



Board of Directors

December 3, 2019

District Office Building | 799 SW Columbia | Bend, Oregon



5:30 p.m. MEETING CONVENED

BOARD PRESENT

Ted Schoenborn, Chair
Nathan Hovekamp, Vice Chair
Jason Kropf
Ariel Méndez

STAFF PRESENT

Don Horton, Executive Director
Michelle Healy, Deputy Executive Director
Julie Brown, Manager of Communications and Community Relations
Lindsey Lombard, Administrative Services Director
Matt Mercer, Director of Recreation
Sheila Reed, Executive Assistant
Brian Hudspeth, Development Manager
Jeff Hagler, Park Stewardship Manager
Michael Egging, Recreation Analyst
Sasha Sulia, Superintendent of Park Operations
Betsy Tucker, Finance Manager
Becky Young, Sports Program Coordinator
Russ Holliday, Sports Program Manager
Chris Zerger, Public Events Coordinator

MEDIA

Isaac Biehl, The Source

WORK SESSION

1. Recreation Report: Athletic Field Report – *Becky Young and Michael Egging (30 min)*

Ms. Young gave a brief history of the athletic field use. She said that part of the athletic field policy is to continue to prioritize appropriate practice times for youth (after school) and get practices as close to home as possible. She said last year staff worked to identify open spaces in parks that were used to expand the opportunities for families to bike and walk to practice. The additional space also allowed for more teams (non-BPRD) to practice and fewer requests were declined.

Ms. Young explained the affiliate agreement that the district has with affiliate organizations. She said these agreements are a higher level relationship than Facility Use Agreement. She reviewed the

affiliate advantages and explained that there is only one affiliate per sport. She reviewed the minimum requirements to be an affiliate and said there are two affiliates with BPRD now:

- Bend FC Timbers
- Bend North Little League (could do South but they have not expressed interest nor do they use BPRD fields at this time)

Ms. Young spoke about the scheduling priorities for field use. Priority is given to district programs, next school programs and then the affiliates. This guideline provides clear direction for coordination of the use of fields. She said it is important to educate user groups so they understand that lower priority groups still get field optimal hours (optimal hours are after school until dark) for field times.

Mr. Egging reviewed the data of the field use report.

<u>Total Hours</u>	<u>Total Athletes</u>	<u>Requests unable to accommodate</u>
2018: 21,005	2018: 12,101	2018: 15
2019: 18,095	2019: 12,408	2019: 14

Mr. Egging reviewed the hours of use for the fields and the numbers of athletes the fields serve. He explained the decline in total hours in 2019 as a result of the late snow that happened in the spring. Youth practice is the highest level of use of athletic fields, most of the hours are used by internal programs and then non-profit groups, followed by commercial and school district use. Soccer is overwhelmingly the highest use followed by softball and lacrosse. The growth in district adult and youth programs remains steady over the past few years.

Ms. Young said most requests for field use are accommodated; only 14 applications were unaccommodated this past year.

Mr. Egging said that looking ahead there are some new fields. Pacific Crest fields, the new fields at Pine Nursery that the FC Timbers built and future fields that are planned at Big Sky.

The board asked if the data shows that there are adequate fields for the community. Mr. Egging indicated that with participation holding steady, there are enough fields to fulfill the current need and added that future planned fields will be multipurpose to accommodate multiple activities.

2. Review Board Vacancy Appointment Process – Don Horton (20 min)

Executive Director Horton led the discussion about the process to appoint the vacant board seat. He said the position has been advertised and there has been some good coverage in the newspaper. He reviewed the schedule that the board agreed upon and reviewed a scoring matrix that has been developed. The scoring matrix is intended to narrow the applicant pool if necessary and a second matrix is intended to be used for the interviewed applicants.

After the board scores the applicants, the scores will be totaled and distributed at the next board meeting; the board can then decide to bring all candidates back for an interview at the next meeting

or narrow the list. The board discussed ideas that include scoring questions for diversity and inclusion. Concerns were shared about the lack of ability to ensure clean backgrounds of applicants.

3. Mirror Pond MOU – *Don Horton (30 min)*

Executive Director Horton invited Bruce Abernethy, City Councilor, and Todd Taylor, MPS Solutions, to the presenters table to speak about the partnership that began about six years ago. He reviewed some of the major components of the original vision of the Mirror Pond project. He said the district is already working on the bank improvements and extension of the Deschutes River Trail. The city is working on the storm water management plan. The dredge is being led by Mirror Pond Solutions (MPS). The last major component looked at the impact of private sector development or redevelopment on the banks of Mirror Pond. He said the vision is pretty grand and has to be broken down in to smaller parts to complete. The partnership with the various groups was formed and each is taking on their part to fulfill the project.

Executive Director Horton reviewed the investments, stating the district and City of Bend have paid about \$275,000 for the work on the vision, the district has spent about \$850,000 on bank and trail design work and MPS has invested \$450,000 on the costs to get the dredge going. He reviewed Resolution No. 430 and Resolution No. 418 and explained the funding for the project has been adopted in the district's CIP. The process of the MOU was talked about, specifically the language that calls for a third-party facilitator, which calls for community input. The city will pay for the facilitator the district will pay for a consultant's high-level concept of the fish passage.

The board would like the fish passage to function with or without the dam. There were questions about the longevity of the dam. Executive Director Horton indicated that by all accounts with PacifiCorp, their intention is to keep the dam in place. He further stated that work is being done on the dam currently which is a reinforcement that the dam will remain in place.

Executive Director Horton said it has not been determined what the fish passage will be, it may be a ladder or another type of passage. The committee will give recommendations, concept and funding strategy. The City of Bend and the district will work together on funding.

