



Bend Metro Park & Recreation District

May 5, 2020

# 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

May 5, 2020

District Office Building | 799 SW Columbia | Bend, Oregon

## AGENDA



To support Governor Brown's recommendation for social distancing, the Board of Directors will conduct this meeting by video and conference call only.

View the special meeting live stream via [Bend Park and Recreation Facebook page](#).

## 5:30 p.m. CONVENE MEETING

### VISITORS

The board welcomes input from individuals at our public meetings about district-related issues.

**Members of the community who wish to make public comment are asked to submit comments by email to [sheilar@bendparksandrec.org](mailto:sheilar@bendparksandrec.org).** Comments received by 3 pm May 5, will be read at the board meeting and entered into the public record. Remarks should be limited to 3 minutes or less. If there are questions, follow up will occur after the meeting. Thank you for your involvement and time.

### CONSENT AGENDA

1. Meeting Minutes – 4/21/2020

### BUSINESS SESSION

1. Authorize Agreements with City of Bend and OSU for Roundabout at Simpson – *Don Horton (20 min)*
2. Resolution No. 2020-06, adopting a Revised System Development Charge (SDC) Fee Schedule effective July 1, 2020 – *Lindsey Lombard (20 min)*
3. Resolution 2020-05 Consideration for Extension – *Don Horton (10 min)*

### EXECUTIVE DIRECTOR'S REPORT and COVID-19 Update

PROJECT REPORT – In Board Report

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

ADJOURN



#### Accessible Meeting/Alternate Format Notification

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



## Board of Directors

April 21, 2020

District Office Building | 799 SW Columbia | Bend, Oregon

To support Governor Brown’s recommendation for social distancing, the Board of Directors conducted this meeting by video.

The meeting can be viewed via [Bend Park and Recreation Facebook page](#).

### **BOARD PRESENT**

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

### **STAFF PRESENT**

Don Horton, Executive Director  
Michelle Healy, Deputy Executive Director  
Julie Brown, Manager of Communications and Community Relations  
Sheila Reed, Executive Assistant  
Brian Hudspeth, Development Manager  
Sarah Bodo, Park Planner  
Bronwen Mastro, Landscape Architect

### **5:30 pm MEETING CONVENED**

#### **WORK SESSION**

1. Stillwater Crossing Tax Abatement – *Sarah Bodo and Tyson O’Connell, Wishcamper Development Partners*

Mr. O’Connell introduced the Stillwater Crossing project, a 240-unit affordable housing project on the southside of Bend. He said this project would begin in August of 2020 and be complete April of 2022. The land use plan has been submitted to the city, plans are almost complete with the architect and construction bids should be ready to go out in June. The project will be phased with the first building being complete in ten months and the project finished in another 18 months.

Mr. O’Connell spoke about his experience with Wishcamper Development Partners which develops affordable apartment housing throughout the country. In Oregon, Wishcamper has proposed projects in Bend, Woodburn, Beaverton and Roseburg. He presented a map that showed the developments that they have done across the country and explained how they work with states and agencies for affordable housing. He remarked that in Oregon there is an underutilized 4 percent tax credit and a need for affordable housing.

Mr. O’Connell said affordable housing units are limited on the rent that can be charged for the properties, but the cost to build does not change and can sometimes even increase with regulations.

He said Oregon has a number of resources to help create affordable housing:

- Real Estate Tax Exemptions
- SDC Fee Waivers
- Local Innovation and Fast Track (LIFT) Funding (Not being used in Bend)
- Metro Bonds
- Affordable Housing Funds

He said the only way to make this project work is to get all of the available funding. He is expecting that the development company will borrow \$34 million for the project and designate 100 percent of the units as affordable, he added that this project needs SDC waivers and a full real estate tax exemption to make the loan feasible. The real estate tax exemption is allowed if 51 percent of the taxing authority approves the project.

He showed a rendering of the project building and the site plan explaining the location.

The board asked about the tax exemption and the cost to the district. It was pointed out that the property is located in an urban renewal district that already takes away revenue from the district for 20 years. This request asks for a waiver of even more revenue. The additional cost to the district for the property tax exemption is about \$8,000. Matt Stuart from the city explained that once the urban renewal has ended, the developed area will give the district a boost in revenue from the property taxes generated from the development in the urban renewal area. This project would use the majority of the SDC waivers (400 units) that the district committed to for affordable housing. The board expressed some concern for the loss of revenue due to: the urban renewal area, the SDC waivers and this additional request of the tax abatement, leaving the district less revenue to develop amenities the community expects. The approval could also set a precedent for future projects. Mr. O'Connell responded by saying that the urban renewal has been in place since 2008 with no development to the area of the affordable housing project. Without development, the district is not losing any revenue. He also said that because the property has been vacant that it is not likely to be developed outside of this project. Furthermore, he stated that this project can encourage other development to the area as well creating a larger gain of revenue to the district once the urban renewal has expired.

Mr. O'Connell added that this project will be 100 percent affordable housing serving the population of the community that earns 60 percent of the area median income or below. This translates to people making \$34,000-\$44,000 annually with rents capped. If residents end up earning more than the range over time they can still remain in the housing complex. He reiterated that without the property tax exemption, the project would be dead.

The board asked whether the project would be better as a mixed project with market rate and affordable housing. Mr. O'Connell said the management does a good job in managing the project and keep out the problems out that can be associated with other affordable housing projects.

