



Bend Metro Park & Recreation District

June 1, 2021

# Board of Directors

## Agenda and Reports

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



*play for life*



## **Our Vision**

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

## **Our Mission**

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

## **We Value**

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

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

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

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

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

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

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

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



District Office | Don Horton, Executive Director

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



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

April 20, 2021

**District Office Building | 799 SW Columbia | Bend, Oregon**

***The board meeting can be viewed on the website:***

**BOARD PRESENT**

## STAFF PRESENT

## LEGAL

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

## VISITORS

Director Hovekamp opened the meeting with his personal comments about the verdict in the Derek Chauvin trial. He said today will be remembered as a historic day in the ongoing struggles for social justice and acknowledged there is a long way to go. He said that he will take the verdict today to feel a little better about where we are headed in this country.

## WORK SESSION

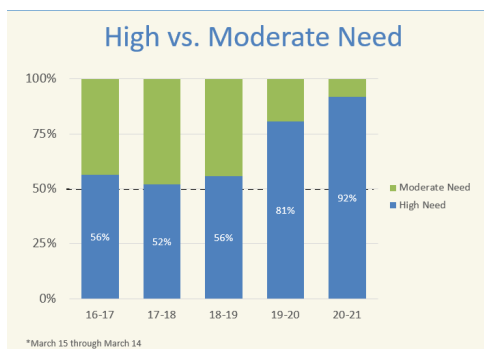
### 1. Needs Based Assistance Annual Report and 2021-22 Plan – *Matt Mercer and Michael Egging*

Mr. Mercer said he wanted to address the current COVID guideline prior to presenting the Needs-based Assistance annual report. He showed a slide that represents the average COVID cases per day that showed the daily numbers going up to high rates like in January. He said the statewide hospitalizations numbers are going up as well. He explained that as long as the statewide number stays under 300, then the county will not go in the red (extreme) zone regardless of the case count.

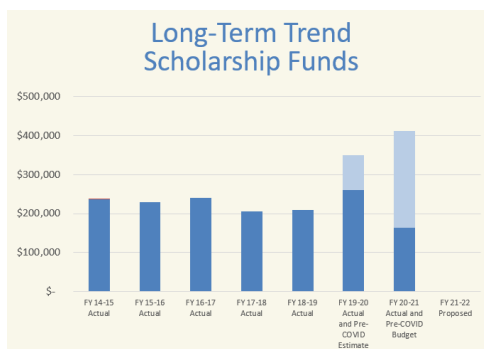
Mr. Mercer explained the Needs-based assistance program has three areas of focus:

- Recreation Scholarships
- Outreach and partnerships
- Targeted Programs: Free/Low Cost Opportunities

Mr. Egging shared that the number of applications for households and individuals have gone up significantly. He attributed this to making the application process and qualifications simpler. He explained that due to lack of programming the applications did go down through the year of the pandemic. He said the assistance is divided in high need and moderate need. This year high need was more prevalent.



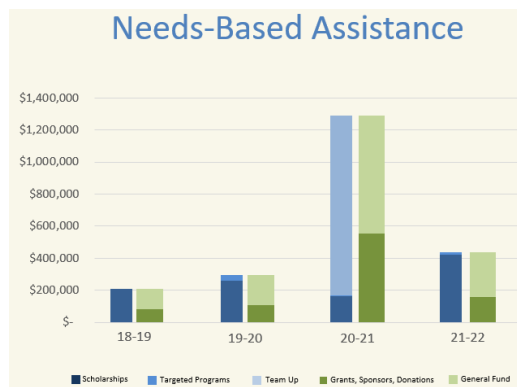
Mr. Egging explained the long-term trends in the scholarship funds.



Mr. Egging spoke about the Team Up program that provided all-day childcare for children during the school closures. He reviewed the following:

- \$1 million total Team Up financial assistance
- 724 children served
- Over half received financial assistance
- 157 children had never used scholarships before
- 54 of the new scholarship users have signed up for more programming
- 11% identified Spanish as primary language
- 304 children have transitioned to Kids, Inc.

He explained that Team Up was separate from the scholarship program and explained the slide of the funding for all of the programs.



Mr. Mercer spoke about the 2021-2022 NBA plan goals:

- Provide for growth in scholarship funding (over 150%)
- Adapt targeted programs, and seek additional opportunities
- Continue to address potential increase in need due to COVID-19 impacts
- Build on outreach efforts and partnerships

Mr. Mercer explained the FY 21-22 Assistance Levels in the following graphs:

**FY 21-22 Assistance Levels**

Program Classification	Core Programs		Complementary Programs	
Need Level	High	Moderate	High	Moderate
Disabled	75%	50%	50%	50%
Youth (18 & Under)	75%	50%	50%	50%
Senior (65+)	75%	50%	50%	50%
General Adults	n/a	n/a	n/a	n/a

	Facility Passes	
Need Level	High	Moderate
Disabled	50%	25%
Youth (18 & Under)	50%	25%
Senior (65+)	50%	25%
General Adults	50%	25%

Mr. Mercer spoke about the targeted programs:

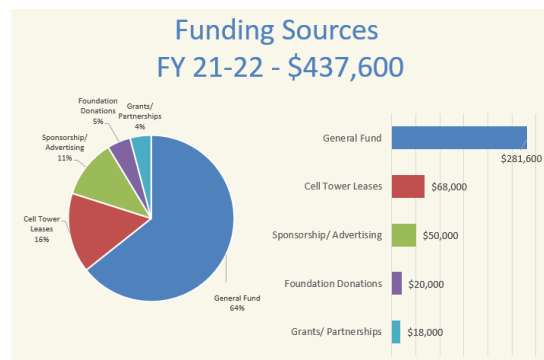
- Housing Works partnership: 100% free for the residents with potential for year-round partnership

- Discover the Outdoors: Outdoor opportunities for underserved kids, if transportation guidance allows this program will be held this summer
- Days of Play: Unsure if this can happen since it is a drop-in program
- FAN Voucher Program: Provide vouchers to schools for BPRD programming as a way to introduce families to the scholarship programs

Free Programs and Events: These programs were cancelled last year, he said staff is hoping to reinstate this year.

- Over 250 free opportunities Pre-COVID
- Community Events
- Senior Social Programs
- Family Nights at JSFC
- Low Fee Family Skates at The Pavilion

Funding Requirements for FY 21-22 is \$437,600, double of FY 18-19. This year will reflect an increase in scholarships and a reduction in targeted programs due to the pandemic.



The board asked if the district is retaining scholarship families through COVID and how staff identifies families with Spanish as a first language. Mr. Mercer said the scholarship retention level is very high and explained that the outreach work that staff has done provided information about the Spanish speaking families.

Mr. Mercer said staff is asking for a vote on this topic during the business session tonight.

## 2. Legislative Update – *Don Horton*

Executive Director Horton said he intended on doing this update earlier, but the timing of the legislature made it better for this evening. He explained that through ORPA, there is a legislative committee that represents several agencies throughout the state. Executive Director Horton is the representative for Central Oregon. This group tracks many bills and not all apply to this district. Bills are monitored and the committee does not take a position on every bill. There are eight bills that he said he would like to review with the board.



HB2125: A COVID Bill that asks for a study on parks during COVID. This could help the district to recoup some money and will have some data that will be interesting.

HB2823A: Emergency response for catastrophic events. This is intended to help agencies prepare for a disaster.

HB3040: SDC bill, this one has changed a lot over the session. There has been a lot of opposition and has now changed to be a study on SDCs. The study will cost just under \$1 million and is likely to die due to lack of funding.

HB3115: Speakers bill, lying and sleeping on public properties (time, place and manner). This directs cities in the creation of ordinances of addressing homelessness issues. This would not allow for criminalizing homelessness if there is not an alternative available.

Director Méndez suggested that the board work close with the city council to address this issue as it continues to get worse.

SB299A: This bill would create a Children's District. This is specifically targeted to serve underserved populations and would make it easier for counties to do more without a vote

SB0395: Department of transportation funding for trails from 1%-5%. Could be modified to 3%. This would provide funding for certain trails.

SB0554A: Gun law, gives municipalities the right to restrict firearms in public buildings. This includes special districts and would prevent a concealed carry on some properties. Ordinance on firearms could occur at the local level with this bill. A discussion of how staff could enforce this type of ordinance would be necessary.

