan – *Nick Arnis, Director of Growth Management, City of Bend*

Karen Swirsky, Senior Planner for City of Bend Growth Management filled in for Nick Arnis. Ms. Swirsky explained that the Transportation System Plan (TSP) is a roadmap for how the City spends money on roads and projects and should reflect the values of the community. The TSP shows the needed improvements to manage growth to 2040, indicates projects and programs that best reflect City goals and balances the needs of all modes of travel. She spoke about the regulatory requirements of the TSP, requiring cities to have a 20 year plan that supports statewide, regional and local systems, promotes choices, provides safe and convenient access and circulation, facilitates the flow of goods and services, provides adequate funding for needed projects, and coordinates with the Metropolitan Planning Organization (MPO).

Ms. Swirsky showed a slide that referenced the decision making structure that includes, public input, City Council, MPO, Project Management Team and a few committees and working groups. In addition, she showed a flowchart of the decision making and funding plan that creates the preferred transportation investment package for Bend. Next, she talked about the timeline of the process, with organizing the wants/needs of the community, funding them and then prioritizing, implementing and adopting the plan by winter 2020. In this process, the City will be looking for public input beginning with open houses in June and July.

The Board asked questions about the District's involvement in creating the TSP, if trails will be considered and identified as transportation networks, how the City is planning out past the UGB and how technology effects the TSP. Ms. Swirsky said District employee, Laura Underhill, serves on the TSP board and staff from the City and the District will work together on this plan. The trail map and policies of the District will be adopted into the TSP and the City is considering adding in identifiers to recognize trails as created by the District and classifying responsibility as well. Trails are important to the public and will be in the TSP as transportation and as suggested will work with the District to make this a transportation system. The City is planning out past the UGB using a lot of collected data and assumptions of future growth. Finally, she commented about technology and stated that it can affect the TSP with the future of driverless cars, needing less parking and more pick up and drop off areas and timing of stoplights as a couple of examples.



## 2. Volunteer Program Update – *Kim Johnson*

Ms. Johnson began her presentation with speaking about the value of having volunteers in the District. Volunteers help with patrons of programs and help care for spaces that they love. The District values volunteers as partners in helping to achieve the mission and goals of the District. Volunteering is a way for people ages 12 to 80 to connect and be involved and calls come in daily from community members looking for ways to volunteer.

Ms. Johnson said that volunteers support the following areas: recreation programs, events, outreach and activities, park and trail maintenance and administration and special projects. There are more than 1800 volunteers and 51,000 hours of time reported last year. These volunteer hours add up to the approximate equivalency of 25 full time employees.

Volunteer coaches account for 729 of the District's volunteers, contributing 35,000 hours and serving 6,149 children. Recruitment of these positions is an ongoing challenge. Ms. Johnson said the District is using the registration process as an opportunity to recruit coaches, the District has recently created a recruiting video as a tool for use on the website and social media. Currently, the District is looking at new incentives to attract more coaches.

Ms. Johnson next spoke about the new opportunities for volunteers including: greeters and hosts at Riley Ranch, surveys that will be conducted with river users this summer and exploring the possibilities of using volunteers as after school ambassadors at Rockridge skate park. In closing, Ms. Johnson mentioned that volunteering is a great segue into employment with the District. Many volunteer positions can provide opportunities to gain experience and learn about job openings.

## 3. Website Launch Update – *Colleen McNally and Bryan Longoria*

Mr. Longoria spoke about the recent launch of the new District website and explained how the new site was designed around the use of the system. He remarked that 50% of the website users are accessing the site with mobile phones. In response, the site was updated to a better mobile format including a responsive design with click to call numbers, mobile calendars and schedules and interactive maps. Other features include: real time fitness schedules, subscribe on your device and class descriptions.

Mr. Longoria highlighted the interactive park and trail map features and interactive map for rental facilities, including a search by features or by location. The site wide translator is another new addition to the site, with multiple language adaptations. In addition to the translator, the website also offers a Spanish resources section and Spanish fitness calendars for programs designed to be more hospitable to our Latino community.

Overall the website has a more engaging look with easier access and continuity of branding and values of the District.

**6:50 p.m. BREAK/TRANSITION**

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

**VISITORS**

None

**CONSENT AGENDA**

1. Meeting Minutes – 5/1/2018
2. Meeting Minutes – 5/10/2018

***Director Grover made a motion to approve the consent agenda. Director Sprang seconded. The motion passed unanimously, 4-0***

**BUSINESS SESSION**

1. Adopt Resolution No. 410 – Adopting a Revised Fee Schedule for System Development Charges, effective July 1, 2018 – *Lindsey Lombard*

Ms. Lombard directed the Board to page 24 of the Board Report. She said that per the District's System Development Charges (SDC) Methodology, SDC fees should be considered for an adjustment annually based on inflation or deflation, and this rate is based on two indices that adjust for changes in: land costs and construction costs. The land cost numbers come from the Deschutes County assessor, based on real market value, not assessed value and is the valuation of property that is within the District's boundaries. The construction cost numbers come from the Engineering News-Record 20 US Cities Index. Ms. Lombard explained the provided calculations that reflect the real market value of properties and the increase in construction costs that ultimately calculate to an adjustment increase to the SDC fees for the District of 8%.

The Board asked several questions about the valuations on the SDC Adjustment Factor Calculation, the impact on the District and the increases to the SDCs. It was mentioned that the SDC methodology rewrite is coming up this year; it was last addressed in 2009. Ms. Lombard and Executive Director Horton continued to point out that the cost of land and construction are both going up reflecting a need to adjust the fee for inflation now. Director Fuller expressed concern for raising the costs at this time especially with agencies looking at the District for affordable housing contributions, and he asked if the Board would entertain a lower percentage of increase. Chair Hovekamp, Directors Grover and Sprang responded in opposition to lowering the increase at this time. Ultimately, all members acknowledged that because the rules allow for inflationary increases that this motion should be voted on and further concluded that the concerns expressed can be addressed in the work that will be done on the rewrite of the SDC methodology.