Mr. O'Connell committed to a follow up conversation with Executive Director Horton to discuss how the district can partner outside of the tax exemption and make the project work for both agencies. The board supports affordable housing and the district working with Wishcamper Development Partners.

## 2. Core Area Urban Renewal Plan Update – *Sarah Bodo and Matt Stuart, City of Bend*

Mr. Stuart said he here is going to give an overview and update in regard to the Core Area Tax Increment Finance (TIF) Plan and Report. He explained that the city will use the term TIF rather than “urban renewal” due to the negative connotations related to other urban renewal agencies throughout the county that displaced minorities and vulnerable populations to clear the way for redevelopment.

Mr. Stuart showed a map of the area, stating that it is 637.15 acres and includes four opportunity areas:

- East Downtown
- KorPine
- Inner Highway 20/Greenwood
- Bend Central District

The project categories for the TIF plan are:


- Transportation, streetscape and utility infrastructure (52%, \$100.5 million)
- Affordable housing redevelopment and development assistance, partnership and support (18%, \$36.4 million)
- Business and redevelopment and development assistance, partnership and support (15%, \$28.6 million)
- Open space, facilities, amenities and wayfinding (10%, \$18.8 million)
- Plan administration, implementation, reporting, planning refinement and support (5%, \$9.7 million)

The maximum indebtedness is the total amount of dollars the Bend Urban Renewal Agency (BURA) is allowed to spend on projects, programs and administration throughout the 30-year life of the plan. The amount is \$195,000,000 and does not include interest paid on debt. The estimated tax increment revenues including expected interest on debt are estimated at \$237,334,824. The specifics of the duration of the provision are:

- BURA intends not to collect tax increment revenues after FYE 2051
- No Projects will be initiated unless proceeds can be paid on or before FYE 2051
- BURA shall structure all indebtedness to be paid in full on or before FYE 2051

The plan also contains a statement that specifically acknowledges that BURA may decide to do an under-levy. An under-levy is an annual decision by BURA to collect less tax increment revenue than would be allowed.

Mr. Stuart said the estimated frozen base of the area is \$439 million. This is the estimated total assessed value of the area including real, utility, personal and manufactured property values. The frozen base is set by the county assessor after the plan is adopted and taxing districts continue to receive taxes off the frozen base. Mr. Stewart provided this graph to show the break down of the funding in five-year increments.


**FUNDING CAPACITY OVER TIME** 

Assessed Value ("frozen base")	\$439,054,462
Net TIF (YOE \$'s)*	\$237,334,824
Maximum Indebtedness (YOE \$'s)*	\$195,000,000
<b>Capacity (2020 \$'s)</b>	<b>\$111,876,107</b>
Years 1-5	\$10,367,874
Years 6-10	\$26,042,897
Years 11-15	\$13,044,250
Years 16-20	\$19,331,320
Years 21-25	\$20,264,766
Years 25-30	\$22,825,000

\*YOE \$'s (Year of Expenditure)

CITY OF BEND | ECONOMIC DEVELOPMENT

This table shows the estimated total impacts to the taxing districts over the 30-year Plan duration.

**IMPACT TO TAXING DISTRICTS** 

Taxing District	Total Impact – 30 years	Category Subtotal
Deschutes County	\$22,279,800	
County Library	\$10,058,188	
Countywide Law Enforcement	\$19,750,623	
County Extension	\$409,643	
911	\$6,616,459	
City of Bend	\$51,269,325	
Bend Metro Parks & Rec	\$26,718,204	
<b>Subtotal General Government</b>		<b>\$137,102,241</b>
Bend/La Pine School District	\$87,124,021	
High Desert ESD	\$1,762,926	
Central Oregon Comm College	\$11,345,636	
<b>Subtotal Education</b>		<b>\$100,232,583</b>
<b>Total</b>		<b>\$237,334,824</b>

CITY OF BEND | ECONOMIC DEVELOPMENT

The next steps of the plan include a review of the draft plan and report and a vote on a resolution to forward the plan and report to the formal review process:

- Transmittal to taxing districts
- County Commission briefing
- Planning Commission review
- City Council hearing and vote on non-emergency ordinance

The intent is to complete the adoption process prior to October 2020.

The board expressed that they would like to see more greenspace. In the past, the downtown urban renewal area included park spaces and ultimately, they were cut from the plan. The 10 percent for open spaces is not a requirement, and the board is concerned that this could be lost too and suggested someone represent the district on the Bend renewal agency. Mr. Stuart said the city feels more comfortable with the conservative planning that these spaces will happen, but acknowledged there is no guarantee. He said the city recognizes that public gathering and open spaces are important; all of the projects require acquisition of land and will be dependent upon getting it. Adding that although there is not a place for representation on the Bend renewal agency, there is opportunity through advisory committees.

The board voiced concern about being asked for additional tax exemption waivers in this core area as talked about in the first topic of the meeting tonight. Mr. Stuart replied that is a possibility and the city has identified tax exemption programs for market rate development. This is being looked at to promote housing to meet the goals of the project.

The board asked how much development would happen without the TIF. Mr. Stuart responded by stating the percentages of development that is happening and that by making this investment now, there will be about billion dollars going into development with the \$200 million investment.

