



Bend Metro Park & Recreation District

November 6, 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.

*play for life*

District Office | Don Horton, Executive Director

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



# Board of Directors

November 6, 2018

District Office Building | 799 SW Columbia | Bend, Oregon

## AGENDA



### 5:30 p.m. CONVENE MEETING

### WORK SESSION

1. Recreation Program Report: Art Station – *Laura Von der Osten (15 min)*
2. Summer River Recreation Update – *Julie Brown and Sasha Sulia (30 min)*
3. Shevlin Park ADA Improvement Update – *Brian Hudspeth (30 min)*

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

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

### VISITORS

The Board welcomes input from individuals who wish to speak at our public meetings. Meeting attendees who wish to speak are asked to submit a comment card provided at the sign-in table. When invited to the podium, please state your name and address for the record and limit your comments to three (3) minutes. Thank you for your involvement and time today.

### CONSENT AGENDA

1. Meeting Minutes – 10/2/2018
2. Codify Amended Personnel Policies

### BUSINESS SESSION

1. Receive Budget Committee Member Applications and Review Budget Calendar – *Lindsey Lombard (20 min)*
2. SDC Methodology Update – *Michelle Healy and Lindsey Lombard (40 min)*
3. Approve Drake Park Bank and Trail Improvement CMGC Contract – *Brian Hudspeth (20 min)*

### EXECUTIVE DIRECTOR'S REPORT

### BOARD MEETINGS CALENDAR REVIEW

PROJECT REPORT: Attachment in Board Report

### GOOD OF THE ORDER

### ADJOURN

**EXECUTIVE SESSION** – The Board will meet in Executive Session upon adjournment of the regular meeting pursuant to ORS 192.660(2) (e) for the purpose of discussing real property transactions. This session is closed to all members of the public except for representatives of the news media.



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>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Recreation Report-Art Station
<b>STAFF RESOURCE:</b>	Laura Von der Osten, Program Coordinator
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	None – for information only
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Respond to User Expectations

**BACKGROUND**

In order to assist the Board of Directors in developing familiarity with recreation programs and services, recreation staff will make a brief presentation on a specific program during the first work session of each month. The presentations will include an overview of the program history, content, goals and outcomes, participation trends, customer feedback and more.

This month's Recreation Report will feature the Art Station programs. The District took on the operations of the Art Station in October, 2016 and now offers a full range of preschool, youth and adult art classes and programs.

**BUDGETARY IMPACT**

The program is a part of the Recreation Services general fund budget.

**STAFF RECOMMENDATION**

None, for information purposes only.

**MOTION**

None

**ATTACHMENT**

None

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Summer River Recreation Update
<b>STAFF RESOURCE:</b>	Julie Brown, Communications & Community Relations Manager Sasha Sulia, Superintendent of Park Operations
<b>GUEST PRESENTER:</b>	Geoff Frank, owner, Tumalo Creek Kayak and Canoe
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Customer-Community Connection
<b>Objective:</b>	Cultivate Partnerships
<b>Initiative:</b>	Seek new contract for river recreation concessions
	Coordinate site improvements and communications campaign for the opening of the "Park & Float" to support river recreation concessions.

**BACKGROUND**

Summer 2018 was a busy season of river recreation use. There was a 17.8 percent increase in river users from 2017 to 2018. In 2018, there were 251,485 river users counted at the Bend Whitewater Park (compared to 213,418 in 2017). The highest day of usage was Saturday, July 28 with 5,635 river users. This exceeds the previous highest day on July 4, 2017 by 9 people. In summer 2018, District staff and volunteers collected survey data from river users and results are included in Attachment A.

*Concessionaire*

The District has a contract with Tumalo Creek Kayak and Canoe for river tube, paddleboard and kayak rentals. In this contract, the concessionaire was based primarily at a new location – Park & Float next to The Pavilion. This new hub of activity was part of an effort to alleviate traffic and parking congestion near Riverbend Park.

The contract stipulates that in exchange for exclusive rights to offer rental equipment at Park & Float (all river tube rentals) and Riverbend Park (limited quantity of paddleboards and kayaks), the District receives 25% of the rental revenue on an annual basis. The partnership also includes

requirements for safety information and use of life jackets by non-renting river users. Geoff Frank will provide data at the meeting about the rental activities.

#### *Park & Float*

To accomplish goals related to reducing traffic and parking congestion near Riverbend Park, District staff made improvements to the former Mt. Bachelor park and ride site on Simpson Avenue and Bradbury Way to accommodate new usage from river users and Tumalo Creek Kayak and Canoe.

In addition, the previously installed turf adjacent to Park & Float served dual purposes with The Pavilion activities and river users waiting to rent equipment and/or access the Ride the River transportation shuttle.

Per the survey responses and observations, the Park & Float was a successful addition to the river user experience and accomplished the parking and congestion reduction goals.

#### *Other changes in 2018*

In addition to Park & Float, the District alleviated parking congestion at Riverbend Park by asking employees to park in the adjacent gravel lot to give preference to patrons. This change relieved the Park Stewardship Team of parking lot enforcement duties and the staff resource was redirected to other Park Stewardship priorities across the District.

Deschutes Brewery activated a corner of its parking area across from Riverbend Park, which shifted the public parking area the District leases as additional space.

#### **BUDGETARY IMPACT**

The District invested staff time and funding towards signage, marketing, structural repairs and improvements to help support the Park & Float operations. Some of these operational costs are recurring while others are one-time expenses. While the bulk of the operations costs are included in the Park Services Department budget, advertising and marketing costs are included in the Community Relations Department budget. These funds are used to inform local and visiting river users about river safety and equipment. Staff will provide more details about cost and concession revenue during the meeting.

#### **STAFF RECOMMENDATION**

None, information provided to the Board for discussion only.

#### **MOTION**

None, information provided to the Board for discussion only.

#### **ATTACHMENTS**

Attachment A: River use report



## River Use Report: Summer 2018

Using Bend Whitewater Park trail counter data from June through September of 2017 and 2018, the following conclusions can be made:

### Total Users

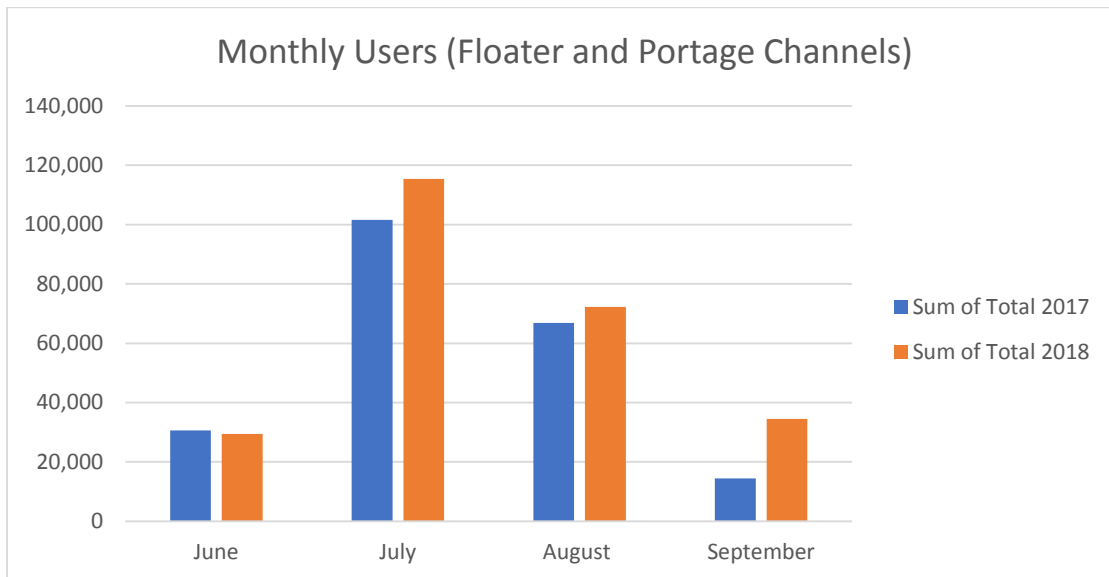
Using the trail counters in both the passageway channel and the portage path, the totals are as follows:

Year	Passageway Channel	Portage Path	Total
2017	165,307	48,111	213,418
2018	200,420	51,065	251,485

This is a **17.8% increase** in river users from 2017 to 2018.

### Monthly Users

Overall use for the month of June was down from 2017 to 2018, but July and August both showed an increase in 2018.



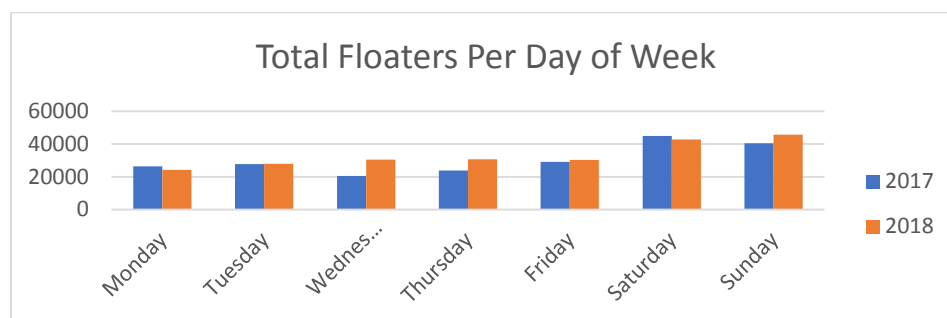
The numbers for each month is listed in the table below. The percentage of people who used the portage channel decreased from 22.5% in 2017 to 20.3% in 2018.



<b>2017</b>			
<b>Month</b>	<b>Passageway Channel</b>	<b>Portage Path</b>	<b>Total</b>
June	21,162	9,442	30,604
July	78,414	23,132	101,546
August	55,100	11,724	66,824
September	10,631	3,813	14,444
<b>Totals</b>	<b>165,307</b>	<b>48,111</b>	<b>213,418</b>
<b>Percentage</b>	<b>77.5%</b>	<b>22.5%</b>	
<b>2018</b>			
<b>Month</b>	<b>Passageway Channel</b>	<b>Portage Path</b>	<b>Total</b>
June	20,565	8,805	29,370
July	93,529	21,850	115,379
August	60,086	12,203	72,289
September	26,240	8,207	34,447
<b>Totals</b>	<b>200,420</b>	<b>51,065</b>	<b>251,485</b>
<b>Percentage</b>	<b>79.7%</b>	<b>20.3%</b>	

### Day of Week

Unsurprisingly, Saturdays and Sundays represented the days with the heaviest traffic on the river. In 2017, Saturday was the most popular day to float, whereas in 2018 there were more river users on Sundays. There was a significant increase in river users during the work week in 2018, especially on Wednesday and Thursday.



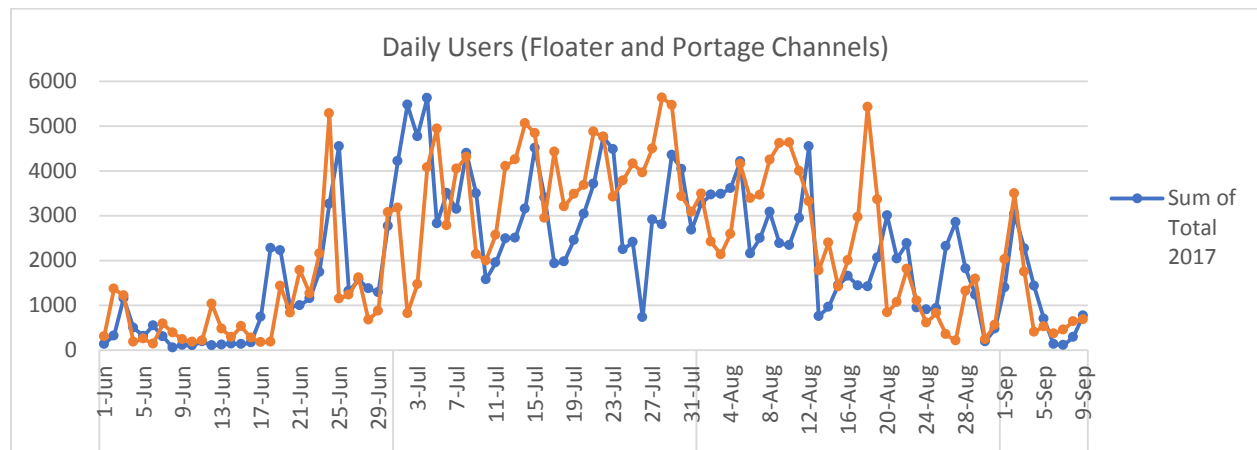
## Top 10 Days

The top 10 days of each summer are listed below, along with the high temperature as pulled from Accuweather.com, as well as any noted reason for a potential increase in tourism in Bend.

Date 2017	Floaters 2017	Portage 2017	Total 2017	Day of Week	High Temp (Accuweather)	Notes
4-Jul	4,113	1,513	5,626	Tuesday	97	Holliday
2-Jul	3,846	1,626	5,472	Sunday	90	Holliday
3-Jul	3,653	1,116	4,769	Monday	91	Holliday
22-Jul	3,877	877	4,754	Saturday	91	
12-Aug	3,903	645	4,548	Saturday	91	Bend Brewfest
25-Jun	3,310	1,238	4,548	Sunday	96	
15-Jul	3,256	1,252	4,508	Saturday	90	
23-Jul	3,674	806	4,480	Sunday	97	
8-Jul	3,349	1,048	4,397	Saturday	99	
29-Jul	3,490	863	4,353	Saturday	93	
<b>Totals</b>	<b>36,471</b>	<b>10,984</b>	<b>47,455</b>			
Date 2018	Floaters 2018	Portage 2018	Total 2018	Day of Week	High Temp (Accuweather)	Notes
28-Jul	4,465	1,170	5,635	Saturday	93	
29-Jul	4,577	892	5,469	Sunday	97	
18-Aug	4,530	892	5,422	Saturday	91	Bend Brewfest
24-Jun	3,856	1,423	5,279	Sunday	95	
14-Jul	3,961	1,103	5,064	Saturday	95	
5-Jul	3,915	1,024	4,939	Thursday	93	Holliday
21-Jul	3,924	950	4,874	Saturday	84	
15-Jul	3,814	1,028	4,842	Sunday	97	
22-Jul	3,855	905	4,760	Sunday	90	
10-Aug	4,049	581	4,630	Friday	100	
<b>Totals</b>	<b>40,946</b>	<b>9,968</b>	<b>50,914</b>			

## Daily Users

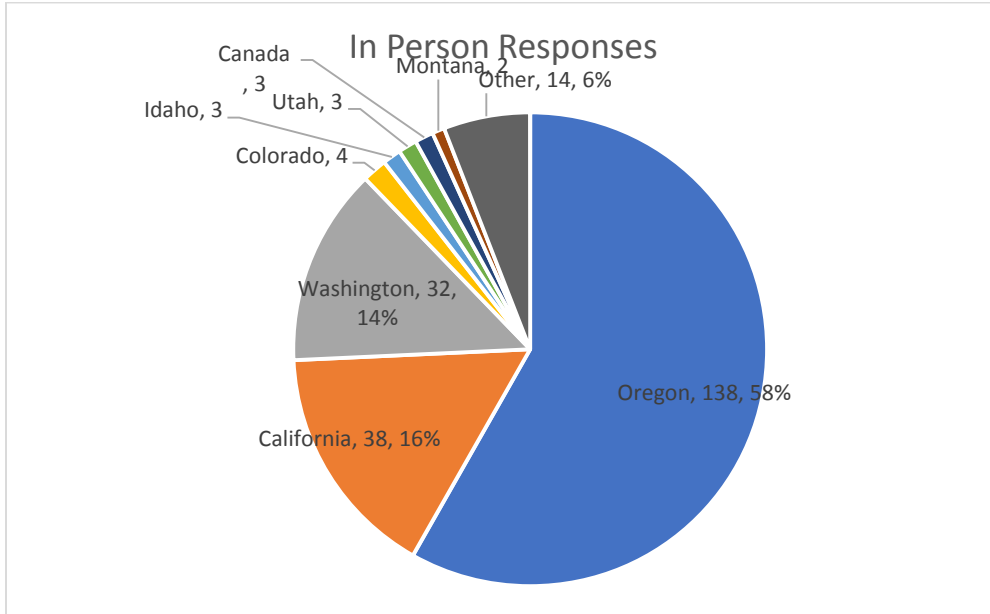
Here's a quick look at the trends across the summer in both 2017 and 2018.