***Director Fuller moved to adopt Resolution No. 410, setting the District's System Development Charge fee schedule contained therein effective July 1, 2018. Director Grover seconded. The motion passed unanimously, 4-0.***

2. Hold Public Hearing and Adopt Resolution No. 411 – Adopting the Budget and Making Appropriations for Fiscal Year 2018-19, and Adopt Resolution No. 412 - Imposing and Categorizing Taxes for Fiscal Year 2018-19 – *Lindsey Lombard*

***Chair Hovekamp opened a public hearing at 7:13 pm. There was no comment. Chair Hovekamp closed the public hearing at 7:13 pm.***

Ms. Lombard explained that Oregon Local Budget Law requires the District take the proposed budget to the full Budget Committee for approval and then the approved budget comes to the Board to adopt the budget as approved or the Board can approve the budget with limited changes. Ms. Lombard said that at this time, staff is not recommending any changes to the budget and the Board is being asked to adopt the budget as it was approved.

Ms. Lombard described that Resolution 411 encompasses two processes, adopting the budget and then approving the appropriations. Ms. Lombard explained that money has to be appropriated by organizational unit and category. She explained that interfund transfers are counted twice, it is counted in the transfer and then again in the category in which it will be spent, there is about \$5.5M that is accounted for in transfers this coming budget year. Next, Ms. Lombard reviewed the operational budget and total capital outlay and discussed how the money is appropriated in these portions of the budget, reminding the audience that the appropriations represent the money that is budgeted to be spent in fiscal year 2018-19 and not necessarily the total for a particular multi-year project for example.

Director Grover asked about the unappropriated funds. Ms. Lombard said that the unappropriated ending fund balance is \$1.6M (this is working capital and a backup fund to protect the District in case of an emergency) with a total of \$9.4M of combined unappropriated ending fund balance and reserves for future expenditures. The reserves are a savings account to fund the future CIP projects that the District has committed to and reduces the amount that the District would eventually need to borrow – thereby saving interest expense.

Ms. Lombard explained Resolution 412 is for imposing the permanent property tax rate of \$1.461 per \$1,000 of assessed value and the amount of \$1,927,230 for debt service for the District's General Obligation Bonds.

The Board did not have further questions since they were present at the Budget Committee meetings.

***Director Grover moved to adopt Resolution No. 411, Adopting the Budget and Making Appropriations for Fiscal Year 2018-19. Director Fuller seconded. The motion passed unanimously, 4-0.***

***Director Sprang moved to adopt Resolution No. 412, Imposing and Categorizing Taxes for Fiscal Year 2018-19. Director Grover seconded. The motion passed unanimously, 4-0.***

3. Adopt Resolution No. 413 – Adopting the Capital Improvement Plan Summary for Fiscal Years Ending 2019 - 2023 – *Michelle Healy*

Ms. Healy presented the resolution for the Capital Improvement Plan Summary; she commented that every year a new 5 year CIP is created. Ms. Healy briefly explained the budget of the CIP, stating that there have been no changes since the Budget Committee meetings.

***Director Fuller moved to adopt Resolution No. 413, adopting the Five-Year Capital Improvement Plan Summary for fiscal years ending 2019 - 2023. Director Sprang seconded. The motion passed unanimously, 4-0.***

4. Approve IGA with City of Bend for Empire Avenue Corridor Improvements and Northpointe Land Acquisition – *Brian Hudspeth*

Mr. Hudspeth presented the IGA for extension of Empire Ave. through Pine Nursery Park. The IGA offers a land trade with the City and District. The City needs additional property to build a roundabout (Purcell and Empire) and the District will get additional property to add to the park site at Northpointe.

Included in the agreement are some trail connections and crossings that the District would like to have in the area. The agencies will work in collaboration for final design and input for the park property and landscaping. The construction is scheduled to begin in September. The city would like to incorporate some of the pedestrian trails maintained by the District into the plan instead of building sidewalks and continue the network of trails with some pedestrian connectors.

The first phase of construction is the roundabout, the City needs .60 of an acre of District property to create the roundabout. In trade, the City will give approximately the same amount of land to the District at Northpointe to add additional parkland to a planned park. In addition, the City will add in some pedestrian crossings that will allow for trails to connect these crossings to Pine Nursery Park. Further improvement phases will include Empire Ave and Purcell Ave modernization projects to add sidewalks, signal work and bring area up to City standards.

The park at the Northpointe property will consist of 3 separate purchases, the District has purchased 3 residential lots, one lot will come from the City of Bend (trade as stated in the

IGA) and the last lot will be purchased from Pacific Corp. The District will build a park that is just less than 3 acres and extend the road (Rockhurst Way).

***Director Grover made a motion to authorize the Executive Director to negotiate and execute a IGA with the City of Bend for the Empire Avenue Corridor Improvements and Northpointe Property. Director Sprang seconded. The motion passed unanimously, 4-0.***

5. Approve temporary construction easement for City Sewer Plant Rehabilitation Project at Pine Nursery Park – *Brian Hudspeth*

Director Fuller declared a potential conflict of interest, due to his firm being involved in construction management of this project as a subcontractor to the City's prime construction management firm; however, he indicated that he did not believe this was a real conflict of interest and intended to participate in the discussion and vote on the matter.

Mr. Hudspeth showed a map of the sewer line location; the project starts at Pine Nursey Park and ends at the sewer plant. The City of Bend has a sewer line that parallels the north unit canal. It is a major line and carries sewage to the plant for the whole city of Bend. The pipe is old and needs to be rehabilitated. The sewage will need to be diverted to temporary pumping plants; pipes will be above ground and will run through the park. The duration for the project will be June –December 2018.