Mr. Abernethy, Bend City Councilor, provided some perspective on the project; he said his hope is to persuade the board to approve the MOU. He added there have been numerous efforts to find a comprehensive solution and said this is the closest that the agencies have been in 20 years to crafting a comprehensive solution. The agreement has been a compromise to restore Mirror Pond with multiple stakeholders involved. Permits have been issued, funds continue to be raised, the city is moving forward with stormwater outfalls, the district is working on the banks and trails and the only issue left is fish passage. He commented that the community discussion has been as broad as possible. He encouraged the board to focus on the fish passage remarking that a broader approach delays the ability for the community to rally around the concept of fish passage. The fish passage has been talked about, and is now part of the plan. Delays put the dredging at risk because the permits are at risk because of expiring.

Mr. Abernethy shared a prior personal experience as an elected official, he said he has learned that to do what is good for the community doesn't always include liking and agreeing with everything.

Paul McClanhan worked on the permit process for the dredge of Mirror Pond. He gave further history that dated back as far as 1984. He said MPS acted on commitments made in 2015 MOU, he added that MPS has invested \$450,000 for the permit process and costs will escalate after 2020 if the process is delayed.

Mr. Taylor gave the history of MPS and ownership of the land under the pond. He said that he felt that the private sector could get this project done quicker, he and Bill Smith purchased the land under the pond and formed MPS to restore it. He added that MPS is just a piece of the project and they are focused on the dredge. He said samples taken from the pond indicate that a clean-up was necessary. Improving the water quality will also improve fish habitat. He explained that a lot of the debris in the pond has come off the roads into the river, which is one reason why the city is focused on stormwater cleanup. The pond holds 1,100 acres of stormwater from the streets of Bend and needs to be made healthier for fish habitat. Mr. Taylor added that MPS would not have spent nearly a half a million dollars if PacifiCorp was going to pull the dam. Mr. Taylor responded to questions asked by Directors Kropf and Méndez and reviewed the history of conversations that have been had with PacifiCorp regarding the dam and their intentions to keep the dam in place. Mr. Taylor indicated his confidence in the dam remaining.

Director Hovekamp added that in the 2015 vision document, there is concern that the dam may be nearing its end of life and has a history of leaks. Executive Director Horton said that PacifiCorp has invested a lot in the dam since then and is continuing to do work on the dam. He said PacifiCorp has indicated to the district that the dam will remain.

Mr. Taylor said he is asking that the board honor the agreements that have been made and keep the project moving forward and complete the items in the MOU. He complimented the city on their efforts that pertain to the MOU and asked that the district sign the MOU in December as planned with the end product of an IGA. He acknowledged that it has been a long process, it hasn't been perfect, but there is a nice project in place with efforts from everyone.

The board asked Mr. Abernethy if he sees the fish passage being connected to the dredge. He responded that he thinks there could be grant funding for the fish passage, but not dredging and did not recommend having the projects linked to one another. He further stated that the fish passage gains more traction in the community if the community sees that the agencies involved are serious about moving the other pieces of the project forward. Mr. Abernethy said he is confident that there will be funds available in the community to fund the fish passage and does not see a reason to tie the projects together. Mr. Taylor added that it has taken 36 months to secure permits for the dredge; he is supportive of the fish passage, but would not want them tied at the risk of slowing the progress of the dredge portion of the project.

The board discussed the topics of the resolution that led to the MOU and compared the documents. There were questions raised about some of the wording and some interpretation that too much of the MOU focuses on the dredge and not the other elements of the resolution. Mr. Abernethy said

the fish passage was added at the time of the resolution, the dredge and other components go much further back and have been a part of a long conversation. Mr. Abernethy recognized that some of the new board may not agree with the commitments made by the prior board, but stressed that of the 12 people, seven city councilors and five board members, that voted for the resolution 11 of them agreed and voted in favor of this compromise. He encouraged the board to move forward with the resolution.

The board continued to analyze the MOU and ultimately decided that the district council should review the MOU and have a meeting to review and clarify the language before moving forward. All parties agreed to this solution.

VISITORS

Craig Gerlach: Mr. Gerlach said it has been difficult to get field time. He requested a designated field for girls' softball. He said he would like to partner with the district for a more formal arrangement. He asked the board for their support on his request.

Mason Lacy: Mr. Lacy referenced an email he sent to the board this morning. He said he agrees that the community conversation should keep to the topic of the fish passage. A fish ladder is not the only option, he stated that natural rock rapids can be constructed as defined in the 2015 Mirror Pond vision. This would allow for safe kayak passage, and he referenced funding sources through the Oregon Waterway Access fund that could help pay for this type of passage. Mr. Lacy requested that the MOU call for fish passage instead of a fish ladder.

Director Hovekamp encouraged Mr. Lacy to stay engaged with the process and said he would like to have more information on a natural rock passage.

Dave Paulson: Mr. Paulson stated that the 2015 vision has been largely disregarded, the dam is not being removed and replaced, there is no natural fish passage. He said PacifiCorp is not relocating and he does not think the dam is something that should exist in 2020. He shared his opinion that the dam will disappear, it is failing and old. He stated the dredging and fish passage will be lost when the dam is removed. Mr. Paulson added concerns about not having more public process about this decision.

CONSENT AGENDA

1. Meeting Minutes – 11/19/2019
2. Codify Personnel Policies

Director Kropf made a motion to approve the consent agenda. Director Hovekamp seconded. The motion passed unanimously, 4-0.

BUSINESS SESSION

1. Public Hearing, on Resolution No. 433 – Budget Transfer for PERS Contribution – *Betsy Tucker (15 min)*