HB3389: Unemployment tax rate calculations would be spread out over more time. The district unemployment tax rate was .01% prior to COVID and is likely moving to 4.1% after COVID. This would help the district by eliminating a large bill to the district and could save the district \$375,000-\$400,000 a year by spreading the tax payment out.

### **CONSENT AGENDA**

1. Minutes: 04/06/2021
2. Approve Public Contract for Portable Restrooms

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

### **BUSINESS SESSION**

1. Needs Based Assistance 2021-22 Plan Approval – *Matt Mercer*

The board commented on their pride in offering scholarships and programs through the NBA plan.

***Director Kropf made a motion to approve the Needs-Based Assistance Plan for Fiscal Year 2021-22. Director Schoen seconded. The motion passed unanimously, 5-0.***

2. Approve Public Contract for Credit Card Processing Services – *Justin Sweet, Dave Arnold and Jut McDaniels*

Mr. Sweet shared the procurement process of the credit card processing services. He said a request for proposal (RFP) was issued on March 8 statewide. In response, the district received one response by the deadline from Vermont Systems. This was evaluated by staff and met the requirements of the proposal and many others that staff desired. Vermont Systems is used for the Rec Trac (recreation system used by the district) software and in staff is in negotiations on the costs.

Mr. Arnold said staff has been evaluating the need to update the credit card system for some time. Mr. McDaniels said the current processor has not been able to keep up with necessary updates to credit card processing. This recommended contract will eliminate a middle service provider by moving to PayTrac within Vermont Systems. The contract will provide:

- One contract, eliminating the middle service provider that is currently in place
- Better user experience for the customer when there is an issue
- Higher level of security
- Better platform if charges are disputed
- Allows for installment payments and reoccurring billing
- Better mobile experience

Mr. Arnold said this will be a little more expensive, he added that it is worth the higher costs for the added benefits.

The board expressed concern about approving a contract without knowing the costs. Mr. Sweet said the pricing has been confirmed and staff is negotiating other aspects of the contract. Ms. Lombard joined in the meeting to clarify that the motion is to authorize the executive director to award the contract and negotiate further. The board suggested changing the motion to reflect the negotiation and execution.

***Director Méndez made a motion to authorize the executive director to negotiate and execute a contract with Vermont Systems, Inc., for credit card processing. Director Schoenborn seconded. The motion passed unanimously, 5-0.***

3. Railroad Overpass Agreement for Pedestrian Bridge at Alpenglow Park – *Ian Isaacson, Brian Hudspeth and Paul Taylor*

Executive Director Horton said normally staff does not ask the board to approve easements, but this one has an extenuating circumstance that includes some risk. Mr. Isaacson gave a brief background

of the railroad bridge. In 2017, staff met with the BNSF project team to discuss the district's desire to install a pedestrian bridge for safety of the community with connections to the new park and schools. Staff is now working on agreements and easements needed for the project. Mr. Taylor, legal counsel for the district, said the railroad has a lot of protections under federal law and commented that their contracts are often one-sided and contain statements that are not always logical. He said he reviewed the contract and discovered some risk to the district, including strict guidelines for completion. He said the environmental liability section contains language that if the district or the railroad releases a hazardous substance, the district is liable for the cure. The railroad has rejected legal counsel's request to change the language to remove the district liability for anything the railroad does, but this was rejected. He said the contract is standard language for their documents. Executive Director Horton said he believes the benefit of the bridge outweighs the risk and asked the board to approve this decision. The bridge is partially built outside of the easement area. If the board does not agree to the BNSF terms, the project will be abandoned.

The board asked about the risk of meeting timelines. Mr. Isaacson said construction of the bridge is ahead of schedule and is not a concern. The board asked about the process if there were an environmental problem. Mr. Taylor said there would be a process through the railroad, likely to be fixed by the railroad and a bill sent to the district for the area within the easement zone. The board asked for clarification on the easement space. Executive Director Horton said the bridge does not fall within the railroad property. The easement is the space over the railroad.

***Director Schoen made a motion to authorize the executive director to finalize and execute the Overpass Agreement and any associated documents with BNSF Railway to build the Alpenglow Park pedestrian bridge. Director Schoenborn seconded. The motion passed unanimously, 5-0.***

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

Executive Director Horton gave an update on Larkspur Community Center stating that 2800 people a week are being served, which is good considering the pandemic. He said there are over 5000 people a week being served between Larkspur and JSFC. Executive Director Horton announced that summer programs are open and filling and reminded the board to fill out the DEI survey.

#### **PROJECT REPORT**

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

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

- Director Méndez said he enjoyed the budget tour and was pleased to have Henry join him by bike and he appreciates the work staff did to pull off the tour. Director Méndez asked the board if they would support a letter that the city of Bend is writing in favor of a rewrite of the MUTCD manual.
- Director Schoenborn said he enjoyed the budget tour as well and appreciates being able to see the projects.
- Director Schoen also commented on the staff and said they did a great job on the tour presentations. She said she has been in the community recently and continues to hear wonderful feedback from people about Larkspur. Director Schoen added that park and recreation plays a part in social justice and she said she hopes the verdict today will play a part in furthering social justice.

- Director Kropf remarked about the social justice issues that society is facing. He acknowledged gratitude for staff, the Team Up program and making programs and facilities inclusive.

**ADJOURN** 9:11 pm

◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆ ◆

Prepared by,  
Sheila Reed  
Executive Assistant

---

Nathan Hovekamp, Chair

---

Ariel Méndez, Vice-Chair

---

Jason Kropf

---

Deb Schoen

---

Ted Schoenborn

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 1, 2021
<b>SUBJECT:</b>	Resolution No. 2021-04, adopting a Revised System Development Charge (SDC) Fee Schedule effective July 1, 2021
<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. 2020-06 on May 5, 2020, effective July 1, 2020.
<b>ACTION PROPOSED:</b>	Adopt Resolution No. 2021-04, providing for a revised SDC Fee Schedule effective July 1, 2021 that includes a 3.18% 2021-22 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**

The district's annual SDC fee schedule adjustment becomes effective on July 1 of each year, corresponding with the district's budget cycle. The timing of 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, 2020, pursuant to Resolution No. 2020-06 adopted on May 5, 2020.

The Methodology Report: Parks System Development Charges, Section 3.4.1 Inflationary Adjustments, outlines the formula for calculating and adjusting fees on an annual basis. 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 recommended 2021-22 fee adjustment is based on the proportional rates of change in the two cost factors between December 2019 and December 2020. This year the indices call for a total fee adjustment increase of 3.18% for fiscal year 2021-22 due to the combined effect of:

- an increase in Bend land values (6.62%) combined with
- an increase in the ENR 20-city construction cost index (2.15%)

Applying the index to the current year average unit fees results in the following 2021-22 adjusted average fees: single-family - \$8,867; multi-family - \$6,030; and accessory dwelling unit (ADU) - \$3,831 (see attachment 2).

When the board adopted the new park SDC methodology in 2019, the methodology included data that enables the district to charge SDC fees for single-family and multi-family residential units by tiers and/or average rates. At that time, implementation of a tiered fee schedule was postponed until the city of Bend was able to effectively collect tiered park SDC fees. Since city and county staff now are planning to implement collection of park SDC fees by tier as of July 1, 2021, Resolution No. 2021-04 includes the average fee and the tiered fees for both single-family and multi-family units.

#### **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. Inflationary-adjusted fees help the district's SDC revenues adjust to the rising costs of acquiring and developing parks, trails and recreation facilities. However, it is important to recognize that there is a time lag between the dates of the indices used and the date the new fees are effective, so in a time of significant cost inflation as we are currently seeing, the annual fee adjustment cannot keep pace.

#### **STAFF RECOMMENDATION**

Staff recommends adoption of the SDC Fee Schedule, including both average and tiered fees, contained in Resolution No. 2021-04 which provides for a 3.18% inflationary adjustment determined with the cost indices included in the 2019 adopted SDC Methodology, and outlined above.