The City currently has an easement for the sewer line on the property and is now asking for a construction easement. The City will use NUID canal road for most vehicle access and be less disturbing to the park.

Ms. Grover asked about the protections in place if the pipe fails. Mr. Hudspeth responded that the IGA states that the property will be returned to the original condition and would further follow up if necessary.

***Director Sprang made a motion to authorize the Executive Director to execute necessary documents granting the temporary construction easement to the City of Bend for the Plant Interceptor Rehabilitation Project at Pine Nursery Park. Director Grover seconded. The motion passed unanimously, 4-0.***

6. Approve Land Acquisition for Bend Golf and Country Club Parcel – *Don Horton*

Executive Director Horton showed the parcel of land that the District would like to purchase. He explained that there is an encroachment on the property by one of the neighbors. BGCC is working with the homeowner to sell him that piece of the property, and will likely have to do a lot line adjustment on the property. Executive Director Horton said that this issue will have to be resolved prior to purchase and if there is a lot line adjustment, that land will be backed out of the price for payment. A tee box may be moved or a lot line

adjustment could be done as well on another section of the land, which means there will be a little less land than the stated lot size.

Executive Director Horton disclosed that the District had the land appraised, offered a price lower than appraised, but based on another piece of land that they already had in contract and they have agreed on the price. The conditions of the Purchase and Sale Agreement include: Board approval, clean phase one environmental report, clean title report and lot line adjustment issues resolved. There is also 0.6 of water rights for the property that could be used to irrigate the property. Closing may take a little longer than usual to take care of all the particulars; however, the property will not be developed for about 3 years. This will give BGCC time to move the cart path and sod farm that are currently on the property.

Chair Hovekamp asked if this property is in an underserved area. Executive Director Horton said that this property is in an underserved area according to the Comp Plan and the .5 mile walking distance park goal.

***Director Fuller moved to authorize the Executive Director to negotiate and execute a Purchase and Sale Agreement with the Bend Golf and Country Club for the acquisition of 3.39 +/- acres of property off Parrell Road for an amount not to exceed \$767,700 plus all related closing costs. Director Grover seconded. The motion passed unanimously, 4-0.***

7. Approve IGA with Bend LaPine School District – *Matt Mercer*

Mr. Mercer introduced the IGA as a new agreement that is an update, it is a 5 year agreement and does not make substantial changes in the agreement, but adds clarity in language and purpose.

Director Grover commented that this is an important agreement for the relationship with the school district and she is happy that it is clarified and is a longer term agreement. Director Fuller said that it is good to get clarification on the table and share with other school board members. He suggests these types of agreements are really important as new members come on board to understand the foundation of service we provide.

Director Sprang asked about the number of children that are allowed in a park at a given time. She expressed some concern with the high number of kids all at one time. Mr. Mercer explained that an addendum was added so that schools would notify the District in order to have better control on the number of kids at a park and prevent schools from overlapping each other. It has always been implied, but now it is in the agreement. Executive Director Horton pointed out that it is also an important safety feature so that kids aren't showing up in parks when there is spraying or controlled burns happening. Mr. Mercer said, "We want the schools to use the parks; we just want them to reserve them."

***Director Grover moved to authorize the Executive Director to execute the Intergovernmental Agreement with Bend LaPine School District effective for 5-years commencing July 1, 2018. Director Fuller seconded. The motion passed unanimously, 4-0.***

Prior to going into the final Executive Session for the evening, the Board finalized the evaluation of the Executive Director from the earlier Executive Session.

***Director Grover moved to accept the evaluation conducted for the Executive Director for evaluation period of June 21, 2017 through June 20, 2018 and to award a 3% bonus effective June 21, 2018 with an additional 40 hours of paid leave. Director Fuller seconded. The motion passed unanimously, 4-0.***

**EXECUTIVE DIRECTOR'S REPORT**

Executive Director Horton asked for 2 Board members to volunteer to serve on the Mirror Pond Solutions work group. Director Fuller agreed to serve and Director Sprang agreed to serve if Director Schoenborn is not able to serve in the role.

**BOARD MEETINGS CALENDAR REVIEW**

**GOOD OF THE ORDER**

Director Fuller thanked Mr. Hudspeth for his contribution to a field trip that he helped lead in Drake Park for his daughter's 5<sup>th</sup> grade class on June 4<sup>th</sup>.

**ADJOURN** 8:33 p.m.

Prepared by,  
Sheila Reed  
Executive Assistant

\_\_\_\_\_  
Nathan Hovekamp, Chair

\_\_\_\_\_  
Brady Fuller, Vice-Chair

\_\_\_\_\_  
Ellen Grover

\_\_\_\_\_  
Ted Schoenborn

\_\_\_\_\_  
Lauren Sprang



**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 19, 2018
<b>SUBJECT:</b>	Resolution No. 414 Supporting the City of Bend's Application for a Pilot Program for Urban Growth Boundary (UGB) Expansion for Affordable Housing
<b>STAFF RESOURCE:</b>	Michelle Healy, Planning and Park Services Director Don Horton, Executive Director
<b>GUEST PRESENTER:</b>	Lynne McConnell, Affordable Housing Manager and Russ Grayson, Development Services Director, City of Bend
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Approve Resolution No. 414
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Participate in the City of Bend urban growth boundary expansion.

**BACKGROUND**

In 2016, the Oregon Legislature passed House Bill 4079 in creating a pilot program allowing two cities to expand their urban growth boundaries (UGB) without going through the standard UGB expansion process to promote the development of affordable housing. See Attachment A for additional information about the program.

The City of Bend is putting together an application for the pilot program. The City's application proposes to bring in about 50 acres of land located on the east side of town directly adjacent to the current UGB, north and south of Highway 20 (see Attachment B). The City is partnering with two private developers to create a plan to build a combination of affordable and market rate housing on the property. The application is due to the State by August 17, 2018.

