



Bend Metro Park & Recreation District

February 21, 2023

Board of Directors

Agenda and Reports

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 | (541) 389-7275

BUSINESS SESSION

1. Approve City of Bend Riverfront IGA – *Henry Stroud and Brad Tower (30 min)*

EXECUTIVE DIRECTOR’S REPORT

PROJECT REPORT

BOARD MEETINGS CALENDAR REVIEW

GOOD OF THE ORDER

ADJOURN

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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 or 541-706-6151. Providing at least 2 business days’ notice prior to the meeting will help ensure availability.

BOARD AGENDA COMMUNICATION

AGENDA DATE:	February 21, 2023
SUBJECT:	Community Perception Survey
STAFF RESOURCE:	Rachel Colton, Park Planner Michelle Healy, Deputy Executive Director
GUEST PRESENTERS:	Michelle Neiss, DHM Research
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	None
STRATEGIC PLAN:	
Pillar:	Community Relationships
Outcome:	A community better informed about the district
Strategy:	Foster community trust in BPRD to use resources to best benefit the community.

BACKGROUND

The district conducts a community survey about every three years to gauge community perception and awareness of the district, and to measure general satisfaction with programs and services. The results of these surveys provide the district with important insight into public sentiment, and are used to help set priorities and inform decision-making on a variety of issues. In addition, the survey results are tracked over time, allowing the district to compare and measure progress on certain issues.

Prior surveys were conducted in 2007, 2010, 2013, 2016 and 2019. DHM Research conducted the most recent survey in October 2022. The 2022 survey results are benchmarked against the results from 2019 to help illustrate how community sentiment is evolving over time. DHM Research will be at the board meeting to present the 2022 survey results and discuss their findings.

BUDGETARY IMPACT

None

STAFF RECOMMENDATION

None – for board review and discussion only.

MOTION

None

ATTACHMENT

Attachment A: 2022 Perception Survey Report
Attachment B: 2022 Open Link Survey Report

Bend Park and Recreation District Community Perceptions Survey Report

January 19, 2023



Research purpose

- Track awareness and perceptions of Bend Park and Recreation District.
- Determine priorities of Bend-area residents as they relate to parks and recreation services.

Methodology— General Population (GP) Statistically Valid Survey

- Hybrid survey (telephone and text-to-online) of 400 residents in Bend Park and Recreation District.
- Conducted October 22–26, 2022; 15 minutes to complete.
- Weights and quotas set by age, gender, area, income, race and ethnicity, homeownership, and households with or without children.
- Margin of error $\pm 4.9\%$.
- Due to rounding, some totals may differ by ± 1 from the sum of separate responses.

Methodology— Open Link Survey

- 510 Bend Parks and Rec District residents completed the survey either online via Survey Monkey or in-person at outreach events.
- The survey was available in Spanish (n=51) and English (n=459) to allow multi-lingual participation.
- Conducted October 28–November 18, 2022; 6 minutes to complete.
- Weighting was not employed which is standard for open link surveys.
- Responses from open link surveys are often more positive than in probability-based surveys.
- Due to rounding, some totals may differ by ± 1 from the sum of separate responses.

Key takeaways: general mood and sentiment

- Bend residents enjoy a good quality of life, although views have become less positive over the last few years. Eighty-one percent rate the overall quality of life in Bend as good or very good, compared to 98% in 2019.
- Views about government performance are at a historic low, which is true across the state in many communities: 48% believe that their local government is performing well compared to 80% in 2019.
- Nearly all open link respondents (94%) say that the quality of life is good, and a majority say that the local government performs well (62%).

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Key takeaways: general mood and sentiment

- Bend residents see parks, trails, and recreation services as a good value for the tax dollars being spent and rank the value above other services.
- Residents in NW Bend, people who have lived in Central Oregon for less than a decade, higher-income individuals, and BPRD service users are more likely to see parks and recreation services as a good value.

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Key takeaways: awareness and satisfaction

- Residents are somewhat (52%) or very (35%) familiar with BPRD. This level of familiarity is similar across all demographic groups and has remained consistent since 2013.
- Forty percent of residents identify BPRD as a separate agency from the city.
- Open link respondents are more familiar with BPRD and more accurately identify them as a separate agency from the City.