#### **MOTION**

***I make a motion to adopt Resolution No. 2021-04, Adopting a Fee Schedule for System Development Charges effective July 1, 2021.***

#### **ATTACHMENT**

1. Resolution No. 2021-04, Adopting a Revised Fee Schedule for System Development Charges
2. SDC Adjustment Factor Calculation, Fiscal Year 2021-22

**BMPRD RESOLUTION NO. 2021-04**

**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, 2021 through June 30, 2022 shall be imposed at the full amount allowed under the adopted Methodology, and shall be:
  - a. Single-family Dwelling Units:

i. Average fee	\$ 8,867
ii. < 501 square feet	\$ 6,067
iii. 501 – 1,000 square feet	\$ 6,597
iv. 1,001 – 1,600 square feet	\$ 7,661
v. 1,601 – 3,000 square feet	\$ 8,690
vi. > 3,000 square feet	\$ 9,719
  - b. Multi-family Dwelling Units:

i. Average fee	\$ 6,030
ii. 0 bedroom	\$ 3,831
iii. 1 bedroom	\$ 4,221
iv. 2 bedrooms	\$ 6,845
v. 3 or more bedrooms	\$ 8,867
  - c. Mobile Home Unit: \$ 8,016
  - d. Accessory Dwelling Unit: \$ 3,831
  - e. Dormitory per Person: \$ 3,547
  - f. Hotel/Motel Unit: \$ 6,121
2. This Resolution shall take effect July 1, 2021.

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 1<sup>st</sup> day of June 2021.

---

Nathan Hovekamp, Board Chair

Attest:

---

Don P. Horton, Executive Director



# System Development Charge Adjustment Factor Calculation FY 2021-22

		<u>Real Market Value (RMV) All Taxable Properties (A)</u>	<u>Real Market Value (RMV) of New Property (B)</u>	<u>RMV of Property Without New Construction (A) - (B) = (C)</u>	<u>Market-Related Change in RMV (C1 - C2) / C1</u>
1	<b>2020-21</b>	24,031,365,821	301,764,880	23,729,600,941	6.62%
2	<b>2019-20</b>	22,642,758,571	385,898,620	22,256,859,951	

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.

	<u>20-city Dec. 2020</u>	<u>20-city Dec. 2019</u>	<u>Difference</u>	<u>% Change</u>
<b>ENR CCI</b>	11,626.00	11,381.00	245.00	2.15%

During the 12-month period from December 2019 through December 2020, the Engineering News Record Construction Cost Index 20-City Index changed from \$11,381 to \$11,626. This represents a percentage increase of 2.15%.

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

<u>Construction</u>	<b>+</b>	<u>Land Value</u>	<b>=</b>	<u>Adjustment Factor</u>
77% x 2.15%	+	23% x 6.62%	=	3.18%
0.0166	+	0.0152	=	0.0318

<u>Fees</u>	<u>2020-21 fee</u>	<u>2021-22 fee adjusted for inflation</u>
Single Family Average	8,594	8,867
Single Family (<501 sq ft)	5,880	6,067
Single Family (501 - 1,000 sq ft)	6,394	6,597
Single Family (1,001 - 1,600 sq ft)	7,425	7,661
Single Family (1,601 - 3,000 sq ft)	8,422	8,690
Single Family (>3,000 sq ft)	9,419	9,719
Multi Family Average	5,844	6,030
Multi Family (0 bedrooms)	3,713	3,831
Multi Family (1 bedrooms)	4,091	4,221
Multi Family (2 bedrooms)	6,634	6,845
Multi Family (3 bedrooms)	8,594	8,867
ADU	3,713	3,831
Hotel Room	5,932	6,121
Manufactured Home Placement (in a park)	7,769	8,016
Dormitory (per person)	3,438	3,547

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 1, 2021
<b>SUBJECT:</b>	Five-Year Capital Improvement Plan for Fiscal Years Ending 2022-2026
<b>STAFF RESOURCE:</b>	Michelle Healy, Deputy Executive Director Lindsey Lombard, Administrative Services Director Don Horton, Executive Director
<b>PREVIOUS BOARD ACTION:</b>	The board last adopted the Capital Improvement Plan on June 16, 2020.
<b>ACTION PROPOSED:</b>	Adopt Resolution No. 2021-05, Adopting the Five-Year Capital Improvement Plan for Fiscal Years Ending 2022-2026.
<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>	Continue to “take care of what we have” by prioritizing investments in the district’s existing assets; ensure the district is maintaining its adopted level of service targets

**BACKGROUND**

The district’s Capital Improvement Plan (CIP) identifies and summarizes all approved and proposed district capital expenditures and revenue sources for a period of five years into the future. The board of directors revises and adopts the district’s five-year CIP during the annual budget process.

The CIP summary for fiscal years ending 2022-2026, attached to Resolution No. 2021-05 as Exhibit A, is the same as that which was presented to the budget committee on May 18, 2021.

**BUDGETARY IMPACT**

The 2022-2026 Capital Improvement Plan totals \$61,431,544 in planned capital expenditures. \$44,102,341 (71.8%) is funded with System Development Charge revenues, \$13,971,903 (22.7%) is funded with property tax revenues, and \$3,357,300 (5.5%) is funded with alternative funding (i.e. grants, contributions, debt, surplus property sales).

**STAFF RECOMMENDATION**

Staff recommends adoption of Resolution No. 2021-05, adopting the Five-Year Capital Improvement Plan for Fiscal Years Ending 2022-2026.

**MOTION**

***I make a motion to adopt Resolution No. 2021-05, adopting the Five-Year Capital Improvement Plan for fiscal years ending 2022-2026.***

**ATTACHMENTS**

1. Resolution No. 2021-05, Adopting the Five-Year Capital Improvement Plan for Fiscal Years Ending 2022-2026
2. Exhibit A: Five-Year Capital Improvement Plan Summary for Fiscal Years Ending 2022-2026

**BMPRD RESOLUTION NO. 2021-05**

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS  
ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN  
FOR FISCAL YEARS ENDING 2022-2026**

**WHEREAS**, the Bend Metro Park and Recreation District adopted a Capital Improvement Plan ("Plan") on June 16, 2020 with BMPRD Resolution No. 2020-08 and

**WHEREAS**, the Board has re-examined the park and facility need for the District and finds that the projects identified on the attached Exhibit A: Bend Park & Recreation District Five Year Capital Improvement Plan for Fiscal Years Ending 2022-2026 are in the public interest and necessary to serve park, recreation facility and trail needs of the District; and

**WHEREAS**, the Board has adopted Ordinance No. 12 - System Development Charges and Resolution No. 421, A Methodology for Calculating Park System Development Charges, indicating the intention to fund a significant portion of the projects in the Capital Improvement Plan.

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

1. The Bend Park and Recreation District Five Year Capital Improvement Plan for Fiscal Years Ending 2022-2026, attached hereto as Exhibit A, is hereby adopted.
2. The Plan includes those projects that are needed to serve the park, recreation facility and trail needs of district residents in fiscal years ending June 30, 2022-2026 including future need related to residential growth and development as specified in Ordinance No. 12 and Resolution 421.
3. The Plan identifies both those projects and portions of projects eligible to be funded using System Development Charge ("SDC") revenue as well as those projects funded by other revenue sources. Those expenditures from the SDC Improvement Fee fund and the SDC Reimbursement Fee fund shall be accounted for separately in accordance with statutory requirements for the use of SDC revenues.
4. 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 1<sup>st</sup> day of June 2021.