The city would like support from the District for their pilot program application. Lynne McConnell and Russ Grayson, from the City of Bend, will attend the board meeting to present more information about the program, and explain details about the City's application. Attached is Resolution No. 414 supporting the City's application (see Attachment C).

**BUDGETARY IMPACT**

The land included in the City's application is currently within the District's boundaries. Development of the property would generate additional tax revenue to help fund park and recreation services to the new homes. The value of the additional revenue is unknown at this time.

**STAFF RECOMMENDATION**

Staff recommends the Board approve Resolution No. 414 supporting the City of Bend's HB 4079 pilot program application to expand the UGB to promote development of affordable housing.

**MOTION**

***I make a motion to adopt Resolution No. 414 supporting the City of Bend's application for a pilot program for urban growth boundary expansion for affordable housing under HB 4079.***

**ATTACHMENT**

Attachment A – HB 4079 information

Attachment B – Map of proposed property

Attachment C – Resolution No. 414



## CITY OF BEND

Information on HB 4079 for Bend Parks and Recreation Board of Directors

June 19, 2018

From: Lynne McConnell, Affordable Housing Manager

The Oregon Legislature passed HB 4079 during the 2016 legislative session. The bill directed the Land Conservation and Development Commission (LCDC) to create a pilot program through which two cities could submit proposals to the Commission for Urban Growth Boundary (UGB) amendments for the development of affordable housing. The program allows two cities, one with a population of less than 25,000 and a second with a population of 25,000 or more, to submit a proposal to amend their UGB to bring in a site of no more than 50 acres that would be developed with affordable housing units. Bend is one of nine cities with a population of 25,000 or more that is eligible to submit a proposal. In this pilot program, affordable housing refers to housing units for rent or purchase for households who have incomes that do not exceed 80 percent of area median income of the county in which the housing is proposed. At this time, Bend and Redmond are the only two cities with populations over 25,000 in competition.

710 NW WALL STREET  
PO Box 431  
BEND, OR 97709  
541-388-5505 TEL  
Relay Users Dial 7-1-1  
541-385-6676 fax  
bendoregon.gov

MAYOR  
Casey Roats

MAYOR PRO TEM  
Sally Russell

CITY COUNCILORS  
Justin Livingston  
Bill Moseley  
Bruce Abernethy  
Nathan Boddie  
Barb Campbell

CITY MANAGER  
Eric King

### Elements of UGB expansion allowed under this program

The following describes the elements of a UGB expansion proposal that could be submitted to LCDC under this program. Of note is that the proposed expansion would not need to demonstrate need for either the land or housing, and would not need to address the boundary analysis requirements of Statewide Planning Goal 14, Urbanization.

1.     Size. The program would allow a city to expand its UGB to include no more than 50 acres of land. There are no limitations on numbers of properties involved.
2.     Farmland. The proposed UGB expansion cannot include what is defined under state law as high value farmland. These are soils that when irrigated or not, are the highest rated for commercial agriculture based on the National Resource Conversation Services (NRCS) soils rating system. Deschutes County has adopted a list of soils that are considered high value when irrigated and incorporated these in their zoning ordinance.
3.     Parameters on Housing Units. The proposed UGB expansion must include a proposed plan for development of housing units. Of these units, at least 30% must be affordable; the remaining 70% could be market rate housing. For cities with a population of 25,000 or more, the program rules require that at least 20 units of affordable housing be developed and at a minimum density of at least seven (7) units per acre. The required density for market rate housing is also at least seven units per acre. There are no limitations on the type of housing that is built. For example, such a proposal could include both single family detached and multi-family detached housing.
4.     Legal Requirements. In addition to the above, the city applying for such a UGB amendment has to address several legal standards to support the proposed UGB

expansion. The City must show that the project would not likely be developed inside the UGB. The City must also address relevant legal requirements to show the proposed development would comply with Statewide Planning Goals 5 (Natural Resources) and 7 (Natural Hazards). Finally, the City must also provide findings of compliance with Goal 11 (Public Facilities) with respect to the water, sewer, and transportation facilities that would support development of affordable housing on the project site.