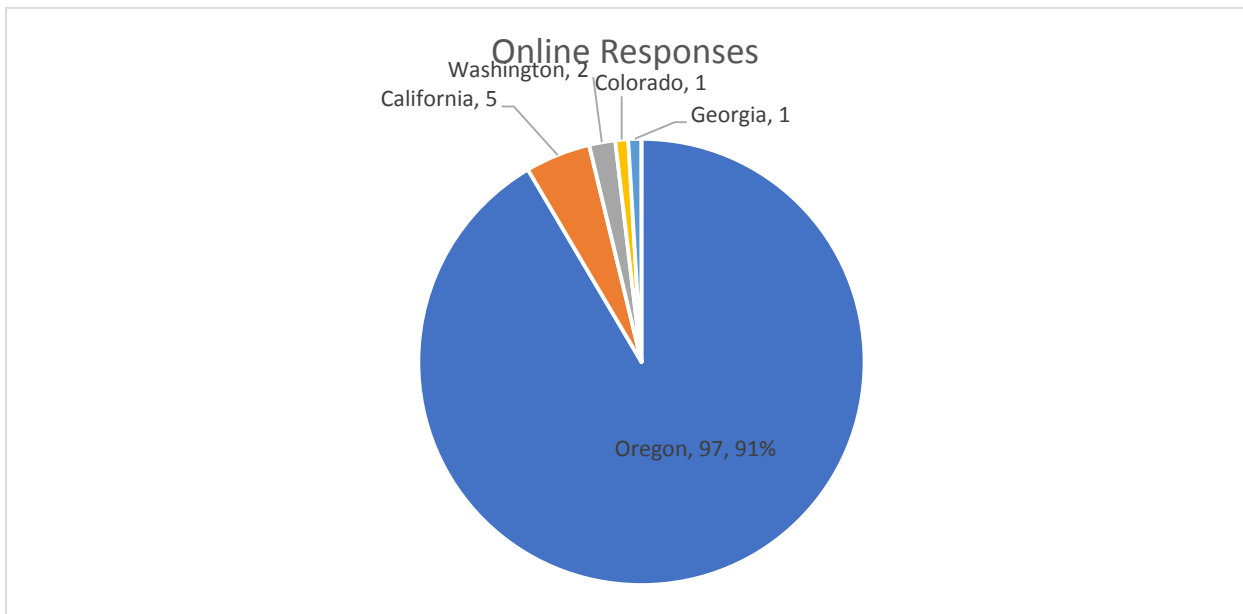
## Results from the Online and In-Person River Floater Surveys - 2018

### Where River Floaters Reside

The majority of river floaters from the in-person survey reported living in Oregon (58 percent). However, there were also many floaters from out of state, including California (16 percent), Washington (14 percent), and a few others from farther away regions.

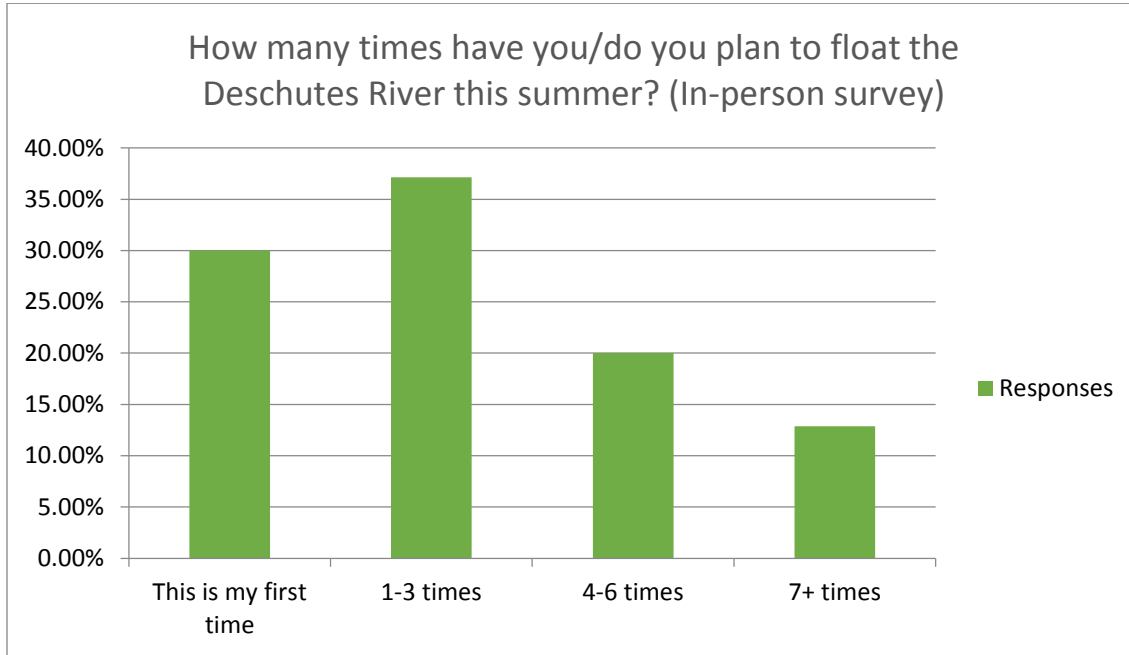


Interestingly, the online responses drew a much larger majority of Oregon-based floaters (98 percent).

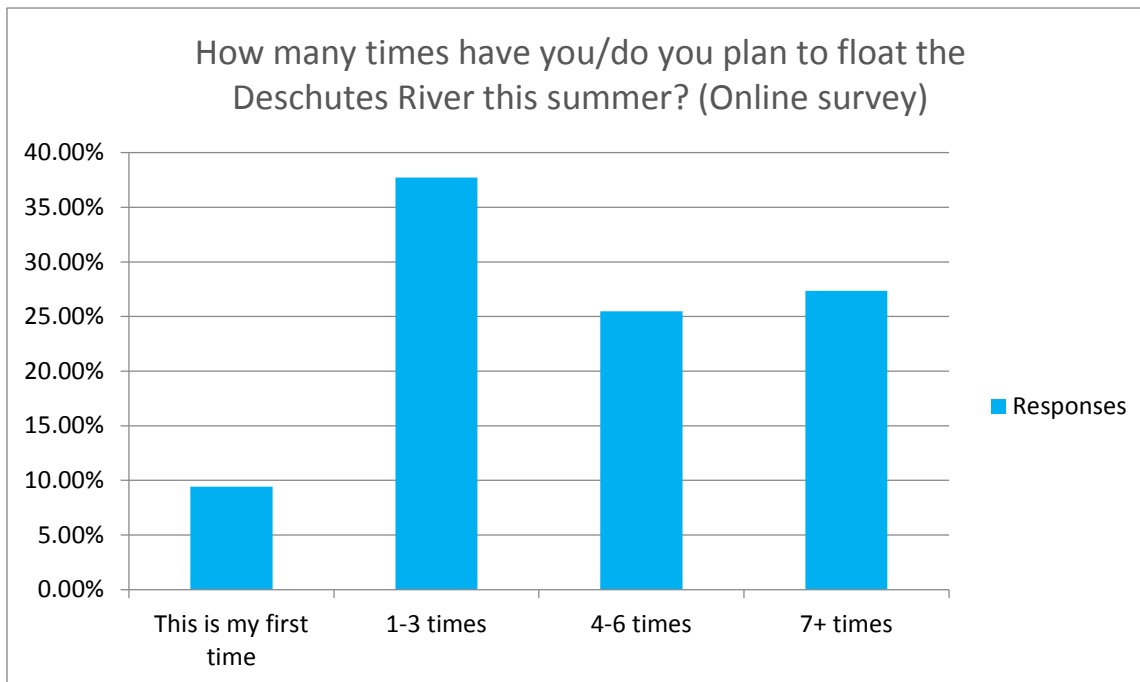


### Frequency of River Floating

37 percent of responds from our in-person floating survey answered that they planned to float the Deschutes River 1-3 times over the summer. This was the most popular answer.

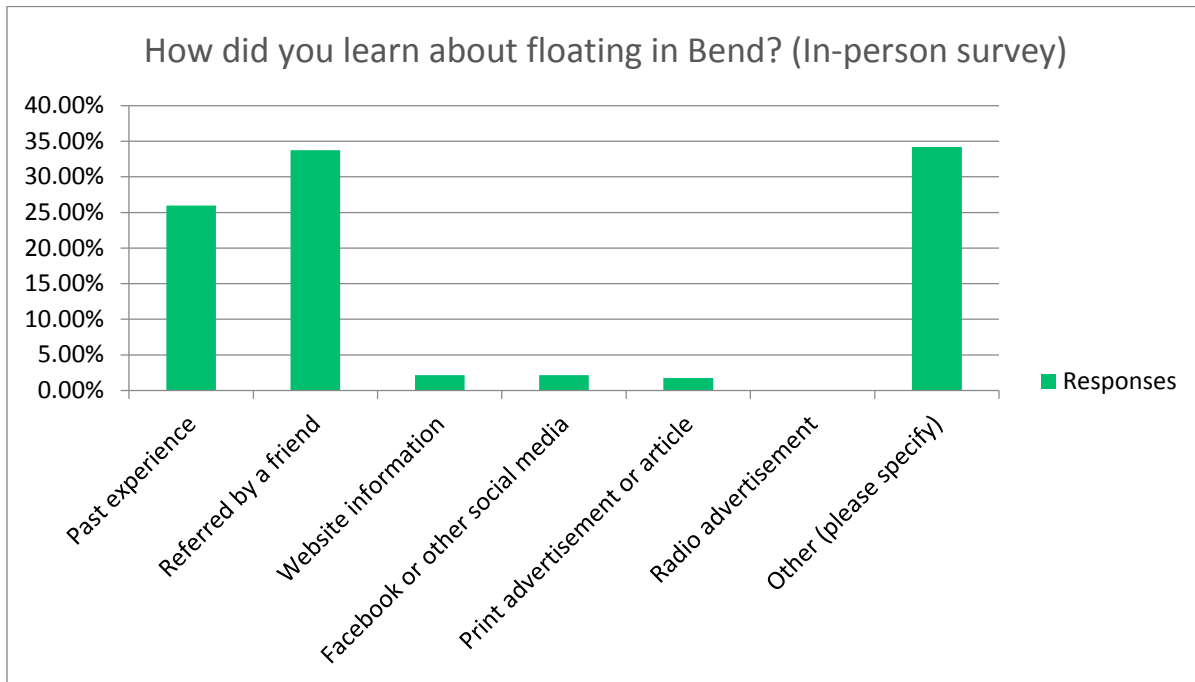
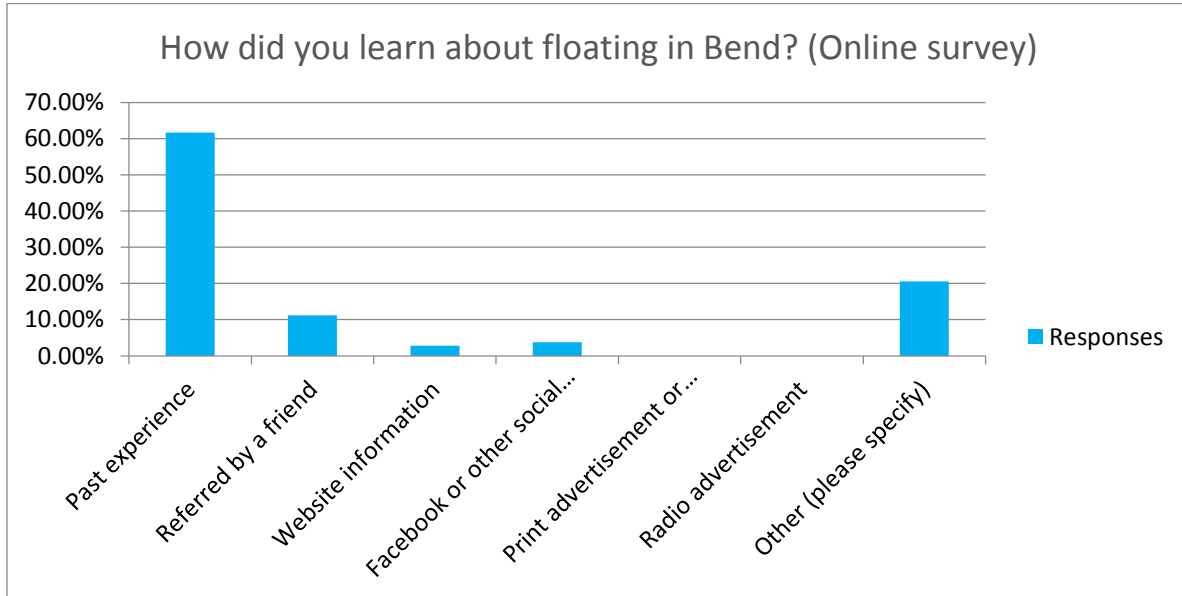


Online survey respondents (mostly FB followers) had the lowest reports of being first time floaters (9%) and the highest reports of floating 7 or more times (27%).