Attest:

---

Nathan Hovekamp, Board Chair

---

Don P. Horton, Executive Director

**Bend Park Recreation District Five-Year Capital Improvement Plan (CIP)  
for Fiscal Years Ending 2022-2026**

Project Type	Project Map	Project Stage	Approved Funding Allocation	Prior and Current Fiscal Years	Total FY2022-2026	FY 2022-26 Funding Allocation by Source				FY 21-22 Total	FY 22-23 Total	FY 23-24 Total	FY 24-25 Total	FY 25-26 Total
						Property Tax Revenue	SDC	Alternative	Alt. Type					
<b>Community Parks</b>														
Pine Nursery Park Ph. 4 (Pending Partnership)	1	Order of Magnitude	78,504	28,504	50,000	-	50,000	-		-	-	-	-	50,000
Pine Nursery Park Ph. 5	2	Order of Magnitude	5,000,000	-	5,000,000	-	5,000,000	-		-	400,000	2,300,000	2,300,000	-
Park Search Area 25 (Alpenglow Park)	3	Award/Bid	9,525,000	3,230,630	6,294,370	-	6,294,370	-		6,294,370	-	-	-	-
Big Sky Park Expansion	4	Construction Documents	4,260,000	518,074	3,741,926	473,226	3,268,700	-		1,705,226	-	2,036,700	-	-
<b>Total Community Parks</b>			<b>18,863,504</b>	<b>3,777,208</b>	<b>15,086,296</b>	<b>473,226</b>	<b>14,613,070</b>	<b>-</b>		<b>7,999,596</b>	<b>400,000</b>	<b>4,336,700</b>	<b>2,300,000</b>	<b>50,000</b>
<b>Neighborhood Parks</b>														
Land Acquisitions	N/A	SDC Methodology	4,269,555	-	4,269,555	-	4,269,555	-		997,761	-	1,058,525	1,090,280	1,122,989
Neighborhood Parks Design & Development	N/A	SDC Methodology	4,229,424	-	4,229,424	-	4,229,424	-		-	1,341,130	-	1,422,805	1,465,489
Golf and Country Club Site	5	Order of Magnitude	2,088,271	747,141	1,341,130	-	1,341,130	-		200,000	1,141,130	-	-	-
Park Search Area 1 (Northpointe Park)	6	Construction Documents	2,549,716	1,674,716	875,000	-	875,000	-		875,000	-	-	-	-
Park Search Area 4 (Petrosa - DA)	7	Order of Magnitude	2,906,800	18,500	2,888,300	-	2,888,300	-		1,928,300	960,000	-	-	-
Park Search Area 9 (Shevlin West)	8	Order of Magnitude	1,415,700	150,000	1,265,700	-	1,265,700	-		-	200,000	1,065,700	-	-
Park Search Area 11 (Discovery West Park/TH)	9	Order of Magnitude	660,000	-	660,000	-	660,000	-		-	-	-	-	660,000
Park Search Area 14 (Bear Creek)	10	Order of Magnitude	2,171,400	-	2,171,400	-	2,171,400	-		-	-	-	1,000,000	1,171,400
Park Search Area 24 (DSL Land)	11	Order of Magnitude	1,448,500	-	1,448,500	-	1,448,500	-		-	-	200,000	1,248,500	-
Park Search Area 28 (SE Area Plan)	12	Order of Magnitude	2,412,763	-	2,412,763	-	2,412,763	-		-	997,761	-	-	1,415,002
<b>Total Neighborhood Parks</b>			<b>24,152,129</b>	<b>2,590,357</b>	<b>21,561,772</b>	<b>-</b>	<b>21,561,772</b>	<b>-</b>		<b>4,001,061</b>	<b>4,640,021</b>	<b>2,324,225</b>	<b>4,761,585</b>	<b>5,834,880</b>
<b>Regional Parks</b>														
Riley Ranch Nature Reserve Bridge	13	Design Development	1,200,000	-	1,200,000	-	1,200,000	-		-	-	1,200,000	-	-
<b>Total Regional Parks</b>			<b>1,200,000</b>	<b>-</b>	<b>1,200,000</b>	<b>-</b>	<b>1,200,000</b>	<b>-</b>		<b>-</b>	<b>-</b>	<b>1,200,000</b>	<b>-</b>	<b>-</b>
<b>Trails</b>														
Galveston to Millers Landing	14	Order of Magnitude	800,000	96,396	703,604	-	703,604	-		-	703,604	-	-	-
Putnam to Riley Ranch Bridge	15	Order of Magnitude	155,000	440	154,560	-	154,560	-		-	154,560	-	-	-
Kirkaldy to Putnam	16	Order of Magnitude	63,100	3,662	59,438	-	59,438	-		-	42,203	17,235	-	-
Deschutes River Trail North Parking	17	Order of Magnitude	320,000	-	320,000	-	320,000	-		-	20,000	300,000	-	-
Miscellaneous Trails	N/A	Order of Magnitude	750,000	-	750,000	-	750,000	-		150,000	150,000	150,000	150,000	150,000
COHCT Crossings	18	Construction Documents	92,300	35,000	57,300	-	-	57,300	1	57,300	-	-	-	-
Haul Road Trail	19	Construction Documents	755,352	681,852	73,500	-	73,500	-		73,500	-	-	-	-
North Unit Irrigation Canal Trail (NUID)	20	Order of Magnitude	178,505	18,505	160,000	-	160,000	-		60,000	100,000	-	-	-
Canal Row Trail Connection	21	Construction Documents	130,000	30,000	100,000	-	100,000	-		100,000	-	-	-	-
<b>Total Trails</b>			<b>3,244,257</b>	<b>865,855</b>	<b>2,378,402</b>	<b>-</b>	<b>2,321,102</b>	<b>57,300</b>		<b>440,800</b>	<b>1,170,367</b>	<b>467,235</b>	<b>150,000</b>	<b>150,000</b>

Bend Park Recreation District Five-Year Capital Improvement Plan (CIP)  
for Fiscal Years Ending 2022-2026

Project Type	Project Map	Project Stage	Approved Funding Allocation	Prior and Current Fiscal Years	Total FY2022-2026	FY 2022-26 Funding Allocation by Source				FY 21-22 Total	FY 22-23 Total	FY 23-24 Total	FY 24-25 Total	FY 25-26 Total
						Property Tax Revenue	SDC	Alternative	Alt. Type					
Community Wide														
Drake Park DRT Trail & Bank Improvements	22	Award/Bid	7,380,000	1,263,626	6,116,374	1,559,977	3,806,397	750,000	1	6,116,374	-	-	-	-
Riverbend South River Restoration & Access Pro	23	Design Development	264,000	64,000	200,000	200,000	-	-		200,000	-	-	-	-
Total Community Wide			7,644,000	1,327,626	6,316,374	1,759,977	3,806,397	750,000		6,316,374	-	-	-	-
Asset Management Projects														
Accessibility Improvements	N/A	Order of Magnitude	500,000	-	500,000	500,000	-	-		50,000	75,000	125,000	125,000	125,000
Asset Management Projects (\$5,000-\$50,000)	N/A	Order of Magnitude	1,250,000	-	1,250,000	1,250,000	-	-		250,000	250,000	250,000	250,000	250,000
Park Services Complex	24	Order of Magnitude	8,500,000	-	8,500,000	6,500,000	-	2,000,000	3	-	-	-	6,500,000	2,000,000
Skyline Field Renovations + Parking Lot Lights	25	Order of Magnitude	665,000	267,300	397,700	397,700	-	-		100,000	-	297,700	-	-
JSFC Flooring Replacement	26	Order of Magnitude	175,000	-	175,000	175,000	-	-		-	175,000	-	-	-
Natural Resource River Stewardship	N/A	Order of Magnitude	381,000	30,000	351,000	151,000	-	200,000	1	31,000	320,000	-	-	-
Sawyer Park	27	Order of Magnitude	1,100,000	-	1,100,000	850,000	-	250,000	1	100,000	1,000,000	-	-	-
Hollinshead Park ADA & Master Plan	28	Order of Magnitude	1,000,000	-	1,000,000	650,000	250,000	100,000	4	-	100,000	900,000	-	-
Ponderosa Park (North)	29	Order of Magnitude	1,200,000	-	1,200,000	850,000	350,000	-		-	-	150,000	1,050,000	-
Hollygrape Park ADA Renovation	30	Construction Documents	150,000	35,000	115,000	115,000	-	-		115,000	-	-	-	-
Mirror Pond Dredge Commitment	31	Construction Documents	300,000	-	300,000	300,000	-	-		300,000	-	-	-	-
Total Asset Management Projects			15,221,000	332,300	14,888,700	11,738,700	600,000	2,550,000		946,000	1,920,000	1,722,700	7,925,000	2,375,000
Total CIP Funding Allocations			70,324,890	8,893,346	61,431,544	13,971,903	44,102,341	3,357,300		19,703,831	8,130,388	10,050,860	15,136,585	8,409,880

Alternative Funding Type Key

- 1 - Grant Funding
- 2 - Contributions, Collaborations, Fundraising
- 3 - Debt Financing
- 4 - Facility Rental Special Revenue Funding

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 1, 2021
<b>SUBJECT:</b>	Public Budget Hearing, Adoption of the 2021-22 Budget, and Imposing and Categorizing Taxes
<b>STAFF RESOURCE:</b>	Betsy Tucker, Finance Manager Lindsey Lombard, Administrative Services Director
<b>PREVIOUS BOARD ACTION:</b>	The 2020-21 budget was previously adopted by the board on June 2, 2021.
<b>COMMITTEE ACTION:</b>	The 2021-22 proposed budget was previously approved by the budget committee on May 18, 2021.
<b>ACTION PROPOSED:</b>	Hold a public hearing to discuss the budget for fiscal year 2021-22, adopt Resolution No. 2021-06 Adopting the Budget and Making Appropriations for Fiscal Year 2021-22, and adopt Resolution No. 2021-07 Imposing and Categorizing Taxes.
<b>STRATEGIC PLAN:</b>	
<b>Pillar:</b>	Operations and Management Practices
<b>Outcome:</b>	Financial well-being supported by strong business practices
<b>Strategy:</b>	Invest in services that provide the greatest community benefit while maintaining financial stability

**BACKGROUND**

The State of Oregon Local Budget Law requires a public hearing be held to discuss the budget as approved by the Bend Park and Recreation District Budget Committee. After receiving public comment, the board shall close the public hearing.