#### Status of Application

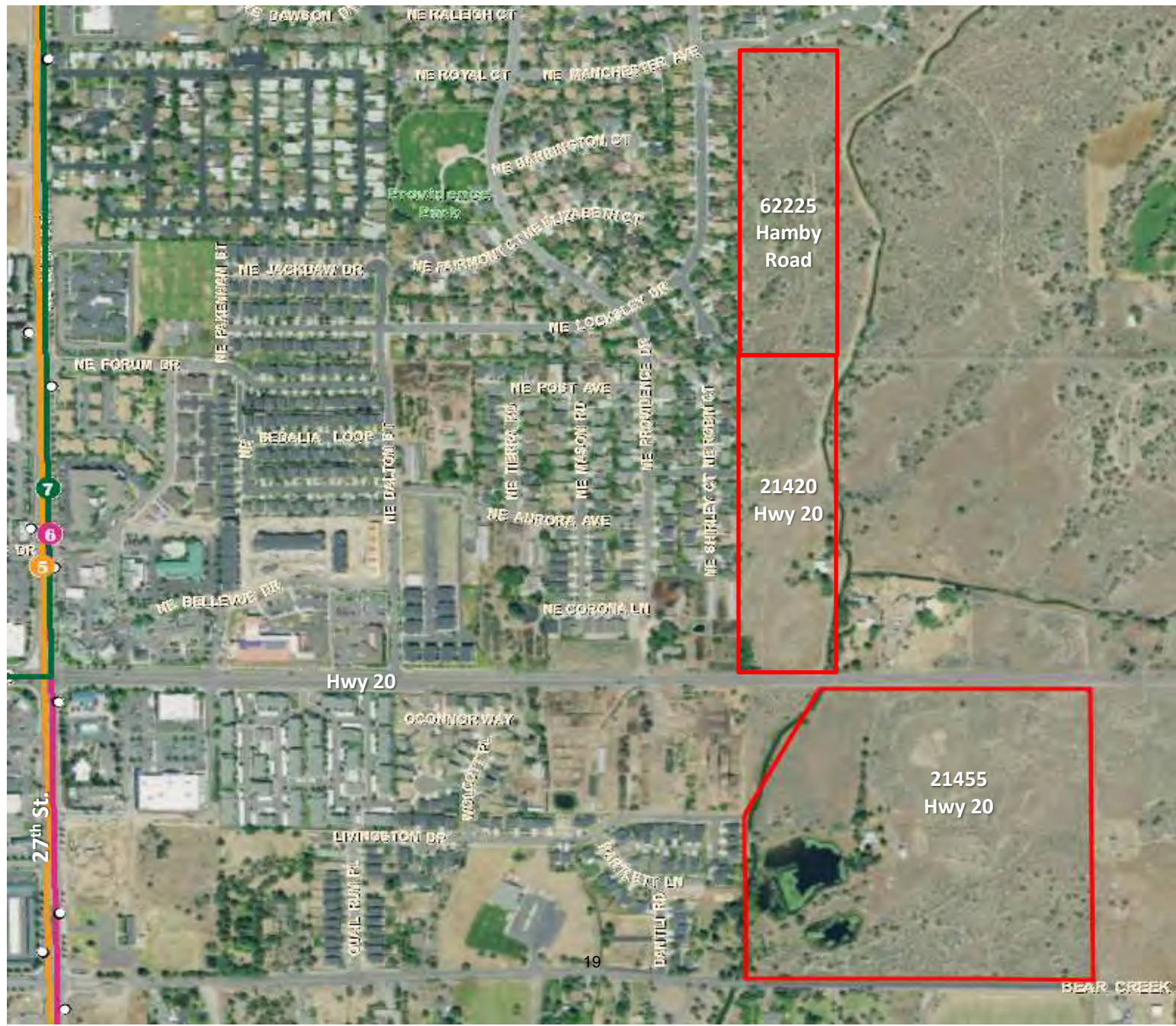
City of Bend has submitted a pre-application and our housing policy matrix, demonstrating the housing policy the City has implemented to promote affordable housing within our current UGB. The final application is due to DLCD by July 2, 2018.

City of Bend is utilizing private land in a public-private partnership. Bend hopes to work with our land owners to develop as complete a neighborhood as possible. We hope to include greenspace with walking and biking trails, park land, a buffer to farm land to the East, both affordable and market rate housing, some single family and some multi-family housing, and some commercial amenities. All affordable units will be within  $\frac{3}{4}$  miles of fixed route transit via sidewalk or pedestrian walkway.

Bend's parcel is a combination of three private parcels, they are:

- a. 21455 Hwy 20, tax lot 1712350001500
- b. 21420 Hwy 20, tax lot 1712350000900
- c. And a portion of 62225 Hamby Rd., tax lot 1712350001202

# City of Bend HB 4079 Application - Attachment B



**BMPRD RESOLUTION NO. 414****A RESOLUTION IN SUPPORT OF THE CITY OF BEND'S APPLICATION FOR A PILOT PROGRAM FOR URBAN GROWTH BOUNDARY EXPANSION FOR AFFORDABLE HOUSING UNDER HB 4079**

**WHEREAS**, the Oregon Legislature passed House Bill 4079 in 2016, creating a pilot program to provide an adequate supply of land within urban growth boundaries that is dedicated to affordable housing, encourage the development of affordable housing on land dedicated to affordable housing, and protect land dedicated to affordable housing from conversion to other uses before or after the development of affordable housing; and,

**WHEREAS**, the City of Bend nominated a pilot project ("Bend Pilot Project") on a site of approximately 50 acres, located on the eastern border of Bend's urban growth boundary at 21455 Highway 20, 21420 Hwy 20, and possibly a portion of 62225 Hamby Road in Deschutes County, Oregon ("Bend Pilot Project Site"), owned by private owners; and,

**WHEREAS**, the Bend Pilot Project is competing to be selected for the HB 4079 Affordable Housing Pilot Project for a city with a population over 25,000. If selected, the Bend Pilot Project Site will be included within the urban growth boundary of Bend, for annexation into the City of Bend, and developed as needed as affordable housing; and,

**WHEREAS**, the Bend Metro Park and Recreation District (the "District") is an Oregon Special District that provides park and recreation services under ORS chapter 266. The District's mission is to strengthen community vitality and foster healthy, enriched lifestyles by providing exceptional park and recreation services; and,

**WHEREAS**, the Bend Pilot Project Site is within the District's boundary and the District is the provider of park and recreation services to the pilot project site.

**NOW, THEREFORE**, the Board of Directors of the Bend Park and Recreation District resolves to support the City of Bend's Pilot Project nomination for the HB 4079 Affordable Housing Pilot Project.

**ADOPTED** by the Board of Directors on this 19<sup>th</sup> day of June 2018.

---

Nathan Hovekamp, Board Chair

**Attest:**

---

Don Horton, Executive Secretary



**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 19, 2018
<b>SUBJECT:</b>	Drake Park Bank and Trail Improvements – Project Update and Approve Contract Amendment for Green Works PC
<b>STAFF RESOURCE:</b>	Brian Hudspeth, Development Manager Don Horton, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	July 18, 2017 Project Update March 7, 2017 Project Update December 19, 2017 30% DD Completion Project Update
<b>ACTION PROPOSED:</b>	Work Session – Project Update Business Session - Approve Contract Amendment with GreenWorks PC to complete construction drawings
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

**BACKGROUND**

On November 1, 2016, the Board authorized the Executive Director to enter into a contract with GreenWorks, PC to move the Drake Park Bank and Trail Improvements project forward to a 30% design development (DD) level. Since then the design team has completed the 30% DD level design, conducted a value engineering, (VE), exercise and worked with GreenWorks on a scope and fee to continue the design documents through permitting and construction.