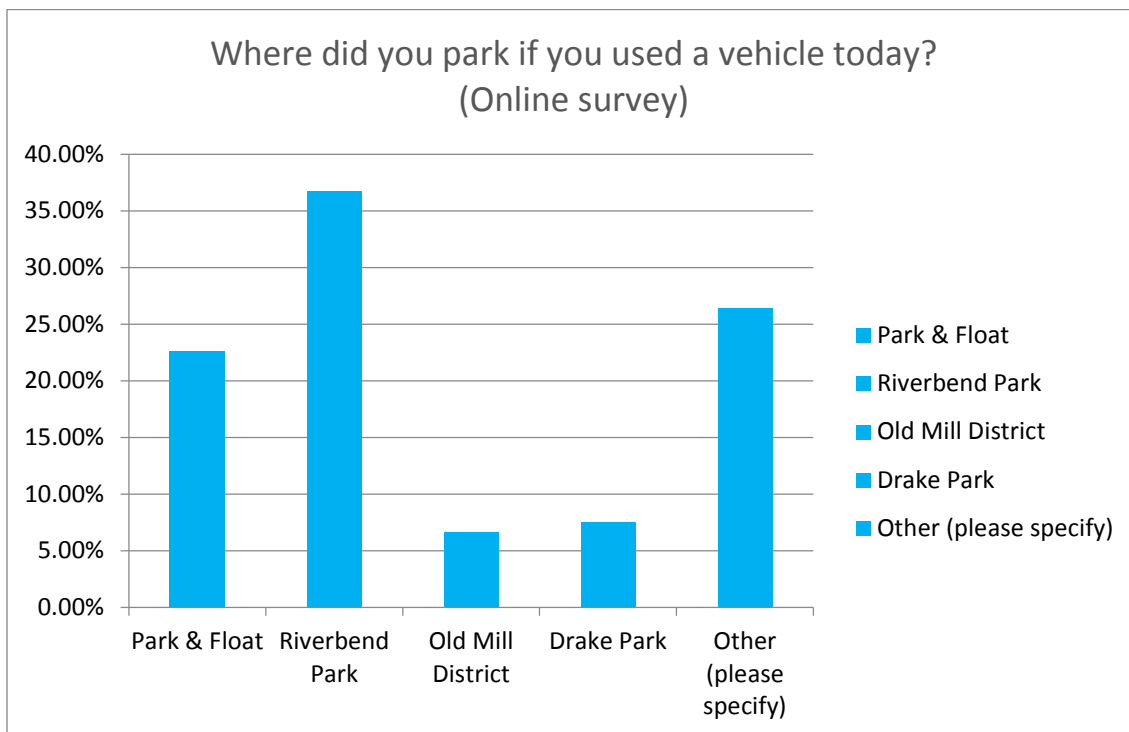
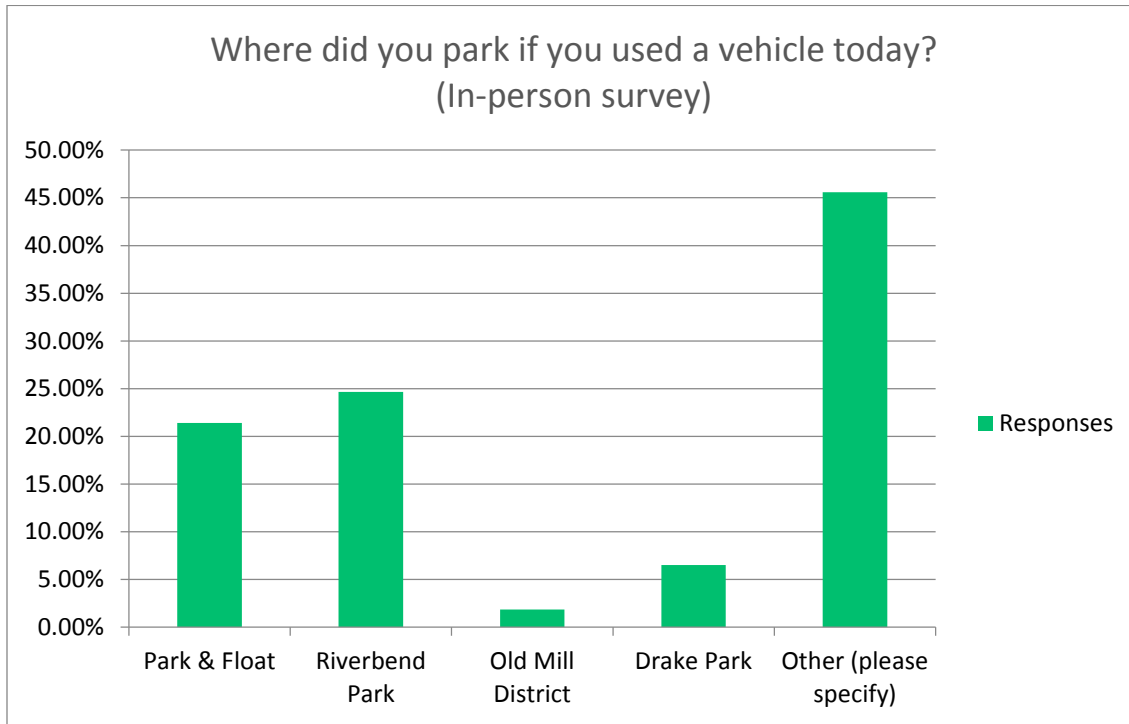
## How River Users Learned About Floating

Past experience was extremely influential for our online survey takers (62%) while referral from a friend was the top answer for in-person respondents (34%). Other answers included: Visibility of activity by others, local resident, walking through the Old Mill District, kayaker checking out BWP, Visit Bend, Google search, Pinterest, outfitter referral, brochure, newspaper ad, etc.

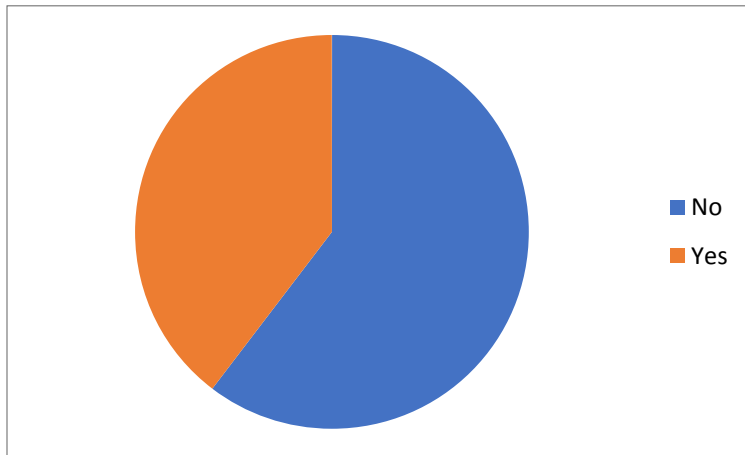


## Parking

70 of our 345 survey respondents (online and in-person) said they used Park & Float. That's 20%! 13 said they parked at the Pavilion, so they are likely Park & Float people too.



## River Shuttle Usage and Feedback



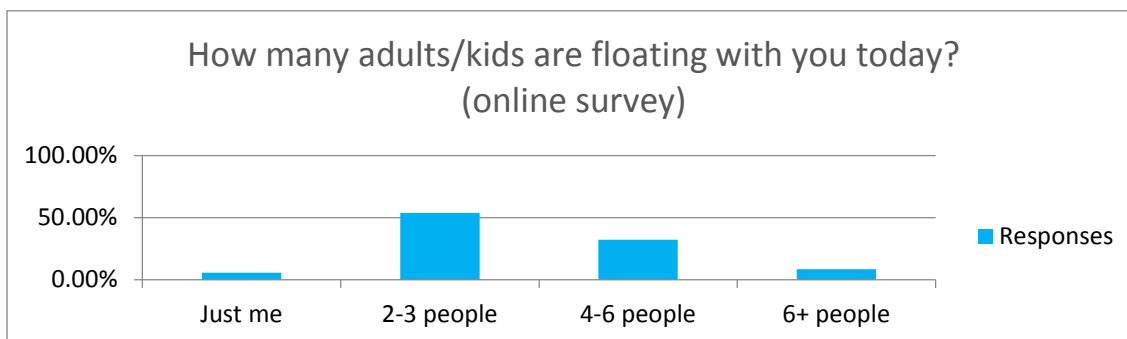
In all, 132 respondents replied that they rode the River Shuttle; 201 respondents said they did not take the shuttle. 35 percent of the respondents thought that taking the shuttle helped to avoid parking and congestion hassles. 16 percent said it helped to save time and helped with loading gear. 13 percent stated that riding the shuttle allowed them to take more float trips per day. Additionally, 5 percent of respondents said the shuttle helped them spend more time with friends and family.

56 percent said it did not enhance their experience (Note: question didn't include a qualifier to make it only open to respondents who indicated they took the survey). Many comments indicated they didn't utilize the service. Others commented they used the service and had long waits, ends too early in the day, and wasn't necessary due to short walk back.

When asked what the alternative would be without the shuttle, 55 percent said they would use two cars, 21 percent said they would walk and 16 percent said they would use one car. Other responses included: "only float to BWP and walk back to Riverbend," as well as, "Uber," and, "it's only a mile walk." Multiple requests were made to improve the Drake Park beach area.

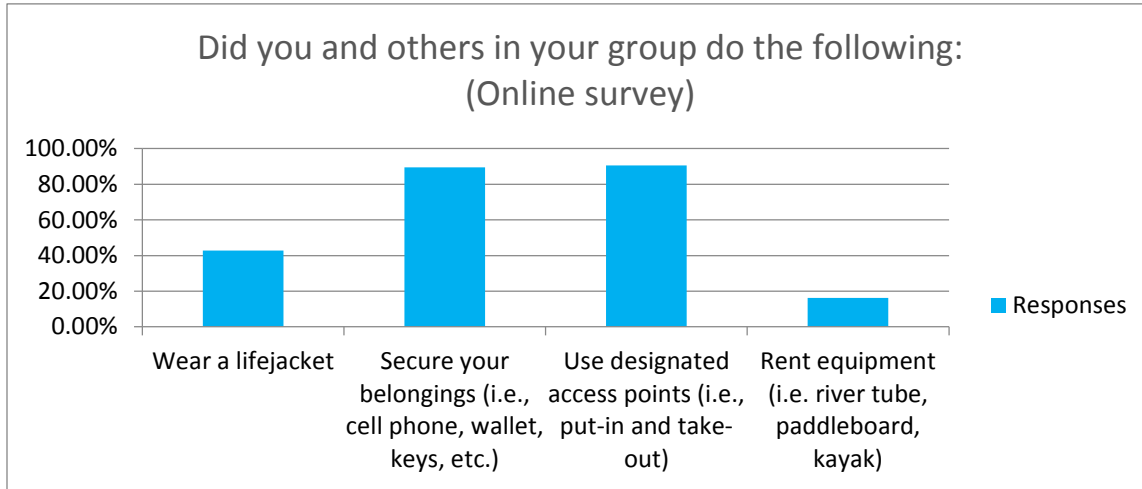
### Group Size

Most respondents said they had 2-3 people in their floating party (54%). The next highest was 4-6 people (32%). There were bigger groups in August as compared to July.



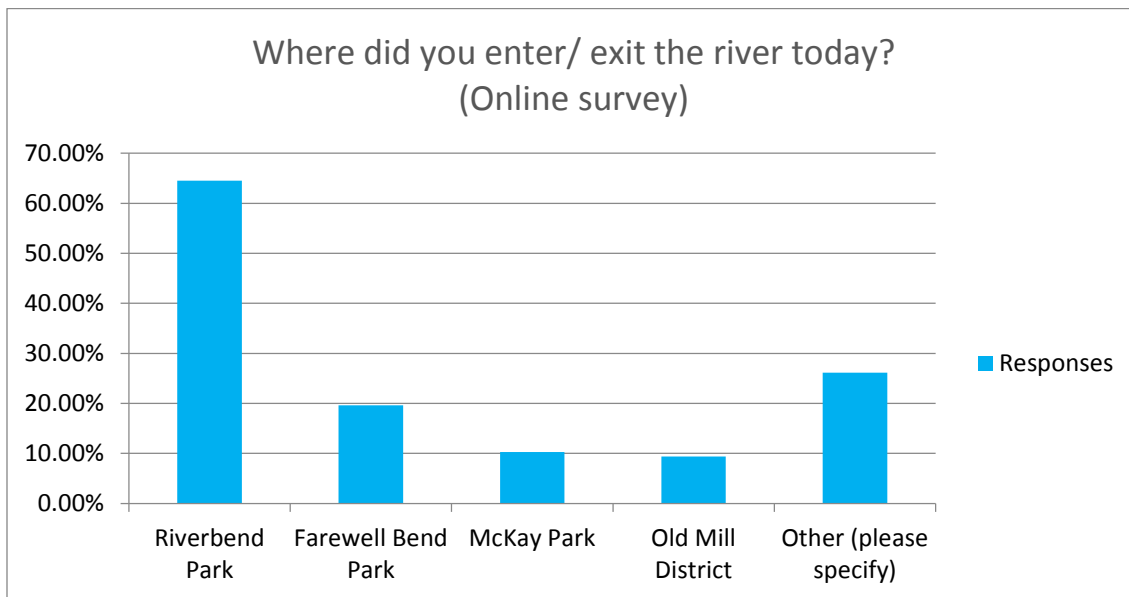
## Gear

People know what they are SUPPOSED to do and answered accordingly: Use designated put-in and take-out (90%); secured belongings (89%); wear a lifejacket (43%); and rent equipment (16%). The data shows that river floaters are aware of the rules and recommendations communicated to increase safe and responsible river play.



## Access Points

Riverbend Park was the most used access point (64%). Others include: Farewell Bend (20%); McKay Park (10%) and Old Mill District (9%). Most people exit at Drake Park. Other access points included in the comments included the Bend Whitewater Park, Miller's Landing and Meadowcamp. A handful wouldn't divulge their secret spot in fear we would promote it to others.





<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Shevlin Park ADA Improvement Update
<b>STAFF RESOURCE:</b>	Brian Hudspeth, Development Manager Michelle Healy, Planning and Park Services Director Perry Brooks, Landscape Architect
<b>PREVIOUS BOARD ACTION:</b>	Approved Resolution No. 399 for Oregon State Parks Local Government Grant, March 7, 2017, Approve Shevlin Park Recreation Management Plan, September 9, 2015
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Customer-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 August 7 staff provided the Board an update on the American's with Disabilities Act (ADA) project including the status of the existing Hixon Bridge. Staff discussed the need to remove the bridge and its abutments, restoration of Tumalo Creek's bed and riparian area and proposed accessibility improvements to the bridge downstream (Larch Bridge) and other locations within the park.

During the board meeting, the Board received input from community members about the desire to save the existing covered bridge. Unfortunately, the current condition of the Hixon Bridge is critical. In a technical memorandum written in February 2016, the structural engineers (Parametrix) concluded that the bridge had a limited life span and that the bridge should be fully replaced, removed or rebuilt by the year 2021. There is not an affordable way to save the existing structure. Recent inspections in 2018 revealed that the structural integrity of the bridge is continuing to worsen.

During the initial planning for the Shevlin Park ADA upgrade project, staff looked at the feasibility of replacing the Hixon Bridge with a smaller (six-foot wide, non-covered) steel pedestrian bridge that used the existing abutments. However, more recent analysis by the structural engineers determined that using the original abutments is not an option, and new bridge abutments would be required for a new bridge (increasing the potential costs of a new bridge).