Mr. Stuart spoke about an SDC financing program, he said the city currently allows for SDC financing on multifamily projects and will explore how the city can be more competitive with financing. He said the city may look at lowering the interest rate and offer as a tool to be paid off over ten years following the construction of a project. The city is considering the allowance for multifamily projects to delay when SDCs must be paid and may extend to other types of projects. Land exchanges could happen with land owned in Juniper Ridge if appropriate to obtain the land needed in the TIF for the identified projects.

**The board took a 5 minute break at 7 pm.**

#### **CONSENT AGENDA**

1. Meeting Minutes – 02/18/2020
2. Meeting Minutes – 03/13/2020
3. Meeting Minutes – 03/30/2020

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

*\*Director Mendez had not returned to the meeting when the vote took place*

#### **BUSINESS SESSION**

1. Northpointe Park Award Design Contract – *Bronwen Mastro*

Ms. Mastro reminded the board of the approval of the masterplan and name of Northpoint Park at a prior board meeting. Staff solicited an request for proposal for concept design, design development, construction documents, permitting, construction administration, which she described as the full suite of design services for the project through construction. Five proposals were received in February. The proposals were reviewed by a committee of five staff. The consulting team led by Szabo Landscape Architecture from Bend, Oregon was selected to enter into contract negotiations with the district.

The board asked what stood out in the proposal. Ms. Mastro explained that they were the only firm that showed any design thinking in the proposal, she said it was clear that the designers looked at the masterplan and made some sketches on the design proposal. The committee also liked that it was a landscape firm that works with an engineering firm that has worked with the district.

The board asked how public outreach will be done if meetings are not allowed due to the pandemic. Ms. Mastro said she is working with the IT department to come up with several ideas to do outreach.



The board asked how the district can defend spending the money here, when the district is cutting other programs. Executive Director Horton said this area has been underserved since it was incorporated in 2004. The new developments in the area have paid SDC fees and the funding for this park is through SDC funds. The general fund is the money that the district is conserving due to the pandemic. At time of bidding for the park, if the climate is not right Executive Director Horton said the board can decide to delay, but that funding will also be with SDCs.

**Director Hovekamp moved to authorize the executive director to award a professional services contract for Northpointe Park to Szabo Landscape Architecture with a cost not to exceed \$209,540, and to approve an additional 10% contingency of \$20,954, for a total design budget not to exceed \$230,494. Director Mendez seconded. The motion passed unanimously, 5-0.**

**VISITORS**

No visitor comments were submitted for the meeting.

**EXECUTIVE DIRECTOR’S REPORT**

- Executive Director Horton shared the summary of summer registration. He said the numbers are looking optimistic. Registration comparing the first 30 hours of this year compared with the same period last year. Also, of note is that people have paid over \$262,000 in fees despite the fact that they do not need to pay anything until 30-days before the program they registered for begin.

Summary of Summer Registration (first 30 hours)			
	This Year	Last Year	Increase
# of Registrations	4,599	2,465	87%
\$ in Registration	\$823,274.85	\$384,900.60	114%

- University of Washington has been looking at models by state to predict how long this pandemic will last. Oregon’s date is May 18 on the model. Executive Director Horton said he is optimistic that there will be some summer programming this year.
- COVID update
  - Staff is reporting a lot of vandalism in the parks and barricades and caution tape are being removed from playgrounds, courts and skate parks.
  - Parks and trails continue to be busy, most people are social distancing. 14 full-time recreation staff training to be temporary Park Stewards to provide over 160 hours of additional Park Steward coverage, doubling the current level of service. Staff is working between 10-20 hours as stewards with the rest of their hours still devoted to planning recreation programs for summer and fall
  - A new map has been produced by City of Bend that identifies locations of restrooms, porta potties, hand wash stations and food locations for park patrons, homeless and service providers. Almost all restrooms on the map are district facilities.

- Construction projects are moving forward as scheduled. There are five volleyball courts being built by North Pacific Junior Volleyball. The courts will be done early summer but not open to the public until restrictions are lifted.
- Maintenance work is being done on Juniper Swim and Fitness during the closure.
- In a prior conversation with Director Mendez, who asked what more the board can be doing, Director Horton suggested that board members take sample videos of people using the park facilities safely and send in to staff to edit and create a campaign encouraging wise behaviors.
- Staff is putting together talking points on why it is important to keep parks and trails open and when staff will be hired back. Points include updates on COVID-19 as well and will be provided to the board in the next couple of days.

Director Schoenborn added that Director Mendez put together some mental health talking points and asked him to send them to Julie Brown, the Manager of Communications and Community Relations.

Director Mendez shared some of his ideas about balancing the stay at home advice and mental health.

Executive Director Horton shared that many kids are unsupervised in the parks and it is hard to get them to follow the rules because they are not with a parent. Director Kropf asked what the responsibility of the district is to enforce social distancing. Executive Director Horton replied that the district does not have the authority to enforce social distancing and try to educate with signs and talking to people; he added that most people are doing the right thing.

Director Schoen said she is excited about the registration numbers and commends staff for not asking for payment. She also added that the social media presence has been great.