During the VE process, staff and the design team looked at all the zones throughout the reach. Many items were considered; the following is a list of items removed from this project:

**Zone 1:**

- Reduced work on the upland area between the Galveston Bridge and Beach
- Removed the Riparian work from the Beach to the pedestrian bridge, (this work will be included in the River Stewardship project with Upper Deschutes Watershed Council)
- Removed the water access points / overlooks between the beach and pedestrian bridge

**Zone 2:**

- Considered trail width, design for a 6-8 feet wide secondary paved trail

**Zone 3:**

- Removed extension of the plaza area into the river (existing plaza will remain as is)

- Reduced the seat walls on connector trail from city parking lot to DRT
- Refined DRT grades over rock point

Zone 4:

- No change

Zone 5:

- Removed all riparian restoration work along Pacific Park reach, (this work will be included in the River Stewardship project with Upper Deschutes Watershed Council)

The following items were added to the project:

Zone 1:

- New restroom facility and improved plaza access area at the beach location

Zone 2:

- Nothing added

Zone 3:

- Nothing added

Zone 4:

- Design for lighting along the boardwalk
- Include a boat takeout / put in area at the Newport Ave bridge undercrossing

Zone 5:

- Remove the existing structure and construct a trailhead at Pacific Park

The VE process resulted in a savings of approximately \$1.88 million resulting in an estimated construction cost of \$4,838,662.

The scope of work proposed will continue the documents and specification from the 30% DD level through full construction documentation, permitting and construction administration. It is expected to take 12-14 months to design and permit the project. This anticipates a construction start sometime next fall with work progressing through the fall of 2019 and completion in the fall of 2020.

This project includes the removal of the old District office currently occupied by Cascade School of Music. The lease agreement with the school terminates in August 2019, which coincides well with the construction schedule. Cascade School of Music has been notified of our intent to move forward with the construction of this project and knows of the construction starting date.

### **BUDGETARY IMPACT**

The 2019-23 Capital Improvement Plan (CIP) allocates \$5,245,595 in funds, of which, \$2,185,273 are property tax revenue, \$2,245,595 are System Development Charges (SDCs) and \$500,000 is alternate funding. Staff will likely apply for a Local Government Grant next spring as alternate funding for this project.

The latest construction estimate shows \$3,612,997 in SDC funding and \$1,225,665 in property tax revenue. Cost estimates will be updated at the 30, 60, and 90% construction CD phase. Overall the costs estimate is very close to the 2019-23 proposed CIP; however, additional work will be needed to tighten up costs as the projects documentation evolves. It is likely that the division between

SDCs and general funds will be adjusted in the CIP once more accurate construction estimates are provided at 90% construction CD phase.

The Architectural and Engineering contract with GreenWorks PC can be broken down as follows:

Current contract amount (includes amendment #1 for \$1,832.75):	\$197,895.68
Amendment # 2 to finish design, permitting and construction documentation services, including allowances (This agenda item considers this contract amount):	\$598,910.00
<b>Total Contract Amount</b>	<b>\$796,805.68</b>
Current contract contingency remaining:	\$17,773.54
Contingency for new amendment (less remaining contingency):	\$42,117.46
<b>Total Contingency</b>	<b>\$59,891.00</b>
<b>Total Budget amount including contingency:</b>	<b>\$856,696.68</b>

The allowances include \$5,000 for additional public meetings/information sharing, \$100,000 for geotechnical services, and \$30,000 for mechanical, electrical and plumbing (MEP) design.

#### **STAFF RECOMMENDATION**

Staff recommends proceeding with construction documents and Board approval of the contract amendment with GreenWorks PC for \$598,910, plus an additional contingency of \$42,117.46.

#### **MOTION**

***I move to direct the Executive Director to negotiate and execute a contract amendment with GreenWorks PC to provide construction documents, project bidding and construction administration for the Drake Park Bank and Trail Improvement project for an amount not to exceed \$598,910 and a contingency of \$42,117.***