Key takeaways: awareness and satisfaction

- Eighty-one percent of residents have visited a park or trail in the past year and 53% have visited a recreational facility or participated in a recreational program.
- Most residents are somewhat (42%) or very (42%) satisfied with BPRD.
- More open link respondents have visited a park and participated in a recreation program in the past year. They are also more satisfied with BPRD services.

Key takeaways: awareness and satisfaction

- Seventy percent of residents say that BPRD is heading in the right direction. This number has decreased since 2019 when 83% said BPRD was heading in the right direction.
- Eighty-two percent of open link respondents say that BPRD is heading in the right direction.
- BPRD users and residents with positive attitudes towards government are more likely to say things are going in the right direction.

Key takeaways: values and satisfaction

- Bend residents highly value having parks and outdoor recreation activities in Bend. They believe that it positively contributes to their quality of life and the local economy.
- Residents believe that parks and recreation facilities are generally safe and welcoming. Familiarity, usage and satisfaction also correspond to feeling safe and welcome.
- Almost all respondents in the open link survey say that parks and trails feel safe and welcoming.

Key takeaways: satisfaction with services

- At least seven in 10 are satisfied with BPRD services with about four in ten saying they are very satisfied. Key features such as maintenance, quality and inclusiveness of programs, and environmental stewardship are viewed very positively.
- There is opportunity to share more about BPRD's efforts to provide commuting options and partner with others in the community—one in five residents are unsure about BPRD's activities in these areas.
- Although service ratings have declined since 2019, they remain quite positive. Open link respondents remain comparatively more positive.

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Key takeaways: policy and use

- Most Bend residents say that BPRD is trustworthy (67%) and uses taxpayer money wisely (60%).
- Forty-nine percent say that BPRD is transparent with the public and are as likely to say they do not know (26%) as to disagree (24%).
- Most residents believe that the number of parks and trails provided by BPRD is just right (66%).
- Most residents say that the amount of taxes they pay for BPRD services is just right (54%), although 31% say they pay too much.

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Key takeaways: policy and use

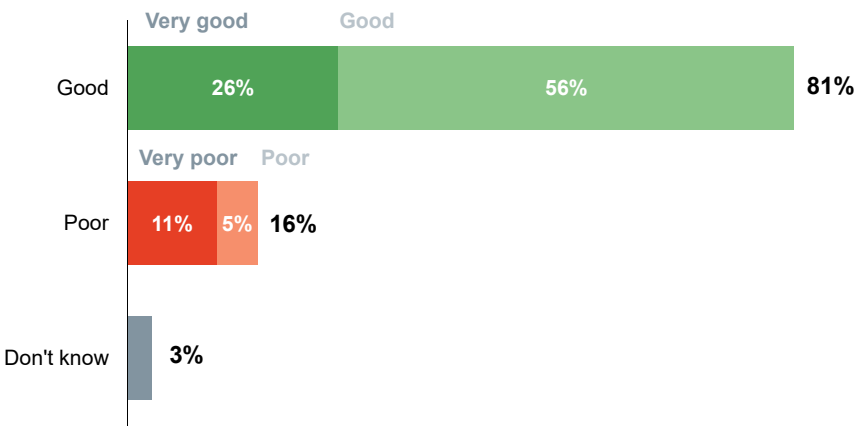
- Bend residents are fairly split on whether to waive the park development fee on new affordable housing projects that funds park and recreation services.
- There is strong support (71%) for offering free or reduced-priced recreation options for low-income residents.
- There is strong opposition (73%) to allowing houseless residents to camp in selected parks.

Key takeaways: policy and use

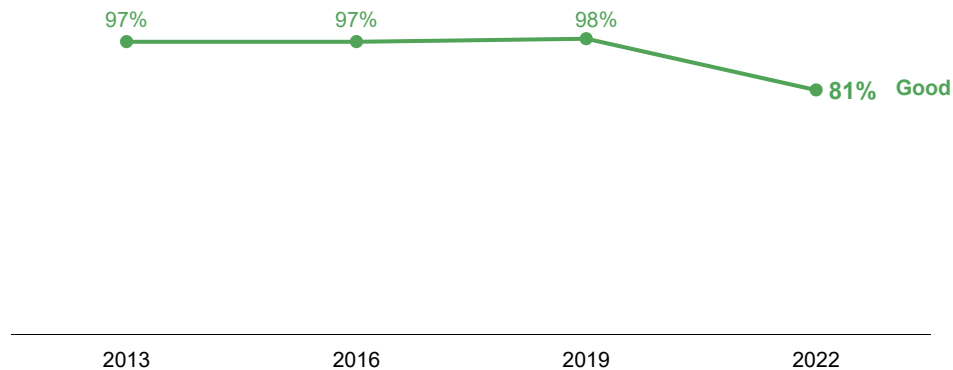
- Open link respondents are more likely to say that there aren't enough parks compared to the general population and less likely to say that they overpay for these services.
- Open link respondents' opinions about how BPRD can support low-income community residents and improve affordability in the community is similar to what was seen in the general population: support for offering free or reduced options is higher than support for waiving fees on new housing developments or allowing camping in selected parks.