As discussed during the board meeting, the Hixon Bridge provides access across Tumalo Creek for

approximately 500 feet of trail. While the bridge does not provide access to a primary trail within the park, it does provide a more natural trail experience away from the existing service road. The Board asked staff to investigate what might be done to improve the trail experience if the bridge were to be removed. Staff will share the results of that investigation during the board meeting.

Staff has been working on the plans to remove the Hixon Bridge since the grant funds need to be spent by October 2019, and the in-water construction work period is July and August. This schedule does not preclude the installation of another bridge in the future and a new bridge could be designed to span the creek banks avoiding work in the water. The schedule does require additional funding and would be done as a separate asset replacement project funded with property tax funding. Should the Board wish to keep a bridge at this location, property tax funding could be allocated in the upcoming 2020-2024 Capital Improvement Plan.

### **BUDGETARY IMPACT**

Currently, the District has \$456,950 (including State Park grant funds) in the 2018-2019 Capital Improvement Plan (CIP) for Shevlin Park. This funding is currently allocated for the ADA Improvement project contemplated in this Board report, and a separate signage project that is now under construction. The State Park grant for the ADA project is \$146,464. The total budget for the ADA Improvement project is approximately \$300,000, leaving about \$156,950 for the signage and project and other miscellaneous costs at Shevlin Park.

Construction of a new bridge to replace the Hixon Bridge would cost between \$110,000 and \$500,000 depending on the type, scale and architecture of a new bridge. Funding would most likely come from property taxes.

### **STAFF RECOMMENDATION**

While this work session item does not require a motion, staff recommends the following:

- Remove the Hixon Bridge and its abutments - because of the close proximity to the Larch Bridge, staff does not recommend replacing the bridge. The lifecycle cost of maintaining two bridges within such close proximity does not meet the District's asset replacement or sustainability objectives. Providing redundancy of these two bridges would place a significant strain on the District's general fund at a time when funding significant projects such as the Larkspur Center and Drake Park Bank and Trail projects, saving for a future Park Services shop, and investing in other asset repairs and replacements are increasingly more challenging.
- Restore the Tumalo Creek streambed and riparian habitat to allow the creek to reestablish its native character. The covered bridge location and placement of the abutments has altered the flow character of Tumalo Creek impacting wetlands and riparian habitat. Upper Deschutes Watershed Council supports this decision and has agreed to work with the District, through the recently signed memorandum of understanding on the plans and improvements to the creek and surrounding riparian areas.
- Add interpretive signage about the covered bridge – while the cover was built as a movie prop in the 1990s it does have sentimental value to some in the community. The District will be installing interpretive signage in the vicinity about the history of the old train trestle

that originally crossed the creek and the nearby geology of the rock wall along the service road; this story could be added.

- Consider adding a single-track, natural surface trail adjacent to the service road to allow for a more natural trail experience. This trail would be located on the west side of the creek and connect the location of the covered bridge with the Larch Bridge. The addition of this trail would be a low cost solution to maintaining soft surface trail connectivity and could be done with in-house crews.

**MOTION**

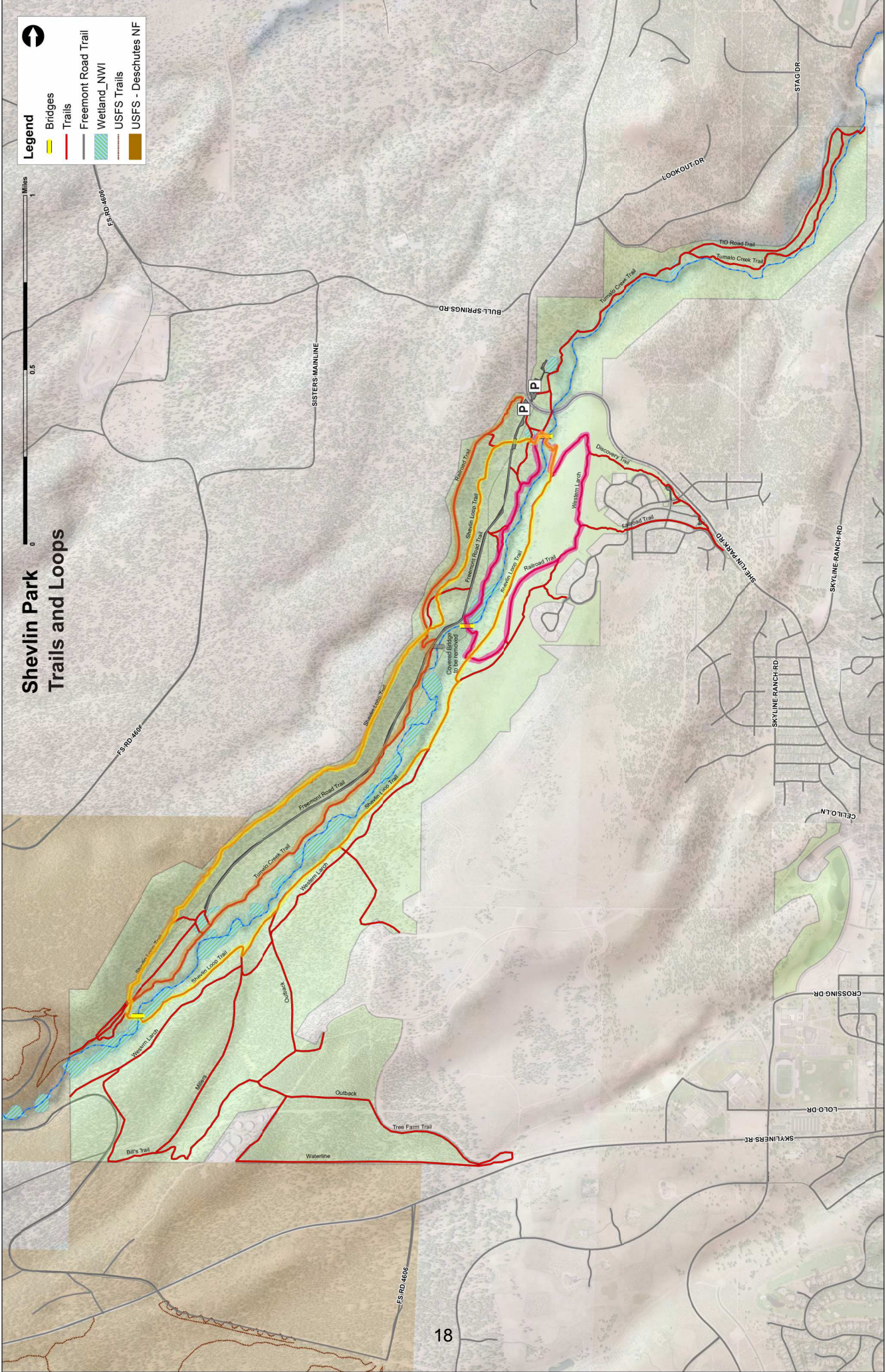
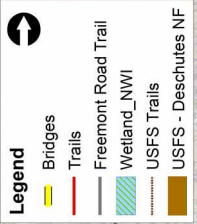
None

**ATTACHMENT**

Attachment A – Shevlin Park Trail Maps

Attachment B – Proposed new trail adjacent to existing service road

# Shevlin Park Trails and Loops



# Shevlin Park



**Legend**

- contour lines
- Trails
- Welland\_NWI
- USFS Trails
- USFS - Deschutes NF





## Board of Directors

October 2, 2018

District Office Building | 799 SW Columbia | Bend, Oregon



**4:30 p.m. EXECUTIVE SESSION** - The Board met in Executive Session prior to the work session pursuant to 192.660(2)(e) for the purpose of discussing real property transactions and 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. This session was closed to all members of the public except for representatives of the news media.

### **BOARD PRESENT**

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

### **STAFF PRESENT**

Don Horton, Executive Director  
Michelle Healy, Planning and Park Services Director  
Lindsey Lombard, Administrative Services Director  
Matt Mercer, Director of Recreation  
Sheila Reed, Executive Assistant  
Brian Hudspeth, Development Manager  
Jeff Hagler, Park Stewardship Manager  
Russ Holliday, Sports Program Manager  
Betsy Tucker, Finance Manager  
Michael Egging, Recreational Analyst  
Ian Isaacson, Project Manager  
Sasha Sulia, Superintendent of Park Operations

### **LEGAL**

Paul Taylor, BLJ Attorneys at Law

### **MEDIA**

Steven Hamway, the Bulletin

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

## **STAFF INTRODUCTIONS**

Sarah Bodo, Park Planner  
Vince Carpenter, JSFC Facilities Specialist  
Joelle Elston, JSFC Shift Supervisor  
Alan Adams, Facilities Supervisor  
Brian Crossley, Facilities Specialist  
Joe Daniels, Facilities Specialist

## **WORK SESSION**

### 1. Recreation Program Report: PAC at the Pavilion – *Shalee Hanks-Mink*

Ms. Hanks-Mink presented the PAC summer camp. She gave a brief history of the PAC, and explained that it was inspired by the challenge to find a way to keep the Pavilion full in the off season. Ms. Hanks-Mink has a background of working with kids in the Kids Inc. program; using this experience she helped shape the PAC program which is in its third year of operation.

The program offers many benefits to the kids: organized structure, freedom of choice and opportunities that encourage kids to try something new, but doesn't force participation. The PAC program is different from other programs because it is available as soon as school is out and runs through the entire summer. There are a variety of ways for parents to use the program allowing for flexibility to parents that may not work a traditional schedule.

Daily activities at the PAC include games, crafts, rock wall climbing, skate features, kid created clubs and guest lecturers. There are also multiple off site recreation excursions that kids can choose.

Participation:

- Daily numbers: 160-215 kids
- Trip participation: 80-100 kids
- Over 800 unique participants
- Pre-season pass sales continue to grow

To keep things interesting for employees, staffing schedules and duties are rotated. Ratios are 2:20 on site and 2:12 off site; employees also sign kids in and out daily.

Ms. Hanks-Mink talked about the lessons learned over the three years, including dealing with the air quality issues that impact outdoor recreation and offering off site programming and staffing as the popularity of the PAC continues to grow.

### 2. Mirror Pond Funding Options Discussion – *Don Horton*

Executive Director Horton addressed the Board and gave a brief summary of the Mirror Pond Solutions meetings. He told the Board that the city council has met and narrowed down the list of feasible options (this list was handed out to the Board at the last meeting September 18). He

went on to say that the purpose of talking about this tonight is to answer the three questions on the board report.

The City has chosen four options:

- Franchise Fee Increase (PP&L)
- Cash Contributions/In Kind Contributions (Individual)
- General Fund Contributions
- User Fee

Executive Director Horton asked the Board if there is a consensus that we should still have this discussion. The Board acknowledged that there is agreement to continue the discussion. The Board decided to continue to have two Board members attend the future meetings to gather information and bring recommendations back to the Board. The Board discussion included the need to publicly noticing the meetings.

The Board next talked about the choices of the City. Overall, Directors did not think that the general fund would be the best option to fully fund the project; Directors Grover and Fuller expressed some support for using the general fund as a partial funding option. Director Hovekamp was reluctant to keep the general fund in the mix. Director Schoenborn voiced his desire to create a fix for the pond now and have a source that can build over the years to be available for future needed funds, creating a long term solution. He further said he is not interested in any options that are not sustainable.

The Board discussed the support of the community for the dredge and whether the use of general funds is appropriate if the majority of the public does not support it. Executive Director Horton spoke about the process from a few years ago and said the community was divided about the project. One half wanted the dam removed and let the river take its natural course and the other side thought that Mirror Pond was historical and brings people to Bend. Because of the split vote, the discussion turned to finding a way to do both. Once the conversation turned to modifying the dam and restoring riparian habitat along with the dredge, the combined option had about 72 percent community approval. This was the vision adopted by the City Council (majority approved) and the Park Board (unanimous approval). PacifiCorp did not agree to removing or modifying the dam, making this option obsolete. At this time the District decided to focus on the vision of the plan that could be completed and concentrated the efforts on the banks and trails.

Executive Director Horton spoke about the MOU that the District has with Mirror Pond Solutions (MPS), part of the agreement specifies the conditions that the District would take ownership of the pond property from MPS. MPS has contributed about \$300,000 to the dredge and will gift the property to the District; however, the agreement stipulates that there must be a sustainable plan in place for the pond in order for the District to take ownership.



Director Hovekamp expressed his concern that if the District is involved with funding the dredge, it could jeopardize an established relationship with Upper Deschutes Water Council (UDWC) and other environmental programs that partner financially with District projects. He said that this would be difficult to explain to their funding partners and could result in potential loss of project revenue for the District.

Director Sprang brought up the user fee idea and the Board decided that it was not a manageable option to collect fees from river floaters. Executive Director Horton pointed out that the District collects 25 percent of the tube rental fees and this revenue does **not** cover the cost of operating the Whitewater Park, he further commented that the revenue wouldn't even come close to covering the cost of the dredge. He continued to say that the only option that checks all the boxes is the franchise fee. The general agreement of the Board is to advocate for the franchise fee with PP&L.

Executive Director Horton mentioned that the city has run the numbers and with an increase of about one percent to the franchise fee, the whole dredge cost can be covered. He said it is important to recognize that all of the agencies should have an investment; the District is already contributing 6.5 million to the Drake Park trail improvement.

Director Schoenborn recommended that Directors Hovekamp and Fuller serve on the committee because they represent all the overall ideas of the Board. Both Directors accepted the nomination. The Directors will explore three options that the city has chosen and explain why charging a user fee is not a viable option.

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

### **VISITORS**

Matthew Nelson: Big Sky BMX track –Mr. Nelson, track operator at the BMX Park, spoke of his positive experience with the High Desert Track, stating that it is one of the most unique tracks he has seen. He is impressed by the quality of the kids and racers adding that there are many top racers from this area. He also stated that the races held at the park bring in revenue to the community. Mr. Nelson advocated for adding sound to at the park for events, stating that this is one of the only tracks in the country that doesn't allow sound.

### **CONSENT AGENDA**

1. Meeting Minutes – 9/18/2018
2. Approve Park and Facility Rental Cost Recovery Levels

***Director Schoenborn made a motion to approve the consent agenda. Director Sprang seconded. The motion passed unanimously, 5-0.***

### **BUSINESS SESSION**

1. Approve BMX Ground Lease – *Matt Mercer (15 min)*

Mr. Mercer introduced Paul Hewes, President of High Desert BMX. Mr. Mercer said that the District has had some level of agreement with High Desert BMX since 1997. In the past, High Desert BMX has operated under facility use agreements that have to be updated each year. They have been a good partner and continue to expand. With review of the relationship it is appropriate to move to a ground lease; the BMX Park has been developed, operated and maintained by High Desert BMX.

Mr. Mercer visited the program and is impressed with the breadth of participation at the BMX Park. This is an operation that is focused on bringing in new users and is doing a good job of using volunteers. This operation is a benefit to the community as a whole. The ground lease has been reviewed by legal and is similar to other ground leases that the District has with other partners.