Director Hovekamp made some general comments about affordable housing and negative comments that can be made by others when the board worries about some of the pressures that the loss of revenue has on the district. He made the point that the board supports and wants affordable housing and would like to systematically address these projects since they come to the board in piecemeal. Director Kropf asked for a discussion with staff to determine how the board wants to handle future requests on these projects. Director Schoenborn commented that it is frustrating that the district does not have much leverage except with SDCs. The city has most of the control and the district needs to think strategically about how to use the SDC waivers. Director Hovekamp said he is on board with the progressive formulation of SDC fees and there are other ways to get to the good intentions, but anytime the burden is lifted somewhere, there is an impact elsewhere on the budget. Executive Director Horton said that it is not a good idea to make policies during a crisis and suggested scheduling some time to discuss these topics around affordable housing and tax abatements. He added that he does not think the city is creating these programs to hurt the park district, he continued to say they are likely looking at it through their own lens with other funding sources to help out (bonding measures, gas tax). The district funding is more limited and will have to be looked at that way. He thinks being more creative and agreeing to work with the developers is a better approach to a solution. Director Hovekamp recommended a number of staff members to be included in the meeting to discuss this.

**PROJECT REPORT**

**BOARD MEETINGS CALENDAR REVIEW**

**GOOD OF THE ORDER**

**ADJOURN** 7:48 pm



Prepared by,  
Sheila Reed  
Executive Assistant

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Ted Schoenborn, Chair

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Nathan Hovekamp, Vice-Chair

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Jason Kropf

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Ariel Méndez

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Deb Schoen

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	May 5, 2020
<b>SUBJECT:</b>	Approve Agreements with City of Bend and Oregon State University - Cascades for the development of a roundabout at SW Simpson Avenue and SW Columbia Street
<b>STAFF RESOURCE:</b>	Don Horton, Executive Director Michelle Healy, Deputy Executive Director
<b>PREVIOUS BOARD ACTION:</b>	Approved 2020-2024 Capital Improvement Plan, June 4, 2019
<b>ACTION PROPOSED:</b>	Authorize Executive Director to finalize and execute necessary agreements with the city of Bend and OSU - Cascades for the development of a roundabout at SW Simpson Avenue and SW Columbia Streets
<b>STRATEGIC PLAN:</b>	
<b>Pillar:</b>	Community Connection
<b>Outcome:</b>	The district is strategic about partnerships.
<b>Strategy:</b>	Partner when there is shared mission and broad community benefit.

**BACKGROUND**

The district's 2020-2024 Capital Improvement Plan (CIP) includes funding to contribute to the construction of a roundabout at the intersection of SW Simpson Avenue and SW Columbia Street in partnership with the city of Bend and Oregon State University – Cascades (OSU-C). All three entities have an interest in the completion of this roundabout and recently came to together to explore the potential to partner to accomplish this project.

The district owns approximately 11 acres of property at the intersection of SW Simpson Avenue and Columbia Street (Simpson/Columbia). In 2015, the district completed the construction of the Pavilion on about 3.25 acres of the 11-acre site. The remaining 7.75 acres remains in the district's inventory for future development.

The district's property is encumbered by a restrictive covenant and city ordinance that requires the construction of a roundabout at the Simpson/Columbia intersection with any future site development. This requirement pre-dates district ownership and was placed as a condition of approval for a prior development plan by Proterra II, LLC that was approved by the city in 2008. This restrictive covenant and city ordinance, which requires the construction of the roundabout

and several other transportation improvements, was identified when the district purchased the land in 2011.

Currently, the majority of the transportation requirements included in the restrictive covenant, have been satisfied by the district (as part of the Pavilion construction), or by the city (either directly or via private development). The roundabout construction is the last requirement left to complete. The district would be required to build it and donate the required right of way with any future development on the site, if not already completed. At this time, the district does not anticipate future development on the site for a least ten years.

OSU-C completed a master plan for the development of their new campus in Bend. As part of the master plan approval they were conditioned to complete a variety of transportation improvements, including the construction of the roundabout at Simpson Avenue and Columbia Street and another roundabout at Colorado Avenue and Columbia Street. These transportation improvements are timed to be constructed with different phases of the campus build out. The Colorado/Columbia roundabout would be built first and coincides with their next phase of campus development. The Simpson/Columbia roundabout would be part of a future phase of campus development, which is not expected to happen for several years.

Traffic volumes at the intersection of Columbia Avenue and Simpson Street have grown in the past several years and the city would like the roundabout built sooner than would otherwise be done by the either the district or OSU-C. The city allocated up to \$1 million towards the project, in hopes that a partnership could be reached with the district and OSU to complete this roundabout within the next year.

Last year, the district, city and OSU-C began discussions in earnest about a potential partnership and through those discussion recognized that there will be cost savings to each agency by partnering with each other. The entities engaged legal counsels to draft a three-party intergovernmental agreement (IGA) describing the roles and responsibility of each agency for the development of two roundabouts. The terms of the agreement are proposed as follows:

- The city of Bend would manage the design and construction of the Simpson/Columbia roundabout on behalf of all three parties, as well as manage the construction of the Colorado/Columbia roundabout on behalf of OSU-C (there are separate terms in the agreement that do not pertain to the district).
- The city would enter into the request for proposal process to solicit a design-build contract with a team to provide design and construction services, and provide a refined cost proposal for the Simpson/Columbia roundabout.
- All three parties would contribute a third of the cost of the Simpson/Columbia roundabout as follows:
  - If bids for the Simpson/Columbia roundabout come in at \$2.1 million or less, the three agencies agree to divide the costs equally and proceed with construction.