General mood and sentiment

Most residents are positive about the quality of life in Bend.



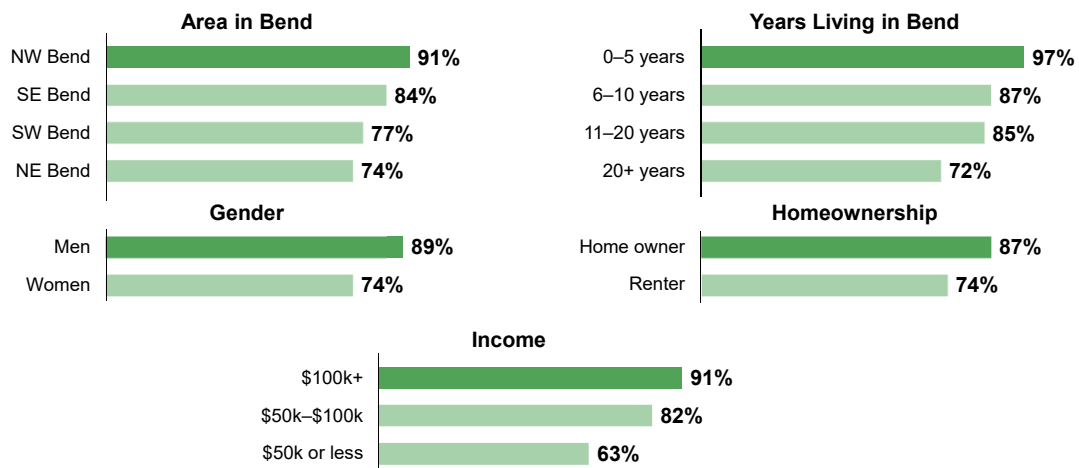
Positivity about quality of life has decreased since 2019.



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Residents in NW Bend, newer residents, men, homeowners, and higher-income residents are more positive about the quality of life in Bend.

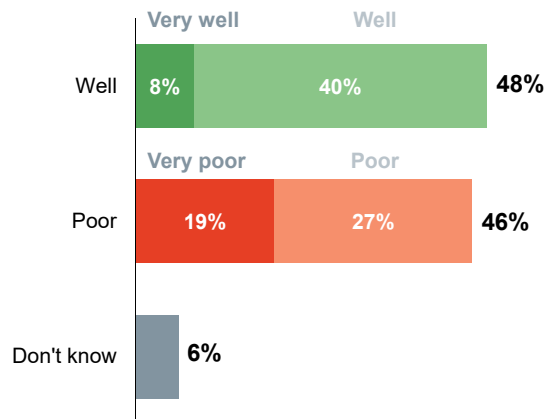


**Showing total good/very good

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Residents have mixed feelings about how well local government is serving the community. About half believe that government is performing well.

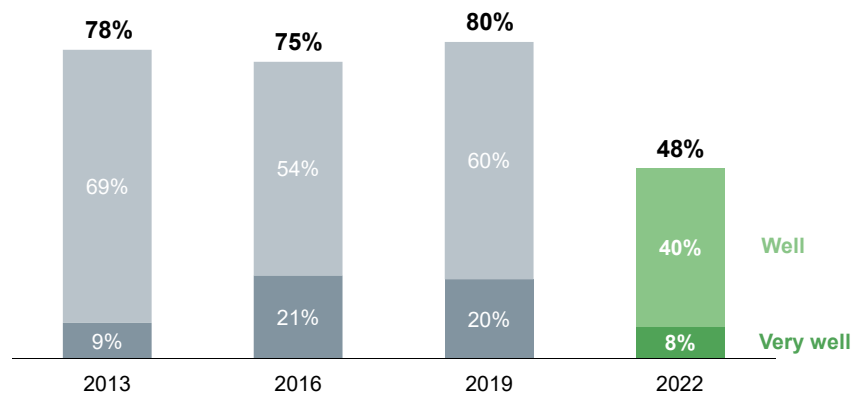


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Residents' confidence in their local government's ability to serve the community well has decreased over time.