After such time, the staff will present the approved budget to the board, and will recommend the budget's adoption. The board may adopt the budget as approved, or may make changes based upon public comment, staff recommendations or other reasons. By Oregon statute, no increases to expenditures may be greater than 10% of the total approved expenditures in any fund, without the budget requiring another public hearing. Expenditures in any fund can be reduced, without limitation, as long as resources and requirements in the fund remain in balance. Other than re-balancing if necessary, no additional process steps are required when expenditures are reduced.

After the public hearing and the staff presentation, the governing body must enact the proper resolutions to adopt the budget, make appropriations, and impose and categorize the taxes. The resolution adopting the budget should state the total amount of all the budget requirements, and a schedule of appropriations must be included. This schedule provides the local government with legal spending authority throughout the fiscal year.



Per Oregon Revised Statute (ORS) 294.435(1), local governments that are using ad valorem property taxes to balance their budgets must declare the tax rate by resolution. The resolution should state the rate being certified to the county assessor. Property taxes are imposed for the tax year on the assessed value of all taxable property within the district. The Bend Park & Recreation District's permanent tax rate is \$1.461 per \$1,000 assessed value. The amount approved by the budget committee to be levied for the General Obligation Bond debt service for the upcoming fiscal year is \$1,944,611.

The governing body must also declare through resolution the tax limitation category into which each of the local government's tax is to be placed. This resolution must show the rate of ad valorem tax for the district's permanent rate tax, and the amount for debt service for general obligation bond debt service.

### **BUDGETARY IMPACT**

Adoption of the district's budget for fiscal year 2021-22 allows expenditures within the appropriated organizational units and categories. Also, authorization of the imposition of property taxes funds those appropriations requiring property tax revenues.

The total district budget amount stated in Resolution No. 2021-06 is \$81,233,054. Of that, a total of \$27,469,352 is either in unappropriated ending fund balance, reserves for future expenditures, operating contingency or interfund transfers. Of the remaining appropriated amount of \$53,763,702, \$26,640,296 is for operations, \$2,516,575 is for debt service, and \$24,606,831 is for current and future planned capital projects, land acquisition and vehicle, equipment and technology purchases.

### **STAFF RECOMMENDATION**

Staff recommends that the board adopt Resolution No. 2021-06 adopting the budget and making appropriations for fiscal year 2021-22.

Staff also recommends that the board adopt Resolution No. 2021-07 imposing and categorizing taxes for fiscal year 2021-22 for the district's permanent rate tax and for debt service for general obligation bonds.

### **MOTION**

These are two separate motions that need to be voted on individually:

***Motion #1: I make a motion to adopt Resolution No. 2021-06 Adopting the Budget and Making Appropriations for Fiscal Year 2021-22.***

***Motion #2: I make a motion to adopt Resolution No. 2021-07 Imposing and Categorizing Taxes for Fiscal Year 2021-22.***

### **ATTACHMENT**

1. Resolution No. 2021-06 Adopting the Budget and Making Appropriations
2. Resolution No. 2021-07 Imposing and Categorizing Taxes

**BMPRD RESOLUTION NO. 2021-06**

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF  
DIRECTORS ADOPTING THE BUDGET AND MAKING APPROPRIATIONS**

**ADOPTING THE BUDGET**

BE IT RESOLVED that the Board of Directors of the Bend Metro Park and Recreation District hereby adopts the budget for fiscal year 2021-22 in the total amount of \$81,233,054.

**MAKING APPROPRIATIONS**

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1, 2021 and for the purposes shown below are hereby appropriated:

**General Fund:**

Director's Office and Administrative Services	\$	3,733,330
Strategic Planning and Design		1,495,000
Community Relations		913,030
Park Services		7,470,336
Recreation Services		12,597,388
Interfund Transfers		5,500,000
Debt Service		507,843
Operating Contingency		2,646,168
<b>Total Appropriations</b>	<b>\$</b>	<b>34,863,095</b>
Unappropriated Ending Fund Balance		2,000,000
<b>Total General Fund</b>	<b>\$</b>	<b>36,863,095</b>

**Facility Rental Special Revenue Fund:**

Facility Rental Program		391,212
Capital Outlay		90,000
Operating Contingency		1,142,163
<b>Total Appropriations</b>	<b>\$</b>	<b>1,623,375</b>

**System Development Charges Special Revenue Fund:**

System Development Charges Program		40,000
Capital Outlay		19,687,328
Interfund Transfers		625,000
Operating Contingency		3,466,867
<b>Total Appropriations</b>	<b>\$</b>	<b>23,819,195</b>

**Facility Reserve Fund:**

Capital Outlay		4,536,503
Operating Contingency		2,444,744
<b>Total Appropriations</b>	<b>\$</b>	<b>6,981,247</b>
Reserved for Future Expenditures		8,970,000
<b>Total Facility Reserve Fund</b>	<b>\$</b>	<b>15,951,247</b>

**Equipment Reserve Fund**

Capital Outlay	293,000
<b>Total Appropriations</b>	<b>\$ 293,000</b>
Reserved for Future Expenditures	674,410
<b>Total Equipment Reserve Fund</b>	<b>\$ 967,410</b>

**GO Bond Debt Service Fund:**

Debt Service	2,008,732
<b>Total Appropriations</b>	<b>\$ 2,008,732</b>

**Total Bend Metro Park and Recreation District:**

Total Appropriations, Including Operating Contingency	69,588,644
Total Unappropriated and Reserve Amounts	11,644,410
<b>Total Bend Metro Park and Recreation District Budget</b>	<b>\$ 81,233,054</b>

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 1 day of June 2021.

---

Nathan Hovekamp, Board Chair

Attest:

---

Don P. Horton, Executive Director

**BMPRD RESOLUTION NO. 2021-07**

**A RESOLUTION OF THE BEND METRO PARK AND RECREATION DISTRICT BOARD OF DIRECTORS  
IMPOSING AND CATEGORIZING TAXES**

**IMPOSING THE TAX**

**BE IT RESOLVED** that the Board of Directors of the Bend Metro Park and Recreation District hereby imposes the following ad valorem property taxes for tax year 2021-22 upon the assessed value of all taxable property within the District:

1. At the rate of \$1.461 per \$1,000 of assessed value for permanent rate tax; and
2. In the amount of \$1,944,611 for debt service for general obligation bonds.

**CATEGORIZING THE TAX**

**BE IT RESOLVED** that the taxes imposed are hereby categorized for purposes of Article XI section 11b as:

**General Government Limitation**

Permanent Rate Tax.....\$1.461 / \$1,000

**Excluded from Limitation**

General Obligation Bond Debt Service .....\$1,944,611

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 1<sup>st</sup> day of June 2021.

---

Nathan Hovekamp, Board Chair

Attest:

---

Don P. Horton, Executive Director

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 1, 2021
<b>SUBJECT:</b>	Approve Collective Impact Charter
<b>STAFF RESOURCE:</b>	Nathan Hovekamp and Don Horton
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Adopt Collective Impact Charter
<b>STRATEGIC PLAN:</b>	
<b>Pillar:</b>	Community Relationships
<b>Outcome:</b>	Create stronger and more meaningful relationships with other governmental agencies
<b>Strategy:</b>	Partner when there is a shared mission and broad community benefit

**BACKGROUND**

Collective Impact Bend is a group formed by several local agencies including: the city of Bend, Deschutes Public Library, Bend LaPine Schools and Bend Park and Recreation District. The group has been meeting monthly since last year and is coordinated and managed by COIC staff. The mission of Collective Impact Bend is: "Uniting local government to leverage resources, share ideas, foster understanding among participants, and strategize solutions to support and inclusive, thriving and sustainable community."