- If bids come in within the range of \$2.1 and \$3 million, the three parties will negotiate in good faith to come to agreement to share the additional costs and proceed with construction.
- If bids are above \$3 million, no agency is obligated to pursue the three-way project any further.
- OSU-C will provide full funding to the city for the design and construction of the Colorado/Columbia roundabout. The district has no obligation to design, construct or contribute to the Colorado/Columbia Roundabout.

In addition to the three party IGA, the district would enter into a separate agreement with the city that pertains to future offsite transportation improvements on the district’s property. Per the terms of that agreement, the city would not apply additional off-site requirements unless the district’s proposed future development exceeds the original transportation trip count established by the Proterra II development in 2008. The original trip count was calculated to be 469 trips. The Pavilion development subsequently used 42 trips, leaving 427 trips remaining before further offsite mitigation could be required.

Both agreements are currently under final review by the district’s legal counsel. Pending execution of these two agreements, design of the project would begin this summer with construction to commence later in the year.

**BUDGETARY IMPACT**

The 2020-2024 CIP includes \$700,000 in system development charges (SDCs) allocated to contribute one third of the cost of the development of the Simpson/Columbia roundabout.

If the total cost of the Simpson/Columbia roundabout comes in higher than \$2.1 million, staff would negotiate with the city and OSU-C on a potential option to share the additional costs to complete the project. Under this scenario, the additional costs would be brought back to the board for consideration. If the total costs come in higher than \$3 million, the parties would likely forego the partnership.

**STAFF RECOMMENDATION**

Staff recommends the board authorize the Executive Director to finalize and execute the IGA with the city of Bend and OSU-C for the development of the Simpson/Columbia roundabout, and the separate agreement with the city of Bend to address future transportation mitigation requirement on the district’s property.

**MOTION**

***I make a motion to authorize the Executive Director to negotiate and execute an intergovernmental agreement with the city of Bend and Oregon State University – Cascades for the development of the Simpson/Columbia roundabout, and a separate agreement with the city of Bend to address future transportation mitigation requirements on the district’s property.***

**ATTACHMENT**

None

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	May 5, 2020
<b>SUBJECT:</b>	Resolution No. 2020-06, adopting a Revised System Development Charge (SDC) Fee Schedule effective July 1, 2020
<b>STAFF RESOURCE:</b>	Lindsey Lombard, Administrative Services Director Michelle Healy, Deputy Executive Director Don Horton, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	The SDC Fee Schedule was last set with Resolution No. 425 on June 4, 2019, effective July 1, 2019.
<b>ACTION PROPOSED:</b>	Adopt Resolution No. 2020-06, providing for a revised SDC Fee Schedule effective July 1, 2020 that includes a 3.54% 2020-21 annual index adjustment.
<b>STRATEGIC PLAN:</b>	
<b>Pillar:</b>	Operations and Management Practices
<b>Outcome:</b>	A balance between caring for existing infrastructure and new development
<b>Strategy:</b>	Ensure the district is maintaining its adopted level of service targets

**BACKGROUND**

Board Resolution No. 421, Adopting a Fee Schedule for System Development Charges outlines the SDC Methodology and includes a formula for re-calculating and adjusting fees on an annual basis (attachment 1). The adjustments are proportionately indexed to:

- The Engineers News Record (ENR) US 20–City Average Construction Cost Index; and
- Bend land values as determined by changes in Real Market Value (RMV) as reported by the Deschutes County Assessor’s Office.

The annual fee schedule adjustment becomes effective on July 1 of each year, corresponding with the district’s budget cycle. The decision regarding the fee adjustment is sequenced to correspond with the district’s annual budget process and to inform the city of Bend and Deschutes County of SDC fee changes in a timely manner. The current SDC fee schedule went into effect on July 1, 2019, pursuant to Resolution No. 425 adopted on June 4, 2019, and reflected the first fees set by the newly adopted park SDC methodology.

The recommended 2020-21 fee adjustment is based on the proportional rates of change in the two cost factors between December 2018 and December 2019. The formula for calculating the annual indexed adjustment is outlined in Section 3.4.1 Inflationary Adjustments of the BPRD Methodology Report Parks System Development Charges. The recommended adjustment factor calls for an inflationary fee increase of 3.54% for fiscal year 2020-21. Applying the index results in the following 2020-21 adjusted average unit fees: single-family - \$8,594; multi-family - \$5,844; and accessory dwelling unit (ADU) - \$3,438 (see attachment 2).



### **BUDGETARY IMPACT**

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

### **STAFF RECOMMENDATION**

This year the indices call for a fee adjustment increase due to the combined effect of:

- an increase in Bend land values (9.57%) combined with
- an increase in the ENR 20-city construction cost index (1.74%).

Staff recommends adoption of the SDC Fee Schedule contained in Resolution No. 2020-06 which provides for a 3.54% inflationary adjustment determined with the cost indices included in the 2019 adopted SDC Methodology.