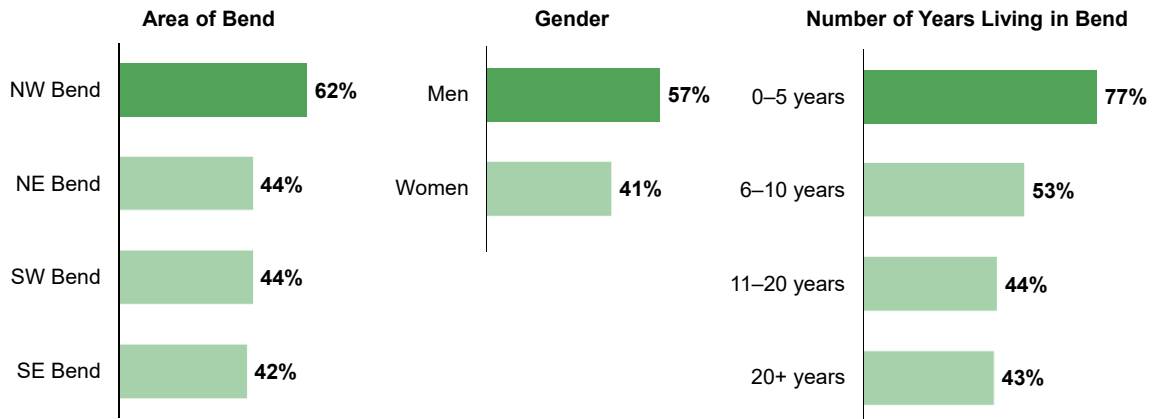
How well do you feel your local government is serving the community?



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Residents living in NW Bend, men, and newer residents are more positive about their local government.

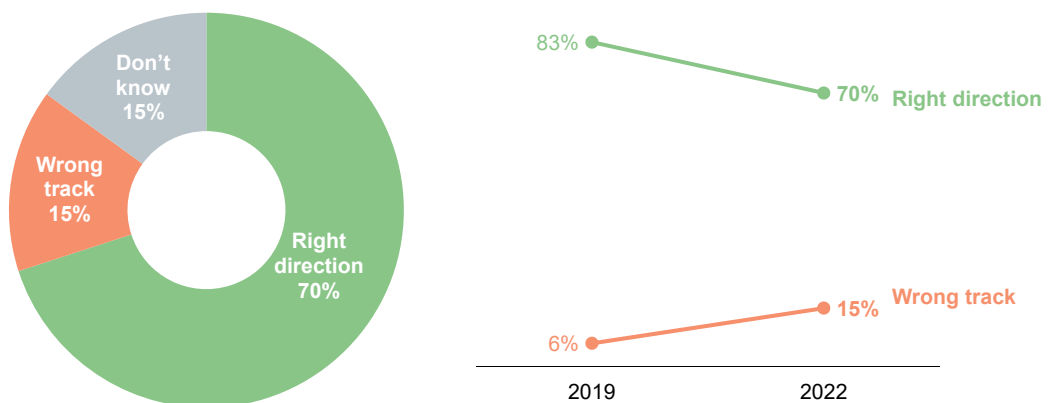


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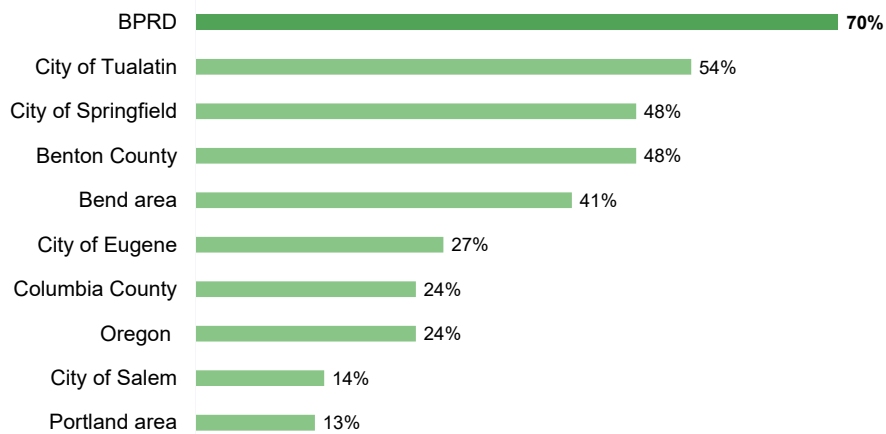
More than two in three residents say that BPRD is going in the right direction. Positive attitudes about the direction of the district have declined since 2019.