Each agency has identified community issues and a list of priorities has been created by the group. Examples of the priorities for Collective Impact Bend are diversity, equity and inclusion initiatives, alternative transportation and access, COVID recovery, childcare and homelessness.

**BUDGETARY IMPACT**

As projects and opportunities arise, all participating agencies will share in agreed upon costs. Total costs have not yet been determined.

**STAFF RECOMMENDATION**

Staff recommends that the board approve this charter.

**MOTION**

*I make a motion to approve the Collective Impact Charter.*

**ATTACHMENT**

Collective Impact Charter



## Collective Impact Bend Charter

---

### The Why

Local public agencies are being asked by the public, with increasing frequency, to address new kinds of issues affecting the community that fall outside any one agency's core services and direct sphere of influence. The alignment of public agencies in a collective impact model will allow for better partnerships on community goal setting, planning, and service delivery to address these emerging issues. By bringing together both elected officials and senior leadership of key public agencies, shared community-wide issues and initiatives can be coordinated and supported by the work of this team.

### The Mission

"Uniting local government to leverage resources, share ideas, foster understanding among participants, and strategize solutions to support an inclusive, thriving and sustainable community."

### The Values

Collective Impact Bend embraces the following values:

- Mutual trust and respect
- Clear and transparent communication
- Inclusivity of those we serve
- Accountability to our community and each other
- Collaborative approach in all we do
- Effective leveraging of resources to enhance synergy among partners
- Achievement of measurable outcomes that benefit the community

### The How

Collective Impact Model: collective impact emphasizes the importance of bringing together a variety of stakeholders to tackle complex issues often so deeply-rooted in communities that no single policy, government entity, organization, or program can independently solve it.

Guided by the 5 Conditions of Collective Impact, Collective Impact Bend agrees to develop the following conditions:

1. All participants have a **common agenda** for change, including a shared understanding of the problem and a joint approach to solving it through agreed upon actions.
2. Collecting data and **measuring results** consistently across all the participants will ensure shared measurement for alignment and accountability.
3. Participants will develop a plan of action that outlines and coordinates **mutually reinforcing activities** for each participant.

4. Participants commit to open and **continuous communication** across the participants to build trust, assure mutual objectives, and create common excitement and motivation.
5. COIC serves as the **backbone organization** with staff to service the initiative and coordinate participating organizations and agencies, and will join as a participant when deemed appropriate by the group. COIC represents the region as a neutral partner, and has a long history of convening, facilitating and supporting agencies to achieve common goals.

#### Meeting Schedule:

Collective Impact Bend will meet on a monthly basis, every fourth Wednesday of the month, unless otherwise determined by the group. There will be occasion where work outside of the committee will replace a monthly meeting, holding in high regard the limited availability of participants.

#### Membership:

The membership of Collective Impact Bend is comprised of the City of Bend, The Deschutes Public Library, Bend Park & Recreation District and Bend La Pine Schools. The participants may invite others at such time that they deem appropriate.

#### Ground Rules and Expectations

- ❖ Decision-making. Collective Impact Bend will make every reasonable effort to make decisions by full consensus.
- ❖ Participation. Collective Impact Bend members will make every effort to regularly attend the meetings. If a meeting is missed, members will review meeting notes to catch up. Members are expected to regularly participate in meeting discussions and decisions. Members are also expected to keep their respective councils/commissions/boards informed of the activities of Collective Impact Bend, and to share this feedback and input with Collective Impact Bend.

---

#### Signatures

Convening Partner, COIC	_____	Date: _____
Convening Partner, COIC	_____	Date: _____
Bend La Pine School District	_____	Date: _____
Bend La Pine School District	_____	Date: _____
Bend Park & Recreation District	_____	Date: _____
Bend Park & Recreation District	_____	Date: _____
City of Bend	_____	Date: _____
City of Bend	_____	Date: _____
Deschutes Library District	_____	Date: _____
Deschutes Library District	_____	Date: _____

**BOARD AGENDA COMMUNICATION**

<b>AGENDA DATE:</b>	June 1, 2021
<b>SUBJECT:</b>	Approve Public Art Donation and Placement Agreement
<b>STAFF RESOURCE:</b>	Don Horton
<b>PREVIOUS BOARD ACTION:</b>	February 2011: Gift Policy Approved
<b>ACTION PROPOSED:</b>	Approve Agreement
<b>STRATEGIC PLAN:</b>	
<b>Pillar:</b>	Community Relationships
<b>Outcome:</b>	Strategic Partnerships
<b>Strategy:</b>	Be viewed as a collaborative organization in the community

**BACKGROUND**

Art in Public Places is a nonprofit corporation that seeks to place works of art in public places for the enjoyment of the Bend community and to enhance the appearance of parks and other public places. Some art pieces have already been donated to the district and there is a desire to provide more space for art on district properties. The art donations exceed the directions in the Gift Policy and it is time to have a formal agreement for art.

The agreement is a four-party agreement that outlines how art is chosen, funded and maintained. The impetus of this change in how art is provided to the district is an IRA rule that limits how the Bend Foundation may provide funding for public art. Paul Taylor, BPRD counsel has drafted an agreement that has been approved by Art in Public Places, the Bend Foundation and Bend Park and Recreation Foundation and will be present to explain the change and role of the district and each of the three non-profits.

**BUDGETARY IMPACT**

After five years, the district will be responsible for the maintenance of each art piece. Each donated piece will have an estimated cost of maintenance provided prior to accepting the piece. Cost of care for each piece is subject to the availability of district funding.

**STAFF RECOMMENDATION**

Staff recommends the approval for the public art donation and placement agreement.

**MOTION**

***I make a motion to approve the public art donation and placement agreement between Bend Park and Recreation District, the Bend Park Foundation, Art in Public Places and Bend Foundation.***



**ATTACHMENT**

Public Art Donation and Placement Agreement

## PUBLIC ART DONATION AND PLACEMENT AGREEMENT

THIS PUBLIC ART DONATION AND PLACEMENT AGREEMENT (this "Agreement") is made and entered into this \_\_\_\_ day of May 2021 by and among ART IN PUBLIC PLACES, INC., an Oregon nonprofit corporation ("AIPP"), THE BEND FOUNDATION, an Oregon business trust ("BF"), BEND PARK AND RECREATION DISTRICT, an Oregon special district (the "District"), and BEND PARK AND RECREATION FOUNDATION, an Oregon nonprofit corporation ("Park Foundation"). AIPP, BF, District, and Park Foundation are sometimes hereinafter referred to individually as a "Party" and collectively as the "Parties."

AIPP is a nonprofit corporation that seeks to place works of art in public places for the enjoyment of the Bend community and to enhance the appearance of parks and other public places.

BF is an Oregon business trust that seeks to better the Bend community by supporting education and social welfare programs, supporting arts and culture, and preserving the environment.

The District is an Oregon special district that provides for the park and recreational needs of the greater Bend area.

The Park Foundation is an Oregon nonprofit corporation that seeks to raise funds to support the District's programs, projects, and facilities.

The Parties desire to cooperate to provide for the acquisition and placement of works of art on land owned or managed by the District. AIPP is willing to lead and manage the process for selecting artists and installing works of art. Park Foundation is willing to contract with the selected artists. BF is willing to raise funds for and donate funds to the Park Foundation to cover the costs of acquisition of works of art. The District is willing to identify and provide locations for the placement of works of art and to coordinate the installation and safety of the placement of works of art.

The parties enter into this agreement to document such agreements.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The Recitals above are incorporated as if set forth fully herein.
2. Park Foundation Status. Park Foundation covenants that it is a nonprofit corporation, qualified under Section 501(c)(3) of the U.S. Internal Revenue Code as a tax-exempt, charitable organization.
3. Conditions Precedent.
  - a. The Parties agree that no party shall have any obligation under Section 4 of this Agreement unless and until the Parties agree upon the following items with respect to a specific piece of art (a "Work"):
    - i. the selected artist and a general description of the Work;
    - ii. the estimated time for completion and placement of the Work;
    - iii. the placement location for the Work;
    - iv. the cost for acquiring the Work and an estimated cost for installation;
    - v. the Party with installation responsibility for the Work; and

- vi. the estimated annual cost, provided by the artist, of the maintenance necessary to preserve the Work for five years and for 20 years following installation.