### **MOTION**

***I make a motion to adopt Resolution No. 2020-06, Adopting a Fee Schedule for System Development Charges effective July 1, 2020.***

### **ATTACHMENT**

1. Resolution No. 2020-06, Adopting a Revised Fee Schedule for System Development Charges
2. SDC Adjustment Factor Calculation, Fiscal Year 2020-21

**BMPRD RESOLUTION NO. 2020-06**

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

**WHEREAS**, June 4, 2019, the Board of Directors (the “Board”) for the Bend Park and Recreation District (the “District”) adopted Ordinance No. 12 – System Development Charges, authorizing the assessment and collection of System Development Charges (“SDCs”) and Resolution No. 422 – Adopt a Methodology for Calculating System Development Charges; and

**WHEREAS**, Ordinance No. 12 allows the District to establish SDC fees necessary to serve future public park needs of the residents of the District; and

**WHEREAS**, the terms “Single-family Dwelling,” “Multi-family Dwelling,” “Mobile Home,” “Accessory Dwelling Unit,” “Dormitory,” and “Hotel/Motel” are defined in Ordinance No. 12, and

**WHEREAS**, the District incurs costs associated with administering the SDC program, including internal administration as well as payments to the City of Bend and Deschutes County to collect the park SDCs on behalf of the District (the “Administrative Costs”); and

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

1. The District’s SDCs and Administrative Costs for the period July 1, 2020 through June 30, 2021 shall be imposed at the full amount allowed under the adopted Methodology, and shall be:

a. Single-family Dwelling Unit:	\$ 8,594
b. Multi-family Dwelling Unit:	\$ 5,844
c. Mobile Home Unit:	\$ 7,769
d. Accessory Dwelling Unit:	\$ 3,713
e. Dormitory per Person:	\$ 3,438
f. Hotel/Motel Unit:	\$ 5,932
2. This Resolution shall take effect July 1, 2020.
3. Miscellaneous. All pronouns contained in this Resolution, and any variations thereof, will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the context may require. The singular includes the plural and the plural includes the singular. The word “or” is not exclusive. The words “include,” “includes,” and “including” are not limiting. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, or portion of this Resolution is for any reason held invalid, unenforceable, or unconstitutional, such invalid, unenforceable, or unconstitutional section, subsection, sentence, clause, or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by resolution of the board to cure editorial or clerical errors.

**ADOPTED** by the Board of Directors of the District on this 5<sup>th</sup> day of May 2020.

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Ted Schoenborn, Board Chair

Attest:

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Don P. Horton, Executive Director

# System Development Charge Adjustment Factor Calculation FY 2020-21

		Real Market Value (RMV) All Taxable Properties (A)	Real Market Value (RMV) of New Property (B)	RMV of Property Without New Construction (A) - (B) = (C)	Market-Related Change in RMV (C1 - C2) / C1
1	2019-20	22,642,758,571	385,898,620	22,256,859,951	9.57%
2	2018-19	20,708,524,795	395,088,950	20,313,435,845	

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

	20-city Dec. 2019	20-city Dec. 2018	Difference	% Change
<b>ENR CCI</b>	11,381.00	11,186.00	195.00	1.74%

During the 12-month period from December 2018 through December 2019, the Engineering News Record Construction Cost Index 20-City Index changed from \$11,186 to \$11,381. This represents a percentage increase of 1.74%.

**To adjust the cost based upon the index percentages in the 2019 SDC Methodology:**

<u>Construction</u>	+	<u>Land Value</u>	=	<u>Adjustment Factor</u>
77% x 1.74%	+	23% x 9.57%	=	3.54%
0.0134	+	0.0220	=	0.0354

<u>Fees</u>	<u>2019-20 fee</u>	<u>2020-21 fee adjusted for inflation</u>
Single Family Average	8,300	8,594
Single Family Average (<1,000 sq ft)	6,175	6,394
Single Family Average (1,000 - 1,600 sq ft)	7,171	7,425
Single Family Average (1,601 - 3,000 sq ft)	8,134	8,422
Single Family Average (>3,000 sq ft)	9,097	9,419
Multi Family Average	5,644	5,844
Multi Family (0 bedrooms)	3,586	3,713
Multi Family (1 bedrooms)	3,951	4,091
Multi Family (2 bedrooms)	6,407	6,634
Multi Family (3 bedrooms)	8,300	8,594
ADU	3,586	3,713
Hotel Room	5,729	5,932

<b>BOARD AGENDA COMMUNICATION</b>
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**AGENDA DATE:** May 5, 2020

**SUBJECT:** Consider Extension of Resolution 2020-05, Declaring Emergency Conditions Exist and Granting Authority to Take All Necessary Actions to Prepare and Respond Effectively to the Coronavirus (COVID-19)

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

**PREVIOUS BOARD ACTION:** Board approval of Resolution 2020-05 on March 30, 2020

**ACTION PROPOSED:** Extend Resolution 2020-05 to July 7, 2020

**BACKGROUND**

The board held a special call meeting on March 30, 2020 in response to the COVID-19 pandemic. Due to conditions changing quickly in the state, the board approved Resolution 2020-05 for the purpose of declaring that emergency conditions exist and granting authority to the executive director to take all actions necessary to prepare and respond effectively to the COVID-19 pandemic. The resolution expired on April 30, 2020.

The pandemic is not yet over and in order for the district to react to the continually changing environment, the board is asked to consider extending the expiration date of the resolution to July 7, 2020, which corresponds to the first board meeting of the fiscal year.

**BUDGETARY IMPACT**

Unknown at this time

**STAFF RECOMMENDATION**

Staff recommends that the expiration date of Resolution 2020-05 be extended to July 7, 2020.