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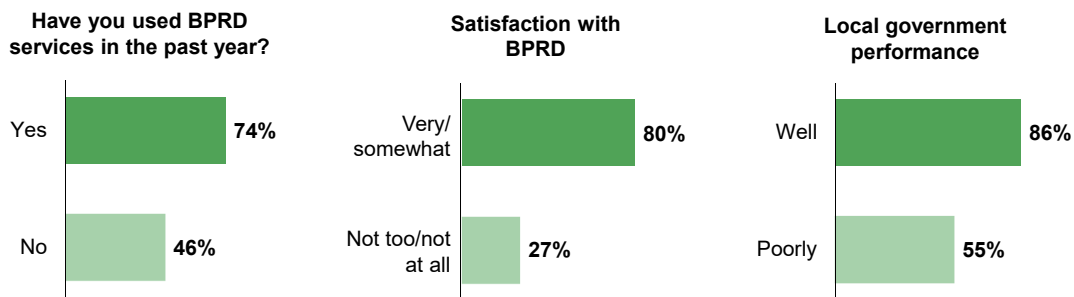
Although it is not a direct comparison, attitudes toward the district's direction are more positive than attitudes toward local city governments in many Oregon communities.



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BPRD service users and those who are satisfied with their services are more likely to say that BPRD is going in the right direction.