Collectively, the preceding Paragraphs i.-vi. are sometimes hereinafter referred to as the "Specifics".

- b. Any Party may start a discussion about placing a Work pursuant to this Agreement, but no Party will have any obligation under Section 4 of this Agreement until all four parties have agreed in writing to the Work's Specifics. When the four Parties have all agreed in writing with respect to the Specifics for the Work, then the terms of Section 4 shall govern the production and placement of the Work.
- c. In determining whether or not to agree to the Specifics for a particular Work, the Parties acknowledge and agree that the Park Foundation may withhold such agreement if, under the circumstances and in the Park Foundation's reasonable judgment, the Park Foundation believes that accepting the donation poses an unreasonable risk to its status as a tax-exempt, charitable organization.

- 4. Process. Once the Parties have agreed upon the Specifics for a Work, each of the Parties agrees to its role as follows:

- a. AIPP. AIPP, which has experience working with artists and managing the process of placing works of art in public spaces around Bend, will coordinate the Parties' efforts to complete the process of acquiring the Work and placing it in the selected location. AIPP will assist the Foundation in negotiating a contract with the selected artist.
- b. Park Foundation. The Park Foundation will execute a contract with the artist to acquire the Work, and will provide a copy of the artist contract to the other Parties. The Park Foundation will receive a donation from BF for 105% of the cost to acquire and install the Work. From the donated funds, the Park Foundation will (1) acquire the Work and donate the Work to the District; (2) distribute that portion of the donation amount identified for installation and maintenance costs to the District; and (3) retain the donation amount in excess of the acquisition, installation, and maintenance costs to apply toward the Park Foundation's administrative costs. All artist contracts shall: (i) be subject to the Park Foundation's reasonable approval; and (ii) be cancelable within 30 days of execution if the Park Foundation has not received the donation from BF. The Park Foundation will make all payments when required by the artist contract. The Parties acknowledge and agree that the Park Foundation shall have no obligation to provide, or conduct fundraising activities to provide, funding for ongoing maintenance of any Works (whether donated pursuant to this Agreement, or otherwise).
- c. BF. BF will make a donation to the Park Foundation in the amount of 105% of the cost of the Work, including the costs to install the Work and maintain the Work for five years following installation. Within 20 days of execution of the artist contract, BF will make a donation to the Park Foundation in an amount equal to 105% of the artist contract

amount. The remainder of the donation shall be paid upon completion of the Work by the artist (prior to installation).

- d. District. District will coordinate the actual placement of the Work with the artist and AIPP, arrange all necessary preparation work including permits, and carry insurance as reasonably necessary in connection with the installation. Such insurance shall name all other Parties as additional insureds. District agrees to maintain and preserve the selected Work, in the location selected pursuant to this Agreement, in good condition and repair, for five years following installation of the Work. Beyond that initial five-year period, District agrees to use reasonable efforts to maintain and preserve the Work through the end of its useful life or the Work's removal, subject to the availability of funding and other District obligations. The Parties agree that the District has the sole discretion to determine the continuing appropriateness and placement of any Work and may remove a Work at any time, with no obligation to replace the Work.
  - e. Cooperation. The Parties shall cooperate as reasonably necessary to complete the process of acquiring and placing Works in accordance with this Section 4.
5. Regular Communication. At any time, upon the agreement of the other Parties, AIPP may elect to conduct a public input process, seeking comments from the public about potential artists and works of art for specific locations identified by the District. Such input may include, without limitation, public workshops or polling on potential works of art. Any Party may seek to initiate the public input process or to start a discussion among the Parties about the possibility of acquiring a new work of art for placement on a District-owned or District-managed property. Upon the request of a Party, the other Parties shall meet and discuss any proposals. Notwithstanding the foregoing terms of this Section 5, no Party shall have any obligation to agree to the Specifics for any Work, and no Party will have any obligations pursuant to Section 4 unless and until all parties have agreed upon the Specifics for such Work.
6. Term of Agreement. The term of this Agreement shall commence upon full execution and shall expire, unless sooner terminated, on December 31, 2025. Notwithstanding the foregoing, unless sooner terminated, this Agreement shall automatically renew for subsequent five (5) year periods. Any Party shall have the right to terminate this Agreement upon providing written notice of such termination to the other Parties; provided, however, if, at the time a Party has given a termination notice, the Parties have agreed upon the Specifics with respect to a Work, but all the Parties have not yet satisfied their Section 4 obligations with respect to such Work, then the termination will not be effective until all such obligations have been satisfied.
7. Assignment. No Party may assign its rights and obligations under this Agreement to another individual or entity without the prior, written consent of all Parties, which consent may be granted or withheld in a Party's sole discretion. The foregoing shall include involuntary assignments and assignments by operation of law. Subject to the foregoing, this Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto, their successors, and permitted assigns.
8. Cooperation. The Parties shall cooperate with each other as any Party may reasonably request to carry out the purposes of this Agreement.

9. Governing Law. This Agreement is entered into, and shall be interpreted and enforced, under Oregon law.
10. Counterparts. This Agreement may be executed in counterparts, each of which shall be considered a part of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

**"AIPP"**

**ART IN PUBLIC PLACES**, an Oregon non-profit corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

**"BF"**

**THE BEND FOUNDATION**, an Oregon business trust

By: \_\_\_\_\_

Its: \_\_\_\_\_

**"DISTRICT"**

**BEND PARK AND RECREATION DISTRICT**, an Oregon special district

By: \_\_\_\_\_

Its: \_\_\_\_\_

**"PARK FOUNDATION"**

**BEND PARK AND RECREATION FOUNDATION**, an Oregon nonprofit corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_



## PLANNING & DEVELOPMENT PROJECT UPDATES June 2021

---

### COMMUNITY AND REGIONAL PARK PROJECTS

---



**Drake Park DRT & Bank Improvement Project:** Staff is still working with the last three landowners (PP&L, Deschutes Opportunity Development LLC, and Mirror Pond Solutions) to obtain the required right of way easements needed to construct the trail. The USACE issued the joint permit in early February. The Division of State Land 30-day comment period ended on May 19<sup>th</sup>, and the project team is responding to the comments received. The Land and Water Conservation grant the district received from State Parks last spring is still being reviewed by the National Parks Service for approval.



**Alpenglow Community Park:** Park construction began this winter and will continue through 2021, with project completion expected in the spring of 2022. The work currently underway is site grading, pathways and structure footings. The COID bridge was set in early January and retaining walls are installed, and pathway construction is underway. Staff will continue to coordinate with adjacent property owners and neighbors during construction, keeping them updated on the progress of the park.



**JSFC Pool Tank Renovation:** The new pool decks have been poured and work has begun on the mechanical pool equipment. Personal protection equipment is required to enter the space. There has been a delay in receiving the Myrtha pool system from Italy, due to the large shipping issues at US ports. The pool package is expected to arrive onsite on May 29<sup>th</sup>.



**Big Sky Park Expansion:** The proposed 21/22 CIP includes funding for the infrastructure portion of the project only, with the bike park portion of the project to follow within a few years. It is anticipated that the infrastructure portion of the project will go out for bid fall 2021 with construction to follow.

---

## NEIGHBORHOOD PARK PROJECTS

---



**Goodrich Pasture Park:** Work is nearly complete for this project. Sign offs on the permits are expected soon, and the playground is in with landscape nearly complete. Site furnishings and signs are being installed. Final acceptance of the landscape and turf is expected in spring of 2021 with the park opening at that time.



**Northpointe Park:** Permit review is in progress. The project will be going put out for bid on June 3<sup>rd</sup>, with an anticipated Board approval date on July 20<sup>th</sup>. Construction of the park will follow contract award and is expected to last through the coming winter with park opening late spring 2022.



**Shevlin West Park Land:** Construction of the Shevlin West subdivision is underway as the developer is required to dedicate 3.5 acres of park land for a neighborhood park. The developer is constructing the required roads and sidewalks adjacent to the park. The Board approved the PSA in February.