**MOTION**

*I make a motion to extend the expiration date of Resolution 2020-05 until July 7, 2020.*

**ATTACHMENT**

Resolution 2020-05

## **RESOLUTION 2020-05**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEND PARK & RECREATION DISTRICT**

#### **A RESOLUTION DECLARING EMERGENCY CONDITIONS EXIST AND GRANTING AUTHORITY TO TAKE ALL NECESSARY ACTIONS TO PREPARE AND RESPOND EFFECTIVELY TO THE CORONAVIRUS (COVID-19)**

**WHEREAS**, on March 8, 2020, Governor of Oregon Kate Brown declared a State of Emergency due to the outbreak and spread of a novel coronavirus (COVID-19); and

**WHEREAS**, on March 12, 2020, Governor Brown issued an Executive Order prohibiting large gatherings of more than 250 people including, but not limited to, community, civic, public, leisure, faith-based, or sporting events; concerts, conventions, fundraisers, and any similar events or activities, if a safe distance between individuals cannot be maintained, and encouraged individuals in high-risk populations (those over 60 years of age, or those with an underlying health condition) to avoid gatherings of more than ten (10) people for four weeks until April 8, 2020; and

**WHEREAS**, ORS 266.410 gives the Board of Directors authority to set rules governing the parks and facilities within the District and strict compliance with various existing District policies and administrative procedures/regulations, would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19; and

**WHEREAS**, it is imperative to prepare for and implement measures to respond to the potential spread of COVID-19; and

**WHEREAS**, it is imperative to have the tools to ensure the health and safety of District staff and visitors to District parks and facilities; and

**WHEREAS**, it is imperative to have the tools to provide such programs and recreational opportunities as may safely be conducted under the foregoing circumstances; and

**WHEREAS**, the foregoing circumstances require a response beyond that which occurs routinely; and

**WHEREAS**, the foregoing circumstances are anticipated to remain in effect for at least 30 days; and

**WHEREAS**, Oregon's Public Meetings Law (ORS 192.610 et seq.) allows the Board of Directors to convene an emergency meeting on such notice as is appropriate under the circumstances.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Bend Park & Recreation District:

- (1) Finds that the circumstances described in the foregoing recitals constitute an emergency condition; and
- (2) Authorizes the Executive Director or the Executive Director's designee to take any and all actions necessary to ensure the continuation of District services to the extent appropriate/practicable, and protect the health and safety of patrons and staff at District sites, including but not limited to: (a) relocating District patrons and staff; (b) providing alternative recreation options; (c) modifying personnel policies to account for COVID-19 impacts; (d) making needed alterations, repairs, or improvements for the protection, repair, and maintenance of District property; (e) transferring or redirecting any District funds necessary or appropriate for uses or purposes related to the emergency; (f) limiting the congregation or gathering of individuals on District property; (g) closing or limiting access to District property and District facilities; (h) adopting and implementing such actions, precautions, measures, or procedures as are ordered or recommended by federal, state, or local governments or agencies; (i) requesting or applying for available assistance from federal, state, or local governments or agencies to support the District's response to and recovery from the emergency condition described in this Resolution; or (j) extending the effective period of this Resolution, if a quorum of the Board of Directors is unavailable, as necessary to respond to the emergency condition described in this Resolution; and
- (3) Declares that emergency procurements of goods and services are authorized pursuant to ORS 279A.010(1)(f), 279B.080, 279C.320, 279C.335(6), and all other applicable rules, and delegates to the Executive Director or the Executive Director's designee the authority to make such procurements and to approve and execute such emergency contracts in any dollar amount.

**THIS DECLARATION IS EFFECTIVE ON MARCH 23, 2020 AND SHALL REMAIN IN EFFECT UNTIL APRIL 30, 2020 UNLESS EXTENDED.**

  
Ted Schoenborn, Board Chair

ATTEST:



Don Horton, Executive Director



## PLANNING & DEVELOPMENT PROJECT UPDATES May 2020



**Big Sky Park Expansion:** The project is currently on hold due to the effects of COVID-19. The district will reassess when to bid in fall of 2020.



**Larkspur Center (Bend Senior Center):** Construction on the new building continues and is moving to interior finishes. The Myrtha panels are nearing completion for the pool. With the existing senior center closed, work is starting on the tie in between the two projects. This will help with future disruptions to the operations of the senior center later in the year. The project is still on schedule with an anticipated opening in September 2020.



**Alpenglow Community Park:** The land use and conditional use permits have been approved by the city and the team continues to work towards our 90% CD set. Close coordination continues with the city, school district, adjacent landowners and stakeholders. A final bid set package is on track to be completed this fall.



**Goodrich Pasture Park:** The project went out to bid February 27<sup>th</sup>. The district has extended the bid date to April 30<sup>th</sup> at this time, pending the effects of the COVID-19 virus. The project is currently schedule to open bids on April 30. Staff is looking at ways to open bids and maintain proper social distancing efforts.





**Juniper Park:** Work continues in phase 2 of the project. Currently, demolition has taken place, site grading and trenching for utilities is underway, the restroom electrical and plumbing are going in, stucco and finishes are underway, and site furnishings and playground equipment have begun to be delivered to the site. The project is anticipated to be complete by spring of 2020.