The Board asked about the sound and lighting issues that have come up and the impact on the park and the BMX users.

Mr. Hewes stated that the group has held 50 organized bike races this year with no complaints. Local events have been able to operate without sound for the last couple of years and he would like to grow the track and hold bigger events. He mentioned that it is difficult to hold events without sound and would like to have some reasonable sound as an option.

The Board asked about barriers to the public to use the park.

Mr. Hewes explained that the first use of the park is free with loaner bikes and insurance for the rider, then it is \$60 annually to join. Over a third of new members use the loaner bikes and for the younger kids there are loaner strider bikes. It costs \$8 to race and \$5 to practice. Practice is flexible; users can practice on their own schedule. Mr. Hewes concluded by saying that the BMX program has a lower cost entry than most sports.

***Director Grover made a motion to approve the ground lease with High Desert BMX and direct the Executive Direct to execute the agreement. Director Schoenborn seconded. Motion passed unanimously, 5-0.***

2. PCMS Fields Award Design Contract – *Ian Isaacson (15 min)*

Mr. Isaacson gave a brief overview of the Pacific Crest Middle School Fields. Mr. Isaacson said that after the Board approved the IGA for this project in June, 2018, the request for proposal (RFP) for professional design services went out in July. There were four responses to the RFP, two firms were interviewed and BECON, a local firm, was selected. Upon approval tonight, the next step is to issue the contract to BECON tomorrow and get the background information by this week. Based on the time schedule for design and permitting with the city, this project will be put out to bid around the end of March with the intent of having the fields ready for use by next fall.

The Board asked about the responsibility of the fields since the land is owned by the school district. Mr. Isaacson said that the District will maintain the fields. The school district and the District have an agreement that allow each agency to have scheduled play time on the fields. This is a 20 year agreement that can be extended. If the agreement is ended early there is a reimbursement arrangement in place.

The Board asked if there is a concern about the fields sinking and if BECON has worked with the District before. Mr. Isaacson responded that the fields are not in an area that was part of the pumice mines. BECON has worked on other projects: Juniper Park, Empire Crossing and Alpenglow.

***Director Schoenborn made a motion to authorize the Executive Director to negotiate and execute a contract with Bend Engineering Consultants (BECON) for the Design of the Pacific Crest Athletic Field Development project in an amount not to exceed \$220,925.00 and to approve a 10% contingency of \$22,092.50 for a total design budget not to exceed \$243,017.50. Director Sprang seconded. Motion passed unanimously, 5-0.***

**EXECUTIVE DIRECTOR'S REPORT:** Executive Director Horton spoke about attending NRPA Conference last week; he mentioned that the education sessions were very good this year. He toured other parks, and commented that it makes us feel good when we see other areas and realize how well our parks are maintained.

Executive Director Horton brought up the discussion in the Executive Session, the Board decided to direct the District's attorneys to write an amicus brief requesting that the Supreme Court hear a State Parks case that was lost in court regarding recreational immunity. He said that since legal counsel was directed to do this it needs to be discussed in open session and need to ask for a motion to do this. State parks has lost two recreational immunity suits this year, one was a surfing accident in Pacific City and the other was an accident at Lake Billy Chinook.

***Director Hovekamp moved that the Board authorize the Executive Director to direct council to draft and submit an amicus brief in support of the parties that are pursuing the hearing of this case in front of the State Supreme Court. Director Schoenborn seconded. Motion passed unanimously, 5-0.***

#### **BOARD MEETINGS CALENDAR REVIEW**

**PROJECT REPORT:** Attachment in Board Report

#### **GOOD OF THE ORDER:**

Director Grover mentioned that she has had some contact with the high school water polo program. She said that she has encouraged them to come to a meeting and express their concerns about costs and talk more with the school district. The concern is that the costs will go up next year and will cause the program to end. Water polo is a no cut program and would like to be considered as a high school program under the IGA with the school district, which Director Grover said is a conversation that the club needs to have with the school district.

Executive Director Horton replied that the District has already decided to keep the water polo fees low with gradual escalations to better accommodate the club. Director Grover said that she assured the water polo club that the District supports participation in these sports and does not want to put so much pressure on these programs that they can't exist. Mr. Mercer interjected that he has been talking with the school district and these programs are separate from the school in every way. The only shared piece is the name of the club. Director Grover commented that she has seen that high school sports have a level of seriousness and there is a perception that athletes need to specialize, discouraging some from even playing. She likes that the District partners with the school district to keep programs going and offer programs that can keep kids participating.

Director Fuller said he had an opportunity to speak a representative with Habitat for Humanity; they have expressed interest in what the District is going to do in making revisions to the SDC methodology.

Director Fuller also mentioned that COID is embarking on an ambitious canal piping plan for the Pilot Butte Canal from Bend to Redmond to Smith Rock and hopes that this project will be supported when the time comes.

Director Fuller is coaching soccer and the use of neighborhood parks has been going well.

**ADJOURN 8:47**



Prepared by,  
Sheila Reed  
Executive Assistant

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Brady Fuller, Chair

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Ted Schoenborn, Vice-Chair

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Ellen Grover

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Nathan Hovekamp

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Lauren Sprang

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Recommendation to Amend Personnel Policies
<b>STAFF RESOURCE:</b>	Theresa Albert, Human Resources Manager
<b>PREVIOUS BOARD ACTION:</b>	June 3, 2008 – Amended policy to allow the Executive Director to approve or amend board policies
<b>ACTION PROPOSED:</b>	Amend Personnel Policies
<b>COMMITTEE ACTION:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Operational Excellence
<b>Objective:</b>	Improve Business Practices

**BACKGROUND**

On June 3, 2008, the Board of Directors adopted the Employee Manual Board policy. This policy allows the Executive Director to temporarily approve additions or amendments to Board policies. Once a year all new and amended policies are to be brought before the Board for final approval.

Over the last year, the Executive Director amended three Board-approved policies. A committee was convened that included two board members, Brady Fuller and Lauren Sprang, and the Executive Director and Human Resources Manager to review the amended policies. The committee agreed with the Executive Director's actions and provided recommended additional clarifying language. The amendments included law changes, housekeeping issues such as clarifying language that resulted in consistent application and ease of understanding, and changes in practices to be consistent with other government agencies or to improve business practices.

The amended policies were changed as follows:

The **Position Classification** policy was updated to include the recommendation from our consultant at the time of the prior compensation and classification study to add a sixth factor in the working conditions of the District's internal equity tool for assessing and determining compensation. In addition, due to Oregon's Pay Equity Act, the District addressed reclassification pay rates through the new Hire Rate Guidelines developed to ensure pay equity is included in the hiring and reclassification processes.

The **Compensation Practices** policy was amended for the following reasons:

- To comply with the Oregon Pay Equity Act, the District implemented the Hire Rate Guidelines;
- To change the orientation period for part-time non-exempt employees working less

- than 120 hours to 120 hours or more for successful completion of the orientation period. The District conducted a survey of other organizations and the results ranged from no minimum number of hours required up to the number of hours required of a full-time position. As a result, the District established a reasonable number of six months with at least 120 hours required to successfully pass orientation, or 2 years whichever is less;
- The survey on orientation periods of other organizations also included the annual merit increase. As with the orientation period, the District is now requiring a minimum of 120 hours worked in the 12 month annual evaluation period or 2 years whichever is less;
  - The evaluation date was changed for new full-time employees to the employee's anniversary date, in order to be consistent with the process used for part-time employees;
  - We added in the use of the Hire Rate Guidelines to determine pay for employees who are reclassified;
  - We changed the consumer price index the District uses to U.S. City Average, West Regions, West Size Class B/C for January as agreed upon by the Budget Committee; and
  - We added clarifying language for part-time employees' accrual of holiday pay.

The **Sick Leave** policy was also amended in order to:

- Provide clarifying language in how the District administers the Oregon Sick Leave law;
- Changed language to reflect the District's pay period of the 21st of the month through the 20th of the following month; and,
- With the implementation of the District's electronic time clock system, we removed language regarding employees reporting sick leave in 15 minute increments, as the new system allows reporting by the minute.

#### **STAFF RECOMMENDATION**

Codify the amended policies: Position Classification, Compensation Practices, and Sick Leave.

#### **BUDGETARY IMPACT**

No significant impact.

#### **MOTION**

*I move to codify the amended policies as presented in Exhibit A.*

#### **ATTACHMENT**

**Exhibit A –Amended Policies in track changes: Position Classification, Compensation Practices, and Sick Leave.**

## **POSITION CLASSIFICATION**

### **General Information**

All positions of the District will be assigned a job classification. A classification may contain one or more positions. Each position has a class specification which includes an appropriate title, a description of duties and responsibilities, and a statement of minimum or desirable requirements of training and experience. Job classifications and responsibilities may change based on needs of the District. Any proposed changes to a class specification, or amendment to the classification plan shall be submitted to the Executive Director for approval.

### **Job Evaluation**

Job evaluation shall be conducted when:

1. A new classification is developed or a new position requiring evaluation is identified; or
2. An existing classification or evaluated position is substantially changed; or
3. Human Resources identifies system inconsistencies or other problems among evaluated positions or classes.

### **Position Re-Evaluation**

An existing position can be re-evaluated to determine proper classification as a result of an employee or supervisor believing that the position is improperly placed in a classification or salary range, or if the duties have changed significantly.

A Position Evaluation Request form must be submitted to Human Resources to begin the evaluation process.

The re-evaluation process normally includes a review of the duties with the Supervisor and/or Department Director to gather additional information regarding responsibilities and duty changes assigned to the position.

As part of the re-evaluation review, the eight factors against which all district positions are evaluated will be re-considered. Using these factors and the various weights assigned to each factor, the position will be evaluated and

scored based on the new information provided on the Position Evaluation Request form and gathered in the Supervisor and Director interviews. The job evaluation score will be used as a tool or guideline in determining placement on the salary structure.

The re-evaluation process may also warrant an external market survey for positions that the district has experienced attraction and/or retention problems.

### **Job Evaluation Factors**

Below are the eight job factors and their definitions used in the job evaluation process.

**Education** – The level of formal education required to fulfill the minimum requirements of the position.

**Knowledge and Experience** – The level and breadth of technical and/or business knowledge that is required to perform competently in the job. This includes on-the-job training, studies, in-house certification, and experience. Also consider the number of years of experience that is required to satisfactorily perform the duties of the position after a normal training period.

**Supervision/Lead Responsibility** – The responsibility for directing the work of others as direct reports and through subordinates. Positions that have direct supervisory responsibilities have the authority to make decisions regarding hiring and termination, evaluate performance, discipline, respond to grievances, and direct work assignments. Positions with lead responsibility may direct day-to-day work assignments but do not have supervisory authority. Consider the nature and complexity of the work of the positions directed or supervised as well as the number of positions directed or supervised.

**Job Complexity** – The number, scope, and complexity of job duties; the mental ability and skills required to perform them; and the judgment required of the work. Also consider the level of supervision received by the immediate supervisor or manager.

**Responsibilities** – The responsibilities of the position as to the scope of activities that extend through the district. In addition to the level of responsibilities, consider the impact the position has at the community, district or department level.

**Decision Making and Planning** – The requirements placed upon the position to make proper decisions and exercise judgment in the daily implementation and maintenance of current operations and programs within the position's area of responsibility. These decisions should be distinguished from those made as part of the requirements of other factors and consider the nature of day-to-day



decisions that this position is called upon to carry on the business activities of the position. Consider the scope and impact of those decisions, the effect, and the degree of independence with which decisions are made. Also consider the planning and goal setting requirements of the position. Consideration should be given to the need to formulate individual, work group, or organizational strategic plan.

**Relationships and Contacts** – The responsibility to deal effectively with individuals and groups inside and outside of the organization. Consider the frequency and importance of the contacts as relating to suppliers, regulatory bodies, trade groups, governmental and community officials, and other, and the effect these contacts have on the district's operations. Also consider the level of the position that represents the majority of contacts made.

**Working Conditions** – Working conditions refers to the surroundings or physical conditions under which the job must be performed, the number and/or irregularity of the hours required to perform the duties of the position over which the employee has no control, and similar factors which affect mental and physical well being. The adverse factors pertaining to working conditions are: (1) environmental influences such as atmosphere, ventilation, illumination noise, congestion, etc.; (2) ~~accident and~~ health and safety hazards to the employee from the work or its surroundings; (3) frequent, abrupt, and unexpected changes in circumstances, work assignments, goals, and deadlines; (4) ~~length-duration~~ and irregularity of hours required; (5) requirement to ~~juggle-manage~~ multiple priorities and/or make ~~risky or difficult~~ involving risk assessment; (6) handling hostile people or challenging encounters. Also consider the frequency of exposure to these conditions.

### **Reclassification**

Once the evaluation process has been conducted, Human Resources shall share the results with the Supervisor and Department Director to discuss and review. The Supervisor and Department Director have the authority to make adjustments to the duties, responsibilities and scope of the position during this discussion. Human Resources shall develop an Executive Director Order and submit to the Executive Director for approval.

The Executive Director Order will contain a background, discussion and recommendation. The recommendation will include any changes to the position and the effective date. The Executive Director approves or denies the Executive Director Order.

### **Reclassification Request Denials**

When a formal request for reclassification is denied, Human Resources will develop an Executive Director Order explaining the reasons for the denial. The Executive Director approves or denies the Executive Director Order.

### **Effect of Reclassification on Employee**

If the position (before reclassification) has a single employee in the classification/working title, the employee will be reclassified with the position in the higher salary range. If the position (before reclassification) has more than one employee in the classification/working title, a promotional recruitment will be conducted to provide all employees in the classification/working title the opportunity to promote. The employee's pay shall be adjusted ~~to either the entry rate of the new salary range~~ using the District's Hire Rate Guidelines or a 5% increase, whichever is greater. **Exceptions for salary placement to be approved by the Executive Director.**

If the re-evaluation results in the position to be reclassified to a classification in a lower pay range, the position will be placed in the new pay range. If the position has an incumbent, there is no impact on the employee's salary unless the employee's salary falls outside of the maximum of the pay range, the employee's pay shall be frozen until the pay range "catches up" with the employee's pay rate.

If the reclassification is to a classification at the same salary range, there is no impact on the employee's pay rate.

### **Orientation Period**

If the reclassification results in reclassifying an employee onto a higher pay range, the employee shall serve a six month orientation period.

### **Procedure**

Employee	Completes Position Evaluation Request form and submits to supervisor.
Supervisor	Reviews employee submitted Position Evaluation Request form, completes supervisor section and submits to Human Resources.
Human Resources	Reviews Position Evaluation Request form, interviews supervisor and/or department director, conducts evaluation, develops Order, and submits to Executive Director.
Executive Director	Reviews order and approves or denies.

Human Resources            If review results in change to the position, adjusts the classification in the salary schedule.

Supervisor                    Prepares Personnel Action form

**Forms**

Position Evaluation Request

## COMPENSATION PRACTICES

### General Information

This policy establishes standards for the equitable and consistent administration of pay.