**Hollygrape Park ADA Improvements:** Projects documents are completed for this project. This project will be going out to bid this summer for construction.

---

## TRAIL PROJECTS

---



**Haul Road Trail:** The low bid on the project came in approximately \$160,000 under the engineer's estimate. The contract was awarded to Seabee Construction May 14. The notice to proceed for construction is anticipated to be issued mid-June.



**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. BPRD recently obtained the necessary permits the City and intends to install the upgrades at the Blakely Road and Brosterhous Road crossings late summer of 2021. Upgrades to the remaining crossings will occur in subsequent years as additional sections of the trail are improved near those locations. BPRD was recently awarded a grant of \$64,218 from the Deschutes County MPO to fund construction of the Blakely, Brosterhous and Ferguson crossings.



**Canal Row Park Trail Connection:** BPRD is working on a new 520-foot trail project that will fill a gap between an existing multi-use trail adjacent to Butler Market Road and Canal Row Park. The trail will greatly enhance connectivity from the surrounding neighborhoods by creating a trail through a heavily trafficked section of Butler Market that currently has no sidewalks. BPRD recently completed final designs and was granted all necessary permits. This project went out for bid on May 27<sup>th</sup> with a bid opening date of June 24<sup>th</sup>.



**Outback Trail (formerly the Discovery West Trail):**

BPRD has opened a new section of the Outback Trail that connects the Shevlin Park to Discovery Park. The Outback Trail passes through 30 acres of undeveloped land west of Discovery Park that will soon be transferred to BPRD and protected as open space. The land is currently controlled by the Brooks Resources Corporation, a private development company that is developing Discovery West, a large residential and commercial development that will surround the trail and protected open space. The trail currently has a gravel surface which will be replaced by a permanent asphalt trail as future phases of Discovery West are developed. The trail is located on a trail easement but passes through private property which is an active construction zone.



**Southeast Area Plan and Development Code:** BPRD staff have been coordinating with the city on the southeast area plan and code development related to parks and trails for the Southeast Area Plan. The south east area is located between 15<sup>th</sup> Street and 27<sup>th</sup> Street south of Ferguson Road. The development code will require the development of an extensive system of multi-use trails which includes the High Desert Trail, a BPRD trail that will connect Alpenglow Park to High Desert Park, and will clearly stipulate that BPRD is granted easements for the sections of trail the district intends to operate. This new code can be used as a model for future area plans and to modify existing city code related to trail development which is being reviewed as part of the new trail maintenance agreement. City council adopted the Southeast Area Plan in April, and it takes effect starting May 21, 2021. The ordinance and reports may be found here: <https://www.bendoregon.gov/government/departments/growth-management/land-use-planning/southeast-area-plan>



**Trail Maintenance Intergovernmental Agreement:** BPRD staff has been working with the City of Bend to draft a new agreement that will clarify trail maintenance responsibilities and improve coordination with city on trail construction that occurs through private land development. BPRD continues to update the trail map database which has been shared with the city and contains improved information regarding trail alignments, underlying easements/ownership, and current maintenance responsibilities. A draft of the agreement is complete and has been reviewed by the city's legal department and BPRD's legal team. Staff are making final changes to the agreement based on the legal review. Additionally, BPRD staff is working with City staff on a set of revisions to the Bend Development Code to support the agreement. We anticipate that Bend's City Council will approve the recommended code changes and the agreement mid-2021.



---

## RIVER PROJECTS

---



**Riverbend South Access and Restoration Project:** With full funding for construction secured, staff and UDWC have begun to coordinate on what will likely be a long permitting process, with the goal of breaking ground on this project in the fall of 2022.



**Deschutes River Access and Habitat Restoration Plan:** With public input on the draft project list completed in March, staff are now estimating costs and writing the draft plan. The board and community will have an opportunity to review the draft plan this summer, and the final plan is expected to be ready for board approval in the fall.

---

## OTHER PROJECTS AND FUTURE DEVELOPMENT

---



**Petrosa Master Plan Development:** BPRD and Pahlisch Homes are coordinating on a park and trails in the UGB northeast edge expansion area. The master plan includes a 5-acre neighborhood park, and a section of the NUID Canal Trail, which will both be managed by the district and called for in the district's master plan (park search area #4). Other trails and open spaces will be managed by an HOA. Now that the board has approved the developer agreement and park master plan, staff are coordinating with Pahlisch Homes on the design and construction of the park and trails, and conveyance of ownership to BPRD. Petrosa encompasses 177 acres, and will include 120 townhomes, 442 apartments and 532 single-family detached units.



**Murphy Road Development:** BPRD and JL Ward Co. are coordinating on provision of a district park and natural area in this development in southeast Bend. The 102-acre development extends both north and south of Murphy Road and east of Country Club Drive. The proposal includes a 2.5-acre neighborhood park adjacent to an 11-acre natural area with almost a mile of natural surface trail. The development is zoned standard density residential and is expected to include 399 single-family homes and 49 townhomes.



**Easton Master Plan Development:** BPRD and Pahlisch Homes are coordinating on provision of a park and trails in southeast Bend. The district's comprehensive plan calls for a park (search area #28) and a portion of the future High Desert Trail in this area. The Easton development is east of 15<sup>th</sup> Street and the future Caldera High School. The property is 75 acres and zoned standard density residential. The development will include approximately 428 single family homes and 127 townhomes, a 2.75-acre park, a recreation center and additional trails within the development.

---

currently in



**SDC Waivers for Affordable Housing:** Park SDC waivers for 388 units have been approved through coordination with the City of Bend’s Affordable Housing Committee. Following the board approval of an additional 150 waivers, a remaining 162 waivers are available through the end of 2022. Staff and legal counsel have completed the necessary deed restriction documents for five of the developments, totaling 316 units. In addition, BPRD has approved SDC waivers for two temporary shelter projects, totaling 25 units.

---

currently in



**Diversity, Equity and Inclusion (DEI) Initiative:** An all-staff DEI survey was recently completed by 238 staff and board members, and results will be shared in the coming weeks. A community survey is expected this summer. Talitha is working toward development of an organizational assessment and district DEI action plan, expected to be completed in the fall.

## **Board Calendar 2021**

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

### **June 15**

#### **Work Session**

- ◆ Deschutes County Historical Society – *Kelly Cannon-Miller and Julie Brown (20 min)*
- ◆ Recreation Update – *Matt Mercer (20 min)*
- ◆ In-person Board Meetings

#### **Business Session**

### **July 6**

#### **Work Session**

- ◆ DEI update – *Sarah and Natalie (20 min) TENTATIVE*

#### **Business Session**

- ◆ Elect Board Chair and Vice-Chair
- ◆ Approve Board meeting dates and time
- ◆ Appoint Board Secretary
- ◆ Appoint Legislative Liaison
- ◆ Approve Executive Director's Review – *The Board (15 min)*
- ◆ Park Naming Policy – *Rachel Colton (20 min) Tentative*

### **July 20**

#### **Work Session**

#### **Business Session**

### **August 3**

#### **Work Session**

- ◆ Trails Action Plan – *Henry Stroud (60 min) TENTATIVE*
- ◆ Strategic Plan Update – *Rachel Colton and Michelle Healy (30 min)*
- ◆ Park Services Report: Stewardship – *Jeff Hagler (20 min) Tentative*

#### **Business Session**

- ◆ Trails IGA with City – *Henry Stroud (30 min) TENTATIVE*
- ◆ Award Construction Contract – *Northpointe Park Jason Powell (15 min)*
- ◆ Award Construction Contract – *Hollygrape Park ADA Jason Powell (15 Min)*

### **August 17**

#### **Work Session**

#### **Business Session**

### **September 7**

#### **Work Session**

#### **Business Session**

## **September 21 (NRPA)**

### **Work Session**

### **Business Session**

Strategic Plan Update – *Rachel Colton*

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

Recreation Programming Plan – *Matt Mercer and Michael Egging*

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

Refund Policy – *Matt Mercer*

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

Approve Credit Card Processor Contract – *Justin/Jut/Betsy*

Update on Bi-lingual Communications – *Julie Brown and Kathya Avila Choquez (20 min)*

Contract Award for Hollygrape ADA – *Jason Powell (10 minutes)*

Park Naming Policy