#### **ATTACHMENT**

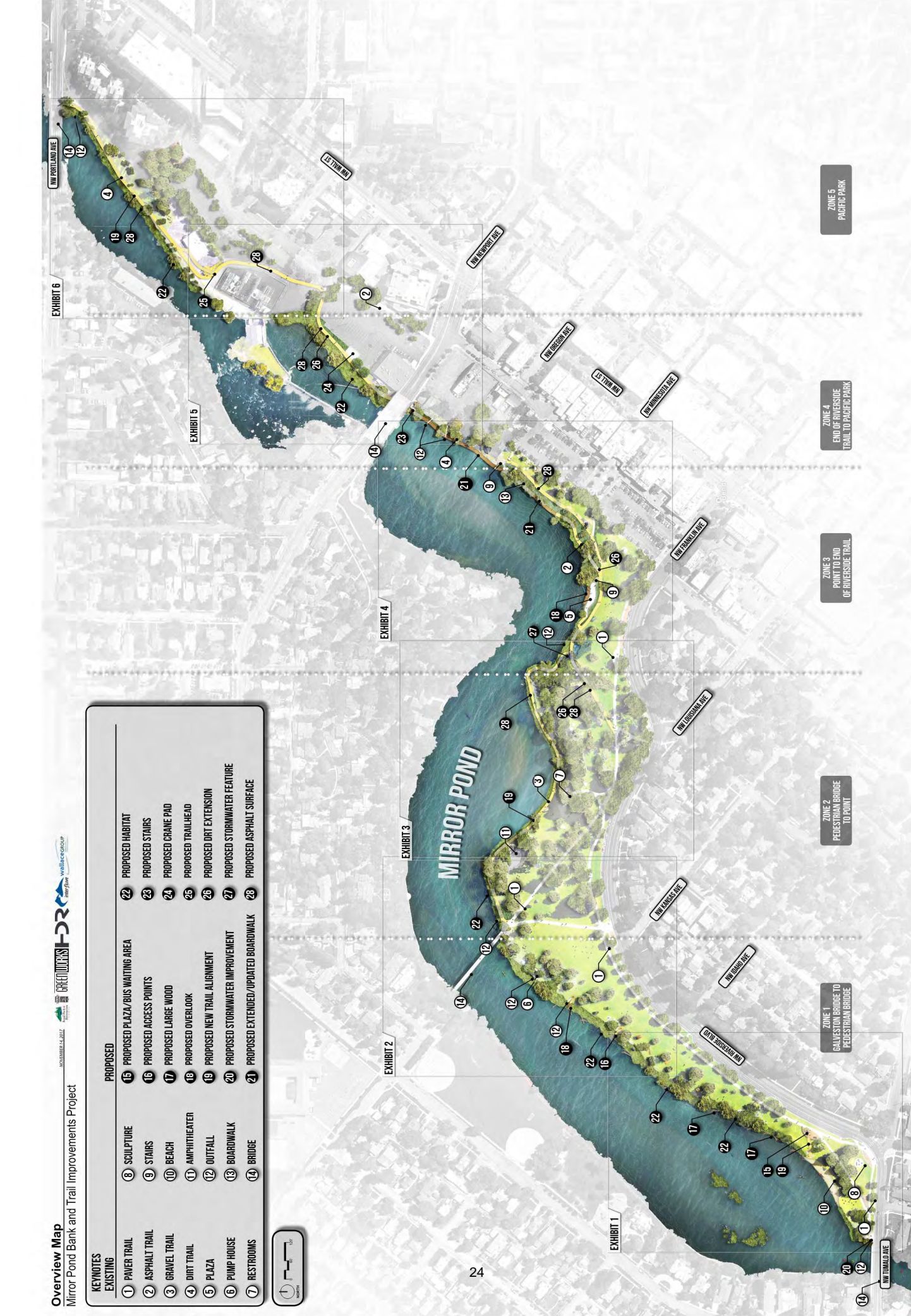
Exhibit A - Project Map

# Overview Map

Mirror Pond Bank and Trail Improvements Project



KEYNOTES	
EXISTING	PROPOSED
1 PAVER TRAIL	15 PROPOSED PLAZA/ BUS WAITING AREA
2 ASPHALT TRAIL	16 PROPOSED ACCESS POINTS
3 GRAVEL TRAIL	17 PROPOSED LARGE WOOD
4 DIRT TRAIL	18 PROPOSED OVERLOOK
5 PLAZA	19 PROPOSED NEW TRAIL ALIGNMENT
6 PUMP HOUSE	20 PROPOSED STORMWATER IMPROVEMENT
7 RESTROOMS	21 PROPOSED EXTENDED/UPDATED BOARDWALK
	22 PROPOSED HABITAT
	23 PROPOSED STAIRS
	24 PROPOSED CRANE PAD
	25 PROPOSED TRAILHEAD
	26 PROPOSED ORT EXTENSION
	27 PROPOSED STORMWATER FEATURE
	28 PROPOSED ASPHALT SURFACE



**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 19, 2018
<b>SUBJECT:</b>	Intergovernmental Agreement with Bend-La Pine School District (BLSD) for the development of athletic fields at Pacific Crest Middle School (PCMS)
<b>STAFF RESOURCE:</b>	Michelle Healy, Planning & Park Services Director
<b>PREVIOUS BOARD ACTION:</b>	Approved 2019-2023 Capital Improvement Plan, June 5, 2018
<b>ACTION PROPOSED:</b>	Authorize Executive Director to finalize and execute an IGA with the BLSD for the development of fields at PCMS
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

**BACKGROUND**

The District's 2019-2023 Capital Improvements Plan (CIP) includes funding for the development of athletic fields in partnership with the Bend La-Pine School District (BLSD) at Pacific Crest Middle School (PCMS). BLSD owns approximately 4.5 acres of land adjacent to PCMS, at the intersection of Skyliner Road and NW Elwood Drive. This property was originally intended for school field development (see attachment A). BLSD did not have an immediate need to develop the fields for school use and approached the District about the potential to partner and build the fields for community use instead. The District's recent field use study identified the need to develop fields to serve the west side of Bend, and anticipated the potential of this partnership.

This spring staff from the District and BLSD drafted an intergovernmental agreement (IGA) describing the roles and responsibility of each agency for the development, maintenance and use of the fields. As drafted, BLSD will retain ownership of the land, but grant permission to the District to develop and operate the athletic fields. PCMS would be able to use the fields during school hours and on occasion for after school events. After school hours and on weekends, the District would have first priority scheduling of the fields for community use. The term of the agreement is 20 years, with the option for five-year renewals. If BLSD determines that they have a need for the land during the term of the agreement, they have the option to propose

other fields for community use, or reimburse the District for the development costs (based on a sliding scale tied to the number of years post construction completion). The District is responsible for the design, permitting, development, scheduling and maintenance of the improvements during the term of the agreement. The agreement is currently under final review by the District's legal counsel.

Pending execution of the IGA, design of the project would begin this summer with construction to commence in summer of 2019. The fields could be open to the community by the spring of 2020 or spring of 2021 (depending upon the use of seed or sod to establish the turf grass).

#### **BUDGETARY IMPACT**

The 2019-2023 CIP includes \$2,000,000 million in system development charges (SDCs) allocated for development of the fields and associated costs at PCMS.

#### **STAFF RECOMMENDATION**

Staff recommends the Board authorize the Executive Director to finalize and execute an IGA with the BLSD for the development of athletic fields at Pacific Crest Middle School.