### Pay Administration

#### 1) **New-Initial Hire**

Salaries offered to ~~new-initial~~ hires to the District should be commensurate with the candidate's qualifications and salary history. Hiring supervisors shall use the District's Hire Rate Guidelines to determine the offered wage.

~~Normally, wages are offered to new employees between the entry and the first quartile of the salary range. With department director's approval, a hiring supervisor may offer a candidate up to the first quartile of the salary range.~~

~~Exceptions: Request for salary exception between the first quartile and mid-point must be made in writing from the department director to the Human Resources Manager for approval or denial. Exceptions will be reviewed based on the candidate's salary history, qualifications, and assessment of the recruitment and selection process. Requests beyond the midpoint of the salary range will be reviewed by the Human Resources Manager and forwarded to the Executive Director with a recommendation for approval or denial to assign a higher rate than specified by the District's Hire Rate Guidelines must be made in writing from the Department Director and submitted to the Human Resources Manager. Human Resources' review will be based on the candidate's qualifications, attraction and retention issues, market conditions, and assessment of the recruitment and selection process. Human Resources will forward the exception request to the Executive Director with a recommendation for approval or denial.~~

#### 2) **Reemployment**

When an employee is re-hired after leaving the District, the hiring supervisor shall apply the District's Hire Rate Guidelines to determine the re-hire rate.:

~~a) May establish the salary at or below the rate paid at the time of separation; or  
b) May authorize a higher rate due to recruitment difficulty, exceptional qualifications of the applicant, returning seasonal employee, or other appropriate circumstances; and~~

~~e)a) Establishes the anniversary/merit increase date as follows:~~

~~(i) If reemployed at a higher rate in the same classification, the anniversary/merit increase date will be adjusted to one year.~~

- (ii) If reemployed at the same rate in the same classification within one year of separation, the anniversary/merit increase date will be established based on a total of 12 months worked from the last merit increase the employee received.
- (iii) If reemployed at the same rate in the same classification with more than one year of separation, the anniversary/merit increase shall be established as one year from the beginning of the first full pay period the employee works.
- ~~(iii)~~(iv) If reemployed in a different classification, the employee will serve an orientation period. The anniversary/merit increase date will be established one year from the beginning of the orientation period.

### 3) Orientation Period Adjustment

Initial hires to the District serve an orientation period. Non-exempt employees' orientation period ~~is~~ six full continuous months ~~for non-exempt employees with at least 120 hours worked. If an employee does not work at least 120 hours in six months, the employee shall continue the orientation period until the 120 hours are met but for no longer than two years.~~ and Exempt employees' orientation period is 12 full continuous months ~~for exempt employees. A 3% orientation period adjustment shall be provided to n~~New non-exempt employees ~~to the District receive a 3% orientation period adjustment increase~~ upon satisfactorily completing the ~~six month~~ six month orientation period and exempt employees after satisfactorily completing six months of the 12 month orientation period. An orientation period evaluation supporting either the successful completion of the orientation period or satisfactory performance must be submitted with the orientation period adjustment request.

Employees serving an orientation period due to a promotion, reclassification, or demotion will not receive an orientation period adjustment.

### 4) Annual or Biannual Merit Increase

The District merit pay system allows for the progression of an employee's pay from the established minimum to the maximum of a salary range based on successful job performance.

Merit increases are based upon an employee's individual performance. The prime objective is to match an employee's compensation to his/her performance.

A proposed merit increase rate, based on the District's financial condition and the current economic environment, is submitted annually to the Benefits Committee for consideration and recommendation to the Budget Committee. Once the Budget Committee approves the budget, which includes the merit increase rate, it is forwarded to the Board of Directors for adoption.

Annual or biannual merit increases in years approved by the board shall be scheduled as follows:

- a) Following initial employment with the District, full-time employees who successfully perform their job receive annual merit increases one year from receiving the orientation period adjustment, or one year from a reclassification or promotion, which then establishes the anniversary date for future annual evaluations and merit increases. in July. ~~After completing the orientation period, a new hire, promotional, or reclassified employee's first merit increase due in July shall be a prorated percentage. The prorated amount will be based upon which calendar year quarter the employee completes his/her orientation period. Calculation of the merit increase shall be based on the following:~~
  - ~~Completion of the orientation period in the first quarter (January through March) of the calendar year the employee shall receive a maximum of 50% of the performance based increase.~~

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- ~~Completion of the orientation period in the second quarter (April through June) of the **calendar year** the employee shall receive a maximum of 25% of the performance-based increase.~~
- ~~Completion of the orientation period in the third quarter (July through September) of the **calendar year** the employee shall receive a maximum of 100% of the performance-based increase.~~
- ~~Completion of the orientation period in the fourth quarter (October through December) of the **calendar year** the employee shall receive a maximum of 75% of the performance-based increase.~~

b)a) ~~Part-time and regular part-time employees who successfully perform their job receive an annual merit increase one year from receiving the initial hire orientation period adjustment (anniversary date) provided the employee worked at least 120 hours during the evaluation period (12 months). If an employee does not work 120 hours in the 12 month period, the employee will receive his/her performance evaluation and corresponding increase on the employee's following anniversary date (after working a total of two years regardless of the number of hours worked). The anniversary date is calculated one year from the date the employee completed the orientation period, or one year from reclassification or promotion or acceptance of an additional position. The annual merit increase shall be awarded on the date the employee successfully completes the orientation period.~~

~~Based on the employee's performance evaluation, managers and supervisors will submit a Recommendation for Salary Treatment form for each of their full-time employees to the department director and Executive Director for appropriate treatment.~~

#### Exceptional Performance Bonus

Department directors may request approval from the Executive Director to grant an employee a one-time bonus for exceptional performance. The request must be submitted via the Exceptional Performance Bonus Request form. The request must clearly demonstrate what and how the employee accomplished that demonstrated this level of outstanding service to the District. The Executive Director will approve or deny the request.

#### Denial of Merit Increase

The regularly scheduled merit increase may be withheld for deficient performance. In order to deny a merit increase, the employee must have received timely notice of performance deficiency and had an opportunity to correct the problem prior to the salary eligibility date.

Employees receiving formal disciplinary action during the evaluation period shall be denied a merit increase. Exceptions are to be approved by the Executive Director.

## 5) Promotion

Upon promotion, an employee receives a 5% increase over current wage or the entry rate in the new salary range, whichever is higher, effective on the date of the promotion. Department directors may request an exception for a greater increase due to recruitment or retention challenges, exceptional qualifications of the promoted employee, or other appropriate circumstances. Exception requests must be in writing and approved by the Executive Director.

**6) Transfer**

A lateral transfer occurs when an employee applies for and accepts a job in which the new job classification has the same salary range.

An employee's wage rate normally stays the same upon transfer.



## 7) Demotion (voluntary or involuntary)

At the time of a demotion, salary placement shall be reviewed on a case-by-case basis by the Executive Director. The Executive Director may:

- a) Reduce the employee's pay to the maximum rate of the new classification, if the employee's current pay is above the new classification; or
- b) Maintain the current pay, if the employee's pay is within the range of the new classification.

Merit increase eligibility date shall remain the same as the previous position held.

## 8) Orientation Period Removal

In the event an employee does not successfully complete the orientation period and returns to the former classification, the employee shall be restored to the wage in the salary range the employee would have reached taking into account annual merit increases had the employee not left the previous classification. The employee's former merit increase eligibility date shall be restored.

## 9) Position Classification Changes

Through a position evaluation process, an employee and position may be reclassified. If reclassification results in the position to be placed in a higher salary range, the position will be placed in the new pay range. If the position has an incumbent, the employee's pay shall be adjusted using the District's Hire Rate Guidelines or to either the entry rate of the new salary range or a 5% increase, whichever is greater. **Exceptions for salary placement are to be approved by the Executive Director.**

If the re-evaluation results in the position to be placed in a lower salary range, the position will be placed in the new pay range. If the position has an incumbent, there is no impact on the employee's salary unless the employee's salary falls outside of the maximum of the salary range, in which case, the employee's pay shall be frozen until the salary range "catches up" with the employee's salary.

If the reclassification is to a classification at the same salary range, there is no impact on the employee's salary.

## 10) Salary Range Adjustments

The results of a compensation study may result in adjusting the salary range of a classification(s). In the event the salary range for a classification is adjusted to a higher salary range, the implementation shall be least cost. Affected employees are retained at the existing wage with no increase unless the employee's current wage rate is below the entry rate of the new salary range. In this case, the employee's wage rate will be at the entry rate of the new salary range. Salary range adjustments do not result in the employee serving a new orientation period.

### 11) Cost of Living Adjustment (COLA)

The District may grant a COLA in any given year that is determined appropriate based on the financial condition of the district. The COLA will be based on the published consumer price index for the ~~Portland-Salem, OR-WA—All Urban Consumers (CPI-U) for 2<sup>nd</sup> half of the year~~ U.S. City Average, West Region, West – Size Class B/C for January immediately prior to the fiscal year.

When a COLA is granted, the COLA shall first be applied to the salary schedule. After the COLA has been applied to the salary schedule, individual wages will then be increased.

The salary schedule and wages will be adjusted in the July paycheck, unless otherwise stipulated.

### 12) General Wage Adjustment

When Human Resources conduct a general compensation/classification plan study, implementation of the study shall be least cost. Affected employees are retained at the existing wage with no increase unless the employee's current wage rate is below the entry rate of the new salary range. In this case, the employee's wage rate will be at the entry rate of the new salary range. Employees generally retain their merit increase eligibility dates.

### 13) Lump Sum Payments

a) The District may give a lump sum payment to an employee at the time of hiring, promotion, or lateral transfer in difficult recruitment situations. Department directors must obtain approval of a lump sum payment from the Executive Director through a written request.

Normally, lump sum payments are appropriate for management level or specialized positions where recruitment difficulties are:

- (i) Due to a significantly below-market salary range for a specific classification, where changing the salary range on a timely basis is difficult; or
  - (ii) Due to a position in a generic classification being extremely sensitive to market pay fluctuations; or
  - (iii) Due to the nature of the assignment (e.g., added expectations and workload for a short to medium period) that makes the position especially unattractive to potential candidates.
- b) When an employee reaches the top of the salary schedule and continues to demonstrate good performance, a Top of the Salary Schedule (TOSS) monthly lump sum payment may be provided in lieu of unavailable merit increases. Criteria and eligibility for TOSS monthly lump sum payment:
- Employees are eligible for TOSS monthly lump sum payment once they are at the top of the salary range or through a classification and/or compensation study that results in their salary/hourly rate falling outside the salary range.

- Employee's performance evaluation should result in successful or better performance for the last performance period.

Limitations and Approvals:

- No more than one TOSS monthly lump sum payment shall be granted in a 12 month period.
- The performance evaluation will determine the recommended merit increase rate. The TOSS monthly lump sum payment will be calculated based on the portion of the merit increase that exceeds the top of the range. The amount that exceeds the top of the range will be paid in 12 monthly lump sum payments with each paycheck. For non-exempt employees, the monthly lump sum will be based on the number of hours worked.
- The TOSS monthly lump sum payment will not be used to calculate succeeding years' salaries.
- The TOSS monthly lump sum payment will be effective on the employee's annual merit increase anniversary date and paid in a monthly lump sum for 12 months.
- All TOSS lump sum payments must be approved by the Executive Director.

Calculation of TOSS monthly Lump Sum Payment:

- If COLA is adopted, apply COLA to the salary schedule.
- Apply COLA to each eligible employee's rate of pay.
- If part or all of the merit increase recommendation results in a salary over the top of the salary range, the amount that is over the range salary shall be the TOSS monthly lump sum payment.
- For employees frozen outside of the salary range, the TOSS monthly lump sum shall be calculated based on the maximum rate of the salary range.

- c) Exceptional service bonus may be granted to employees who exceed performance expectations. The one- time bonus payment is part of the annual performance evaluation process. The performance evaluation must clearly demonstrate the specific competencies, goals, and job expectations that have been consistently performed in an outstanding manner. Pre-approval by the Executive Director is required using Form #3 of the performance evaluation package.

**14) Work Out-of-Class (WOC)**

Work out of classification is defined as a temporary assignment of an employee to perform essentially all the duties, authority and responsibilities of a position classified at a higher salary range.

a) Rate of Pay

- (i) The WOC rate of pay for temporary duties at a higher classification is either five (5) percent of the employee's base rate of pay; or the difference between the employee's base rate of pay and the entry rate of the higher WOC salary

range, whichever is greater. Exceptions are to be approved by the Executive Director.

- (ii) An employee performing a work-out-of-class assignment, who is eligible for overtime in his/her regular position, continues to be eligible for overtime while performing the work-out-of-class assignment.
- b) Criteria:
  - (i) An employee assigned to perform duties at a higher level classification for more than 14 consecutive calendar days.
  - (ii) An employee must meet the minimum qualifications of the higher level position in order to receive WOC compensation. Employees who do not meet the minimum qualifications may be assigned the work as a professional development opportunity. A Human Resources representative must affirm that assigned duties are of a higher classification prior to authorizing WOC pay.
  - (iii) Standards for WOC duration are 12 months or less. If a WOC assignment exceeds this standard, written documentation must be submitted.

#### **15) Holiday Compensation**

Compensation for a holiday is based on an eight (8) hour day. When employees work on a holiday employees shall be compensated as follows:

- a) Full-time non-exempt employees required to work on an observed holiday will be paid for hours worked. In addition, the employee will also receive one of two options: 1) the employee will be paid for the 8 hours of holiday in addition to being paid for the hours worked, or 2) the employee will take an alternate date off with pay by December 20. If the employee does not take the alternate day off by December 20, the employee forfeits the holiday. The employee may request the option he/she prefers; however, based on business needs, the supervisor is responsible for making the final decision prior to the observed holiday.
- b) Full-time exempt employees that work on a holiday shall not record hours worked as holiday leave. Holiday hours that are not taken on the holiday will be scheduled and taken by December 20. If the employee does not take the alternate date off by December 20, the employee forfeits the holiday.
- c) Regular part-time employees required to work on an observed holiday will receive ~~pro-rated~~ holiday pay on a pro-rata basis provided the employee works 85 hours during the pay period. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 or 57.69% of the eight hour maximum accrual rate. In addition, employees ~~and~~ will be compensated for actual hours worked on the holiday.

#### **16) Return from Layoff**

When an employee returns from layoff to the classification held prior to the layoff, the employee returns to the same wage paid at the time of layoff. Upon return from layoff to a different classification, an employee normally returns to the same wage at the time of layoff, not to exceed the maximum rate in the new salary range.

### **17)Equity Adjustment**

An equity adjustment is a wage adjustment to correct a salary disparity. Executive Director approval is required to make the equity adjustment. Human Resources will determine the need for an equity adjustment and write a request for Executive Director approval that includes the issue, affected employee(s), recommended adjustment, and effective date. Upon approval, a personnel adjustment will be processed.