**Pacific Crest Middle School Fields:** Work is almost complete at the athletic fields. Backstop netting, gates, final landscape elements, site furnishings, and signage are finishing up and landscaping will establish and be complete in the spring. Sports play is scheduled to begin on the fields in 2020.



**Haul Road Trail:** Staff continues their work in obtaining outstanding easements for the trail. 70% construction document review comments were discussed with the design team and the next phase of design is progressing. The scheduled field review is on hold at this time and will be rescheduled for a later date. Construction is scheduled to begin summer 2021.



**Empire Crossing Park:** Empire Crossing is being updated with accessible pathways and a new playground. Work continues on the playground and the construction area is fenced off. Playground curb, aggregate base, plaza space and walkways are being installed. The park is expected to be completed in the spring of 2020.



**Rockridge Park Restroom:** The restroom building has been placed on site and paved surfaces are installed. The contractor is performing walk throughs with district staff, and final items are being completed. District staff are currently completing the irrigation changes and landscape repairs. The project is expected to be completed this spring.



**Northpointe Park:** Szabo Landscape Architecture was selected as the design consultant. Consultant selection will be brought to the board for approval at the April 21, 2020 board meeting.



**Drake Park DRT & Bank Improvement Project:** Staff continues to work with landowners to obtain the final three (of seven) easements. The design team and staff are working on permitting, cost estimating and bidding for the final project. Construction on the remaining work is expected to start fall of 2020.



**JSFC Pool Tank Renovation:** Contract negotiations are underway. The pools were drained during the facility closure and a full survey and other inspections were performed to obtain all necessary information about existing site conditions. Coordination of the budget and schedule is ongoing with the design build team. Permit drawings are expected to be received for review May 2020.



**Central Oregon Historic Canal Trail Road Crossing Safety Improvements:** BPRD has completed design work for safety upgrades to four road crossings on the Central Oregon Historic Canal Trail: Blakely Road, Brosterhous Road, Ferguson Avenue, and 27<sup>th</sup> Street. Staff is now working to acquire an easement near Brosterhous Road and the necessary permits to complete the work. The district intends to install the upgrades at the Blakely Road and Brosterhous Road crossings in the next fiscal year, with upgrades to the remaining crossings coming online in subsequent years as additional sections of the trail are improved near those locations.

Additionally, the City of Bend recently installed a new crossing on 15<sup>th</sup> Street south of Reed Market Road near Chloe Lane. Through an interagency agreement, the district provided funding to the City of Bend to construct this crossing as part of the Murphy Road project. The city will begin construction of an additional new crossing on 3<sup>rd</sup> Street on April 27<sup>th</sup>.



**Riverbend South Access and Restoration Project:** UDWC was successful in obtaining a private grant from the Sunderland Foundation for the construction of this project. This is amazing news as it will create a more efficient bidding and construction process. UDWC and staff will be submitting for permits this fall and winter with construction expected to begin in fall of 2021.

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**Deschutes River Access and Habitat Restoration Plan:** The focus group—made up of representatives from agencies, recreational organizations, business groups and environmental organizations—met on March 12<sup>th</sup> to identify opportunities for access and habitat restoration at four of the sixteen Deschutes River parks. The focus group will meet eight times over the next year, with the next meeting planned for May 13<sup>th</sup>. It will likely be held virtually due to COVID-19 regulations. An online community survey received 712 responses including 20 responses in Spanish. Results of the survey, focus group meetings, and staff meetings will be shared with the board this summer.

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**Board Calendar  
2019-2020**

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

**May 19**

Work Session

Business Session

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

**BUDGET MEETINGS May 26 and 28**

**June 2**

Work Session

Recreation Report

Business Session

- ◆ Adopt Resolution No. 2020-07 – Adopting a Revised Fee Schedule for System Development Charges, effective July 1, 2020 – *Lindsey Lombard*
- ◆ Hold Public Hearing and Adopt Resolution No. 2020-08 – Adopting the Budget and Making Appropriations for Fiscal Year 2020-21, and Adopt Resolution No. 2020-09 – Imposing and Categorizing Taxes for Fiscal Year 2019-20 – *Lindsey Lombard*

**June 16**

Work Session

Park Services Report

Business Session

**TBD**

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

Recreation Programming Plan – *Matt Mercer and Michael Egging*

Transportation Discussion with CTAC– *Eric King and Susanna Julber (45 min)*

IGA with the City for Mirror Pond Silt Removal – *Don Horton (30 min)*

Annexation – Smallwood Property – *Sarah Bodo (10 min)*

Refund Policy – *Matt Mercer*

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

Hollinshead Partnership Presentation – *Julie Brown and Kelly Cannon-Miller (20 min)*

MOU for Fish Passage – *Don Horton (30 min)*

Park Services – Prescribed Fire – *Jeff Amaral (20 min)*

Recreation Report: Next Steps Program – *Monica McClain-Smith and Carolyn Creedican (15 min)*

Park Services Hard Surface Program – *Jason M and Alan Adams (15 min)*

Centennial Celebrations – *Julie Brown (20 min)*

Agreement for Riverbend South project with UDWC – *Ian Isaacson (20 min)*

Park Services Report: Fleet and Equipment Program – *Roy Radcliff (15 min)*

Park Services Report: Prescribed Fire – *Jeff Amaral (30 min)*

Park Services Report: Hardsurface Program – *Alan Adams and Jason Monaghan (15 min)*