#### **MOTION**

***I make a motion to authorize the Executive Director to negotiate and execute an IGA with the Bend-La Pine School District for development of athletic fields at Pacific Crest Middle School.***

#### **ATTACHMENT**

Attachment A – Map of project location





PACIFIC CREST FIELDS  
ATTACHMENT "A"



<b>BOARD AGENDA COMMUNICATION</b>
-----------------------------------

**AGENDA DATE:** June 19, 2018

**SUBJECT:** Board of Directors Meeting Dates and Times

**STAFF RESOURCE:** Don Horton, Executive Director

**PREVIOUS BOARD ACTION:** None

**ACTION PROPOSED:** Set Board meeting dates and times for 2018-19

**BACKGROUND**

The Board formally determines the meeting dates and times for the year at the first meeting in July.

**MOTION**

***I move to conduct the Bend Park and Recreation District Board of Directors public meetings on the first and third Tuesdays beginning a 5:30 pm with a work session and a business session beginning at 7:00 pm.***

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 19, 2018
<b>SUBJECT:</b>	Appoint Legislative Liaison
<b>STAFF RESOURCE:</b>	Don Horton, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Appoint Legislative Liaison to represent the Board of Directors

**BACKGROUND**

The Board of Directors recognizes the needs of the District to take an active role in the legislative process as it relates to legislation affecting the District and recreation in general. To aid the Board in this effort, the Board shall appoint one of its members as Legislative Liaison. The Legislative Liaison will be elected annually at the first meeting in July of the new fiscal year.

The duties of the legislative liaison are to:

- Work with the Executive Director to keep abreast of legislation that may affect the District
- Keep the other members of the Board up to date on legislative issues and District involvement
- Discuss course of action and level of involvement on legislative issues with the Board
- Represent the Board during the legislative session; provide testimony, compose written testimony and other correspondence

**MOTION**

***I move to appoint \_\_\_\_\_, to serve as Legislative Liaison for the Board of Directors for fiscal year 2018-19.***

<b>BOARD AGENDA COMMUNICATION</b>
-----------------------------------

**AGENDA DATE:** June 19, 2018

**SUBJECT:** Appoint Executive Secretary of the Board of Directors

**STAFF RESOURCE:** Don Horton, Executive Director

**PREVIOUS BOARD ACTION:** None

**ACTION PROPOSED:** Appoint Don Horton, Executive Director, as Executive Secretary of the Board of Directors

**BACKGROUND**

The Board of Directors is required to appoint an Executive Secretary according to Oregon State Statute 266.370. As a matter of formality the Board annually appoints the executive director to serve in this capacity. The Executive Secretary represents the board in business matters and signs ordinances, resolutions, proclamations, correspondence, contracts, deeds, etc., on behalf of the Board of Directors and the District.

**STAFF RECOMMENDATION**

Appoint Don Horton, Executive Director, to serve as the Executive Secretary of the Board.

**MOTION**

***I move to appoint Don Horton, Executive Director, to serve as Executive Secretary of the Bend Park & Recreation District Board of Directors for fiscal year 2018-19.***

**BOARD AGENDA COMMUNICATION**

**AGENDA DATE:** June 19, 2018

**SUBJECT:** Election of Chair and Vice Chair

**STAFF RESOURCE:** Don Horton, Executive Director

**PREVIOUS BOARD ACTION:** None

**ACTION PROPOSED:** Conduct election of Board officers

**COMMITTEE ACTION:** None

**BACKGROUND**

The Board of Directors annually elects a Chair and Vice Chair at the first meeting in July of the new fiscal year. The Chair and Vice Chair serve a one-year term. Duties and responsibilities of the Chair include presiding at board meetings, appointing committees and signing ordinances, resolutions, proclamations, correspondence, the Executive Director's employment contract, etc., on behalf of the Board of Directors. The Chair may also represent the Board of Directors in meetings with other agency officials, and at public functions requiring a presence of the district. In the event the Chair is absent from a meeting or unavailable for any of the duties mentioned above, the Vice Chair will substitute for the Chair.

**MOTION**

***I nominate \_\_\_\_\_ to serve as Chair of the Bend Park & Recreation District Board of Directors for Fiscal Year 2018-19.***

***I nominate \_\_\_\_\_ to serve as Vice Chair of the Bend Park & Recreation District Board of Directors for Fiscal Year 2018-19.***

## Board Calendar

2018

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

### July 3 - Canceled

### July 17

#### Work Session

- ◆ 2017-2018 Year End Annual Action Plan Review – *Michelle Healy (20 min)*

#### Business Session

- ◆ Approve Resolution No. 415 adopting the Comprehensive Plan – *Quinn Keever (15 min)*
- ◆ Approve IGA with City of Bend for Quimby and 8<sup>th</sup> Ave. - *Perry Brooks (10 min)*
- ◆ Alpenglow Professional Services Amendment – *Ian Isaacson (15 min)*

### August 7

#### Work Session

- ◆ Shevlin Park ADA project update – *Perry Brooks (30 min)*
- ◆ Rental and Special Event Cost Recovery Recommendations – *Matt Mercer and Lindsey (60 min)*

#### Business Session

- ◆ Pioneer Park Restroom renovation construction contract award – *Jason Powell (10 min)*
- ◆ Juniper Park ADA and construction contract award – *Jason Powell (10 min)*
- ◆ Hold Public Hearing and First Reading of Park Rules Ordinance – *Jeff Hagler and Sasha Sulia (30 min)*

### August 21

#### Work Session

#### Business Session

- ◆ Park Rules Second Reading – *Jeff Hagler (15 min)*
- ◆ Land Acquisition

### TBD

Foundation Update – *Kim Johnson*

Leadership – *Theresa Albert/Wendy Boyer*