### **18)Facility Closure and Emergency Cancellation**

In the event of a facility closure or emergency cancellation of programs, compensation shall be as follows:

Exempt full-time employees – A partial or full closure will not impact an employee's monthly compensation; however, the expectation is that work responsibilities will be taken care of at an alternative time, day, or location. In the event of a prolonged closure, employees may be required to take paid leave.

Non-exempt full-time employees – During a partial or full-closure, employees are paid for the hours worked; for any missed time employees will be required to either 1) make up the missed time within the same pay period (supervisor must approve) or 2) use accrued vacation or comp time. If option1 is agreed upon and the employee is unable to make up the time with the same work week, the supervisor shall adjust hours so that the make-up hours do not result in an employee's compensation exceeding what would have been paid. (This may result in an employee working less than an 8-hour shift to adjust for overtime incurred during the week that they are making up a shift. For example, an 8-hour shift made up in a subsequent week would result in an employee working 5.33 hours at 1.5 overtime pay to equal 8 hours of missed pay).

Note: Full-time employees must use applicable leave balances before leave without pay may be authorized (see Leave Without Pay policy).

Non-exempt part-time employees – Employees are paid for the hours worked. If business needs allow, employees may be scheduled for make-up hours. If make-up hours are not available, employees may use accrued vacation leave if available.

**Show-up pay** – In the event an employee reports to work as scheduled and the decision has been made for a closure or cancellation, the employee shall be paid not less than one (1) hour. Minors are to be paid not less than one-half their scheduled shift.

**Exceptions** – In the event of a business closure, the Human Resources Manager may request exceptions to appropriate policies to avoid employees' loss of benefits for the Executive Director's approval.

### **Pay Differentials**

1. **Bilingual Skills**

This differential applies to employees who must use bilingual skills to perform assigned duties. "Bilingual skills" means translation to and from English, interpretation of another language or the use of sign language. The employee's supervisor must assign the interpretation and translation duties. The supervisor documents the bilingual assignment through a Personnel Action form.

The differential is five (5) percent of base pay.

2. **Lead Work**

This differential applies to all employees assigned to perform "lead work" duties for 14 or more consecutive calendar days if:

- a) The class specifications for the employee's position do not include lead work duties; and
- b) The employee's position is not management/supervisory.

Employees assigned lead work duties typically perform a broader scope of work and are assigned additional responsibilities. The supervisor documents the lead work assignment through a Personnel Action form. Lead work occurs when the supervisor assigns an employee all of the following duties:

- a) Prioritize and assign tasks to efficiently complete work;
- b) Give direction to workers concerning work procedures and performance standards;
- c) Review the accuracy, quality and quantity of work; and
- d) Provide informal feedback of employee performance to the supervisor.

The differential is five (5) percent of base salary for the full period of the assignment.

Lead work differential does not apply to developmental assignments mutually agreed to by management and the employee.

3. **On-Call Duty**

On-call differential applies to all Federal Labor Standards Act (FLSA) non-exempt employees. An employee is eligible for the on-call duty differential when a supervisor requires the employee to be available for work outside his/her regular working hours. The employee may use the on-call time effectively for his/her own use. The District does not count on-call time as time worked in the computation of overtime hours worked.

On-call shall be one hour's pay at the regular straight time rate.

4. **Standby Duty**

Standby duty differential applies when a supervisor requires FLSA non-exempt employees to be available for work outside normal working hours, and subject to restrictions consistent with the FLSA, that prevent the employee from using the time while on standby duty effectively for the employee's own purposes. Compensation

for standby duty is paid at the employee's straight time rate of pay. Overtime hours on standby are paid at the appropriate overtime pay rate.

**5. Work Schedule**

Work schedule differential applies to employees assigned to non-traditional work schedules. Employees shall receive the shift differential for shifts where the majority of hours are worked between 10:00pm and 5:00am. It does not apply to base rates in the computation of payments for paid time off such as vacation and sick leave.

Overtime is computed by adding shift differential to the employee's base rate during the pay period when an employee works overtime. Work schedule differential is not paid when an employee requests an alternate work schedule to make up hours not worked during the established workweek.

The differential is five (5) percent of each shift that meet the shift differential definition.

**Resource**

Leave Without Pay policy, Chapter 5, Section 8

## **SICK LEAVE**

### **General Information**

Sick leave with pay is an accrued benefit that ensures all employees can earn sick time to use when they or a family member are sick, injured, or need preventive health care. This policy is intended to mitigate the spread of disease and to allow employees to care for themselves and family members, making a healthier, more productive workplace and community.

Family members for sick leave purposes are defined as spouse, and includes in-laws and step: parents, grandparents, children, grandchildren, brother, sister, and foster children.

### **Policy**

All employees begin ~~earning~~ accruing sick leave on the first day of work.

Full-time employees are eligible to use sick leave with pay ~~upon completing a full month~~ upon completing their first pay period; if employees work less than the full pay period, the sick leave will be prorated.

All part-time employees are eligible to use sick leave with pay beginning on their 91<sup>st</sup> day of employment.

### **Eligibility, Accrual Rate, and Carry Over**

#### **Part-Time and Seasonal Employees**

Part-time and seasonal employees - accrue 1 hour for every 30 hours worked. Employees may carry over up to 40 hours of unused sick leave from one year to the next.

#### **Regular Part-Time Employees**

Regular part-time employees (year around employees working an average of 85 hours each month for six consecutive months with no fewer than 60 hours in any month) – accrual is at a prorated amount as that of a full-time employee. Actual time worked and all leave with pay shall be included in determining the pro rata accrual of sick leave each month. For example: an employee who worked 100 hours for the month will accrue 100 hours divided by 173.33 hours or 57.69% of the maximum eight hour accrual rate. If an employee drops below 85 hours for two consecutive months or three non-consecutive



months in a 12 month period, the employee must re-qualify for regular part-time status by working at least 85 hours per month for three consecutive months. The accrual rate will drop to the part-time and seasonal employee rate of 1 hour for every 30 hours worked. There is no limit to the number of unused sick leave hours that may be carried over to the next year.

#### Full-time-Time Employees

Full-time employees accrue eight hours of sick leave per ~~month~~<sup>pay period provided</sup> there are no leaves without pay during the pay period (the District's pay period is the 21<sup>st</sup> of a month through the 20<sup>th</sup> of the following month). There is no limit to the number of unused sick leave hours that may be carried over to the next year.

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#### Use of Sick Leave

~~Employees may use sick leave in 15 minute increments.~~

When an employee needs to use sick leave and has not given his/her supervisor prior notice, the employee will call his/her supervisor or other designated staff, prior to the beginning of his/her scheduled shift, except for circumstances beyond the employee's control such as a traffic accident.

The District may request certification from the attending physician to verify the need for leave under the Federal Family Medical Leave Act/Oregon Family Leave Act (FMLA/OFLA) and when:

- An employee takes more than three consecutive workdays of sick time.
- If the supervisor suspects that the employee is abusing sick time or engaging in a pattern of sick leave.
- If the sick time is foreseeable and projected to be more than three consecutive days.
- To determine return to work eligibility and restrictions.

#### Workers' Compensation

An employee may choose to use sick leave to equal the difference between the Workers' Compensation for lost time and the employee's regular salary rate. An employee who exhausts sick leave may choose to use other accrued leave to equal the difference between Workers' Compensation for lost time and the employee's regular salary rate. Using leave while receiving time loss benefits is not required.

#### Notification of Sick Leave Balance

The employee's monthly pay stub shall reflect the employee's sick leave accrual, use, and balance.

#### End of Employment

Sick leave does not have a monetary value at the time of separation. Sick leave balance will not be paid when an employee separates employment from the District

**Restoration of Sick Leave Upon Rehire**

Employees who have separated from the District and return within one year shall have unused sick leave credits restored.

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Receive Budget Committee Applications and Review Budget Calendar
<b>STAFF RESOURCE:</b>	Lindsey Lombard, Administrative Services Director Betsy Tucker, Finance Manager
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Receive budget committee applications and discuss budget calendar dates
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Financial Stewardship
<b>Objective 1:</b>	Maintain financial stability
<b>Initiatives:</b>	Provide responsible financial planning and management to support the district's existing and future levels of service.

**BACKGROUND**

The District's Budget Committee consists of five members that are appointed by the Board of Directors. To be eligible to serve as a Budget Committee member, per Oregon's Local Budget Law, a candidate must reside within the District's boundaries, be a registered voter, and be willing to commit to serving a three-year term. There is currently one vacant seat on the District's Budget Committee; Brian Thorsness completed his term at the end of the budget process for fiscal year 2018-19. The Board has received several applications for consideration for the open position.

For prior appointments, Board members have taken into consideration a variety of criteria during their selection process. The criteria have included the candidates' skills and experiences, how long they have resided in Bend, what neighborhood they live in, and prior experience with the District. Also a significant factor in the prior selection processes has been the make-up of the current Budget Committee members, so as to have a committee that best represents various areas and backgrounds in the broader community.

Staff will provide the Board with the applications along with summaries of information on the four current Budget Committee members and on the candidates during the Board meeting. The applications include the candidates' responses to supplemental questions and often a resume; the supplemental questions are intended to provide the Board with information on the candidates that will assist them in making their selection. This information includes the candidate's profession, experience, community involvement, direct experience with the District, and the reasons they are interested in a position on the District's Budget Committee. The provided

summaries reflect the following information on current members and candidates: neighborhood association where they reside; how long they have lived in Bend; and current and prior profession and experience.

The Board has previously committed to using the following review and selection process:

- Board members receive all eligible applications;
- each Board member will read, review and rate the candidates on their own time;
- the rating system to be used: three points for each Board member's first candidate, two for the second, and one for the third;
- all individual ratings will be provided by Board members to staff by end of day Monday, November 26<sup>th</sup>;
- staff will summarize the data and will provide to the Board, at the December 4<sup>th</sup> Board meeting, the name of the candidate who received the highest combined rating; and
- the Board will consider that candidate for appointment.

Each year staff develops a budget calendar for the upcoming fiscal year's budget process. The annual Board Workshop is scheduled for Tuesday, January 8<sup>th</sup>. The Budget Committee and Board Tour is scheduled for Wednesday, April 17<sup>th</sup>, from 9:00am to 4:00pm. The tour's purpose is to see some of the more significant sites of projects that will be in this year's proposals.

Staff have also scheduled the Budget Committee meetings for Monday May 13<sup>th</sup> and Wednesday May 15<sup>th</sup>, (with Thursday, May 16<sup>th</sup> scheduled as a tentative third meeting if necessary) with the budget adoption by the Board scheduled for the regular Tuesday, June 4<sup>th</sup> Board meeting.

### **BUDGETARY IMPACT**

The 2019-20 fiscal year's proposed budget is scheduled to be presented to the Board and Budget Committee on May 13<sup>th</sup>.

### **STAFF RECOMMENDATION**

Staff recommends the Board review and consider the applications in preparation for appointment on December 4<sup>th</sup>. Staff also recommends that the Board note the dates for the budget tour and the Budget Committee meetings, and inform staff as soon as possible if there is a scheduling conflict.

### **MOTION**

***None, for information purposes only.***

### **ATTACHMENT**

- BPRD Fiscal Year 2019-20 Budget Calendar
- *(The applications, Budget Committee candidate and current member summary, and Neighborhood Association map will be provided at the work session)*

**Bend Park and Recreation District  
Fiscal Year 2019-20  
Budget Calendar**

2018

- |            |   |
|------------|---|
| October    | Publish ads and posts on social media seeking new Budget Committee member |
| November 6 | Board of Directors receive Budget Committee candidate applications        |
| December 4 | Board of Directors appoint new Budget Committee member                    |

2019

- |           |  |
|-----------|--|
| January   | Budget Committee training  |
| January 8 | Annual Board of Directors Workshop   |
| April 17  | Budget Committee tour of parks, trails and facilities  |
| April 24  | Publish first Budget Committee meeting notice  |
| May 5     | Publish second Budget Committee meeting notice   |
| May 6     | Proposed budget available to public and Budget Committee   |
| May 13    | Budget Committee meeting to hear budget message, receive public input and review proposed budget |
| May 15    | Budget Committee meeting to approve proposed budget  |
| May 24    | Publish notice of budget public hearing  |
| June 4    | Public hearing held by Board of Directors to receive public input and adopt budget               |
| July 15   | Tax levy certified by Deschutes County   |

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	SDC Methodology Update
<b>STAFF RESOURCE:</b>	Michelle Healy, Planning & Park Services Director Lindsey Lombard, Administrative Services Director Sarah Bodo, Park Planner
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Financial Stewardship
<b>Objective:</b>	Invest in the future
<b>Initiative:</b>	Maintain the District's Systems Development Charge (SDC) program to ensure adequate funding for future facility needs to meet population growth.

**BACKGROUND**

Bend is growing rapidly and the community's park and recreation needs are changing. In response, the District is updating its park System Development Charge (SDC) methodology to reflect current community needs. As the primary funding source for new parks, trails and recreational amenities, a new, more flexible SDC methodology will help the District fund the parks, trails and recreational amenities to meet level of service standards into the future. Some of the changes the District is studying as part of the methodology update include:

1. Expanding flexibility to allow SDCs to potentially fund a wider range of parks, trails, and recreation projects identified in the new Comprehensive Plan (such as indoor recreation facilities).
2. Aligning SDC fees with local discussions about affordable housing.
3. Considering the viability of creating a non-residential SDC fee.
4. Reviewing administrative policies and procedures (e.g., option for financing, credit procedures, collection deferrals, updating definitions of changing residential categories, time of collection etc.).

The District's last SDC methodology update was implemented in 2009, and in each following year SDCs have been indexed to local construction and land acquisition costs. Since 2009, the District has built a number of new parks with SDCs to respond to population growth and community needs including Pine Ridge, Canal Row, Eagle, Rockridge, Miller's Landing, Riverbend Park, Pine Nursery, Stone Creek and Discovery Park. The recently adopted Comprehensive Plan provides a list of priority projects for the next ten years, many of which would be funded through SDCs.

The District hired Galardi Rothstein Group and Kearns and West to complete the SDC methodology update. Project deliverables include the methodology report, project list, and fee schedule.

### **Stakeholder Outreach**

Staff and the consultants met with stakeholders on October 24 to seek early feedback on the development of the new park SDC methodology. Participants included representatives from the local homebuilders' association, association of realtors, city, county, and affordable (Pacific Crest Affordable Housing, Housing Works, Habitat for Humanity) and market rate housing developers and builders (Tenant Development, Brooks Resources, Pahlisch Homes, Hayden Homes, PacWest Homes). Staff will share a summary of the stakeholder feedback and ideas during the board meeting.

The District will also engage commercial developers and others this autumn, and will seek additional feedback from all stakeholders once the draft methodology is prepared in January.

Additionally, the BPRD website has been updated with SDC information at this location: <http://www.bendparksandrec.org/about/sdc/>

### **Project timeline**

The goal is to complete the project by the end of May 2019. This timeline helps the District in planning for future project development and also provides the development community more certainty around future SDC fees and procedures. A general timeline of the SDC methodology project is as follows:

*October 2018-April 2019:* Research and stakeholder conversations

*February 2019:* Draft report and 60-day public review (as required by ORS)

*May 21, 2019:* Public hearing and methodology adoption (pending Board approval)

*July 2019:* Expected implementation

### **BUDGETARY IMPACT**

The SDC methodology has impacts on future SDC fee revenues and the funding available for SDC eligible projects in the District's adopted Capital Improvement Plan and in the newly adopted Comprehensive Plan.

### **STAFF RECOMMENDATION**

None

### **MOTION**

None

### **ATTACHMENTS**

None



<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	November 6, 2018
<b>SUBJECT:</b>	Drake Park Bank and Trail Improvements Project - Award CMGC Contract
<b>STAFF RESOURCE:</b>	Brian Hudspeth, Development Manager Don Horton, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	September 18, 2018 As Contract Review Authority, Authorized use of alternate contracting method, Construction Manager / General Contractor, (CMGC). June 19, 2018 Approve contract amendment for construction documents; December 19, 2017 Project Update 30 percent DD Design; October 17, 2017 Project Update
<b>ACTION PROPOSED:</b>	Award CMGC contract for pre-construction services.
<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 September 18, 2018, the Board, acting as the District's Contract Review Authority, authorized the use of a Construction Manager/General Contractor (CMGC) as an alternate contracting method for the Drake Park Bank & Trail Improvement project. Since then, staff published a state wide advertisement for qualified contractors to propose as CMGC for this project. On September 25, the District hosted a mandatory pre-proposal meeting on site at Drake Park for interested firms - nine firms attended. The RFP closed on October 11, at which time the proposals were opened. The District received proposals from Emery & Sons Construction Group and HP Civil, Inc. Both firms met the technical requirements of the proposal.

A selection committee was formed of District staff and design team members to review and score the proposals. Following the proposal scoring, the selection team decided to interview both firms. After totaling the proposal scores with the interview scores, the pre-construction fees were opened and scored. The highest scoring firm was Emery and Sons Construction Group, LLC (Emery & Sons).

The review committee is recommending Emery & Sons to serve as the CMGC for this project. A Notice of Intent to Award was published on October 23, 2018.

**BUDGETARY IMPACT**

The 2019-23 Capital Improvement Plan (CIP) allocates \$5,245,595 for project funding, of which, \$2,185,273 is property tax revenue, \$2,245,595 is System Development Charges (SDCs) and \$500,000 is alternate funding. Staff will be applying for a local government grant next spring as alternate funding for this project.

Currently \$808,499 has been contracted or paid for engineering, design, and legal fees, leaving \$4,437,096 available for construction, CMGC pre-construction fees, permitting, and other miscellaneous costs to complete the project. Emery & Sons' pre-construction fee is \$31,040, with a 10% contingency added for a total of \$34,144. Once the construction documents are at 100 percent, staff will instruct the CM/GC to provide a Guaranteed Maximum Price (GMP) for review and Board approval prior to executing. The GMP will be the final construction bid.

**STAFF RECOMMENDATION**

Staff recommends the Board award the CM portion of the CM/GC contract to Emery & Sons in the amount of \$31,040 as well as approve a 10 percent contingency in the amount of \$3,104 for a total construction management fee not to exceed \$34,144.

**MOTION**

***I move to authorize the Executive Director to execute a contract with Emery & Sons Construction Group, LLC. for the Construction Manager/General Contractor pre-construction services contract for the Drake Park Bank & Trail Improvement project for \$31,040 and approve an additional 10 percent contingency for a total contract award of \$34,144.***

**ATTACHMENT**

None



## PLANNING & DEVELOPMENT PROJECT UPDATES November 2018



### **Deschutes River Trail (DRT):**

**Putnam to Riley Ranch Nature Reserve Bridge Segment** – Brooks Resources provided an easement for the trail and parking area. However, development of this segment of trail and the parking area on this property are contingent upon acquisition of a trail easement on the adjoining property with an active surface mine, which may delay the trail project for a few more years.

**Kirkaldy Ct. to Putnam Rd. Segment** – After meetings with adjacent property owners and the Awbrey Meadows Home Owners Association Board of Directors, the issue of the District acquiring a trail easement over the buried Tumalo Irrigation pipeline has not yet been resolved. The trail alignment is also pending acquisition of other necessary trail easements from the surface mining property.

**Galveston to Miller’s Landing Park Segment** – The District is negotiating with the City of Bend to determine the scope of this project. Staff anticipates a modification to the intergovernmental agreement (IGA) to address additional utility work necessitated by the project. Due to the utility work that was completed over the last two years in the neighborhood, the City wanted to wait a couple more years before beginning another project in that area. This will give both the City and BPRD time to work on a revised scope of work and amend the current IGA. District staff has started conversations with the City of Bend.



**Alpenglow Community Park:** District staff and the ESA design team have been working on the development of schematic design documents for the major elements of the park. The survey work on the BNSF railway has been completed and the design of the pedestrian bridge can now begin.

The District will be submitting the Institutional Master Plan to the City in December, paving the way toward the design document phase.



**Shevlin Park:**

**Signage** – The sign package installation is underway for the new interpretive, wayfinding, and regulatory signs in Shevlin Park, and for the 329 acre expansion of Shevlin Park, formerly known as the Tree Farm. District staff will be performing the work this fall, and throughout the winter as weather allows.

**Accessibility Improvements** – Design work for the ADA accessibility projects, which is funded by the State’s Local Government Grant (LGG), continues with construction anticipated summer of 2019. The project includes upgrading the existing Larch Grove Bridge, installation of a new trail from the parking lot to the Aspen Grove picnic shelter, and accessibility improvements in the parking lot adjacent to Aspen Hall. Staff will bring an update of this project to the Board in November.



**Larkspur Center (Bend Senior Center):** The District’s design team is completing the 100 percent construction bid documents based on the comments from District staff, as well as the District’s CMGC contractor. A new cost estimate was performed based on the permit documents and staff is currently evaluating value engineering ideas to reduce overall costs. Construction is still scheduled to start in the spring of 2019.



**Big Sky Park Expansion:** District staff filed an appeal to the Board of County Commissioners on the findings from the hearing examiner which will dictate how staff moves forward with the design of some of the park elements. An appeal hearing before the Board of County Commissioners was held on October 29. A decision on the appeal will be announced in mid-December. DOWL Engineers continue to work on the construction drawings and plan to have them wrapped up by late summer. It is anticipated that the project will be bid in the spring/summer of 2019.



**Drake Park DRT & Bank Improvement Project:** The consulting team is moving forward with the construction documents. Geotechnical exploration for the boardwalk was performed in late October with design guidelines for structural engineering expected in mid-November. Permitting is expected to begin this coming winter with construction starting in the winter/spring of 2020.



**Juniper Park:** Construction of the ADA upgrades in the north and south parking lots is now complete. Work continues on track two of the project currently in design; track two includes replacing the existing playground, new access and parking at 6<sup>th</sup> St, removal of the old storage and restroom buildings, and construction of a new restroom building that will serve both the park and the outside pool deck area. This work is anticipated to start next summer and be complete by spring of 2020.



**Goodrich Park:** BPRD staff and the design consultants, Vallier Design, continue to work on the park's design. Staff anticipates being complete with the construction drawings in late fall/early winter this year with construction possibly beginning in the fall of 2019. The City of Bend and BPRD have signed an IGA for the design and construction of the final 250 +/- feet of Quimby Avenue and sidewalk connections along 8<sup>th</sup> Street. The City has agreed to pay for all design and construction work to finish off the gravel street section and the sidewalk improvements.



**Pioneer Park Restroom & Accessibility:** Accessibility improvements to the entry, parking area, and restroom have begun. The parking area, entry, and pathways are currently the focus, and then the contractor will transition to the restroom. Contracted work will be completed by the end of 2018. District staff will restore the irrigation and landscape in the spring as weather allows.



**Haul Road Trail:** Staff is working with the City of Bend and Western Federal Lands to get all of the easement and right of way issues worked out. Work on the trail is not expected to begin until mid-2020.



**Pacific Crest Middle School Fields:** The District and the BECON team have held an initial meeting to discuss the details of the project. Site survey and geotechnical investigations are currently ongoing. Design of the site will begin once the reports are in and the goal is to have the surface ready for play in late fall 2019.



**Empire Crossing Park:** District staff and the BECON design team held a public meeting where three conceptual designs of the park and playground area were presented. Residents submitted questions and comments and resulted in a great discussion about the project. District staff will continue working with consultants to refine the design, create a completed bid set of documents this winter with hopes of construction beginning in the spring.



**Deschutes River Restoration Planning:** The UDWC and BPRD have received a Technical Assistance Grant from the Oregon Watershed Enhancement Board (OWEB) to complete the design and engineering on the section of river from the Bill Healy Bridge to the Farewell Bend Bridge along river left. Staff plans to conduct an outreach campaign once design has started. UDWC has advertised an RFP for completing the design work and it is anticipated that the design will be completed by summer of 2019.

**Strategic Plan:** Staff issued a notice to proceed in mid-September, and held the kick-off meeting on October 26. Focus groups with the Board of Directors and staff are scheduled for November 29 and 30.

**System Development Charge Methodology (SDC):** District staff met with the Galardi Rothstein group in mid-September to begin the project. The team reviewed the scope, timeline, outreach strategy and background data needs. Staff held an initial outreach meeting with stakeholders on October 24, and will present the overall project scope and initial outreach findings at the November 6 Board meeting.

**Deschutes River Access Planning:** Public lands in and around the City of Bend are experiencing rapid increases in recreational use as growing numbers of residents and visitors use public lands for recreation and leisure. With increased use, sensitive wetland and riparian habitats along the Deschutes River have been impacted as hikers, cyclists, bird-watchers, anglers and floaters gravitate to the river corridor for recreational activities. In an effort to get a handle on and manage access to the river, District staff will be starting a planning effort to gain a better understanding on how patrons utilize the river and how to make access more sustainable.

**Stormwater Planning:** The District has delivered to the Oregon Department of Environmental Quality (DEQ) the general permit application based on updated information gathered during the past two years. The application includes significant changes to previous stormwater permitting attempts, the changes decrease the number of underground injection facilities which should lower future management costs. Once review has been completed, the DEQ will schedule a meeting with District staff and consultants to determine next steps in the process of permitting and ongoing maintenance requirements.

**Board Calendar  
2018-2019**

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

**November 20 - Canceled**

**December 4**

Work Session

- ◆ Recreation Program Report – (15 min)
- ◆ Athletic Field Report and Policy Implementation Update – *Becky Young and Michael Egging (45 min)*
- ◆ Alcohol Permits – *Sasha Sulia (30 min)*

Business Session

- ◆ Appoint Budget Committee Member(s) – *Lindsey Lombard (15 min)*
- ◆ Approval of 15<sup>th</sup> Street IGA – *Laura Underhill (15 min)*

**December 18**

Work Session

- ◆ City of Bend Climate Action Plan – *Sasha Sulia, Cassie Lacey and Gillian Ockner (30 min)*
- ◆ Community Recreation Survey Report - *Matt Mercer (45 min)*

Business Session

- ◆ Larkspur Community Center GMP Update – *Brian Hudspeth (30 min)*

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**January 8, 2019**

Board Workshop – 8:00 a.m. – 4:00 p.m.

- ◆ Annual Strategic Action Plan (Mid-Year Review)
- ◆ Financial Forecast
- ◆ Capital Improvement Plan (CIP) Discussion
- ◆ Property Tax Prioritization
- ◆ Board Self-Assessment

**January 15**

Work Session

Business Session

- ◆ Shevlin Park ADA / Bridge Work Award Construction Contract – *Brian Hudspeth (20 min)*
- ◆ Approve Guaranteed Maximum Price for Construction of Larkspur Community Center – *Brian Hudspeth (45 min)*

**January 29**

- ◆ SDC Workshop

**February 5**

Work Session

- ◆ Recreation Program Report – (15 min)
- ◆ Approve updated Fees and Charges Policy and Out of District Fee Policy – *Matt Mercer (45 min)*

Business Session

- ◆ Goodrich Park Award Construction Contract – *Jason Powell (20 min)*

**February 19**

Work Session

- ◆ Preliminary Larkspur Business Plan Review – *Matt Mercer and Sue Glenn (45 min)*

Business Session

- ◆ Approve Cost Recovery /Subsidy Allocation levels for Recreation Programs and Services – *Matt Mercer (45 min)*
- ◆ Cedarwood Trailhead Award Design Contract – *Perry Brooks (20 min)*

**March 5**

Work Session

- ◆ Recreation Program Report *(15 min)*

Business Session

- ◆ Northpointe Park Award Design Contract – *Laura Underhill (20 min)*

**March 19**

Work Session

- ◆ Outreach Report – *Amanda Jamison, Kathya Avilia Choquez (30 min)*
- ◆ Needs-Based Assistance Report – *Sue Boettner (30 min)*

Business Session

- ◆ Approve Needs-Based Assistance Plan for FY 2019-20 – *Sue Boettner (30 min)*

**April 2**

Work Session

- ◆ Recreation Program Report *(15 min)*

Business Session

**April 16**

Work Session

Business Session

**April 17 - Budget Committee Tour**

**May 7**

Work Session

- ◆ Recreation Program Report *(15 min)*

Business Session

**May BUDGET MEETINGS (Tentative: May 13,15,16)**

**May 21 – Election Night**

Work Session

Business Session

- ◆ Public Hearing - SDCs



## **June 4**

### **Work Session**

- ◆ Recreation Program Report *(15 min)*

### **Business Session**

- ◆ Adopt Resolution No. XXX – Adopting a Revised Fee Schedule for System Development Charges, effective July 1, 2019 – *Lindsey Lombard*
- ◆ Hold Public Hearing and Adopt Resolution No. XXX – Adopting the Budget and Making Appropriations for Fiscal Year 2019-20, and Adopt Resolution No. XXX - Imposing and Categorizing Taxes for Fiscal Year 2018-19 – *Lindsey Lombard*
- ◆ Adopt Resolution No. XXX – Adopting the Capital Improvement Plan Summary for Fiscal Years Ending 2020 - 2024 – *Michelle Healy (10 min)*

## **June 18**

### **Work Session**

### **Business Session**

### **TBD**

IGA with the City for Planning – *Michelle Healy and Don Horton (45 min)*

Award construction contract for Big Sky Park – *Brian Hudspeth (15 min)*

Alpenglow's BNSF Aerial Easement – Ian Isaacson

PCMS Fields Award Construction Contract – Brian Hudspeth

Adopt Strategic Plan

Strategic Plan Update

First and Second Reading for SDC Ordinance and Methodology

SDC Methodology Updates

Extend Applicable Athletic Field Policies to Operated Recreation Facilities – Matt Mercer

Independent Contractor Guidelines for Recreation Programs?? – Matt Mercer

Recreation Programming Plan – Matt Mercer and Michael Egging

Drake Park DRT Trail Easements – *Brian Hudspeth (20 min)*

Empire Crossing Park – Award Construction Contract – *Jason Powell (20 min)*