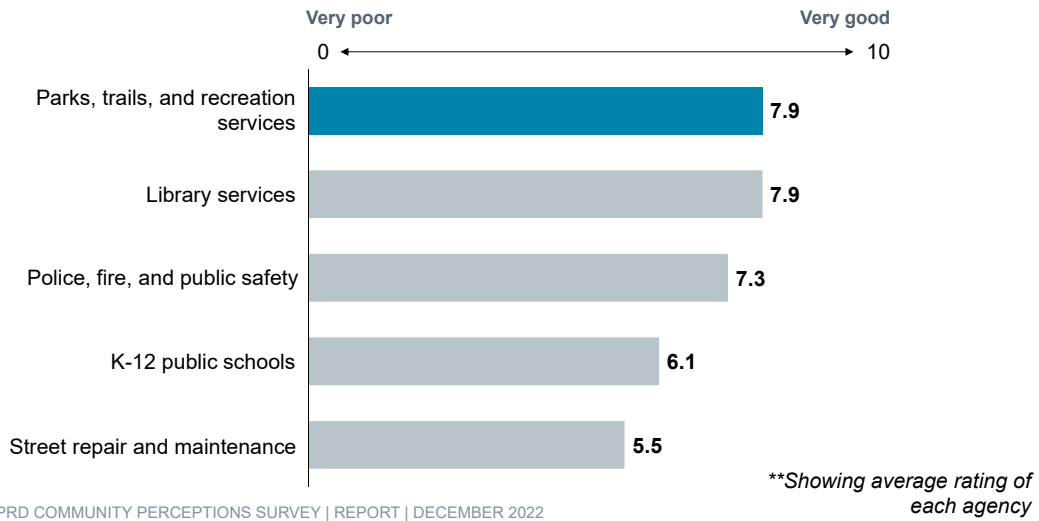


****Showing right direction**

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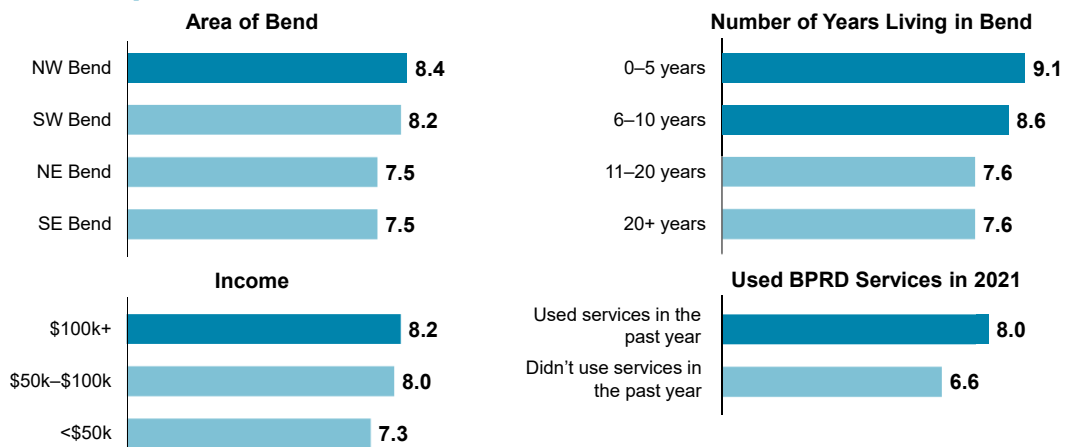
Residents rate parks, trails, and recreation services as a good value for the amount of tax dollars spent.



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Several demographic groups are more likely to say that parks, trails, and recreation services provide good value for tax dollars spent.



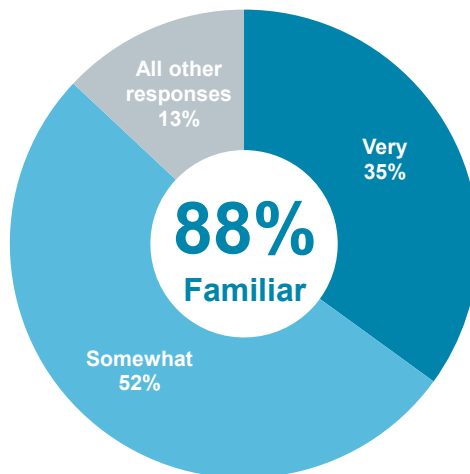
****Showing average rating of each agency**

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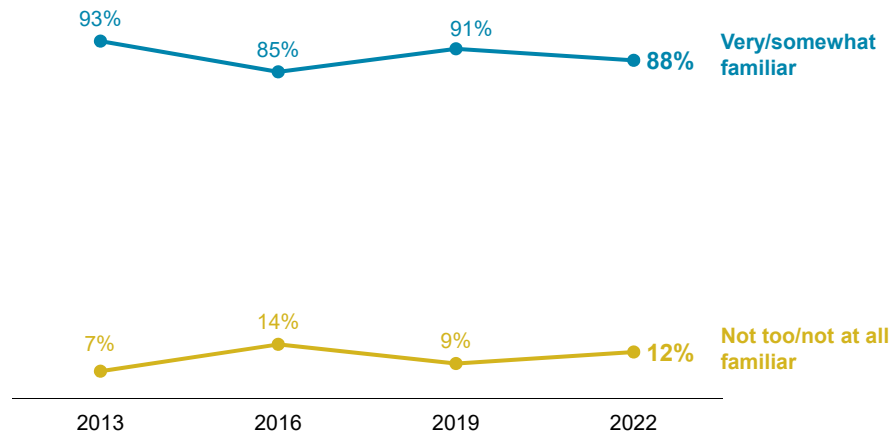
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Awareness and satisfaction

Most residents are familiar with BPRD, although roughly half are somewhat familiar.



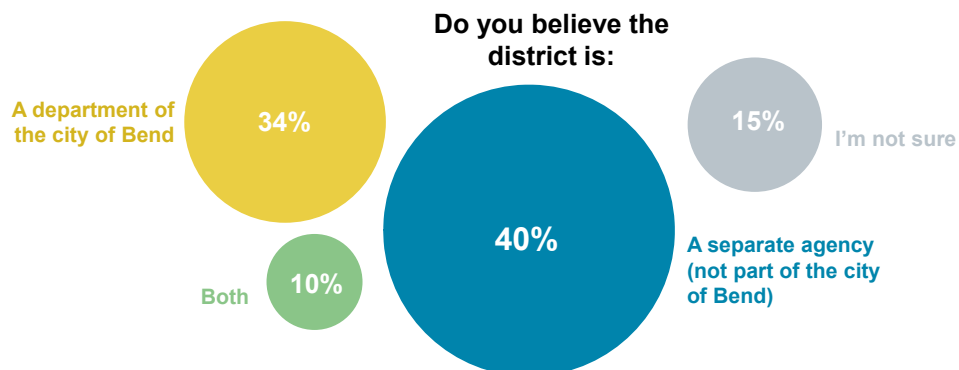
Familiarity has remained consistent over time.



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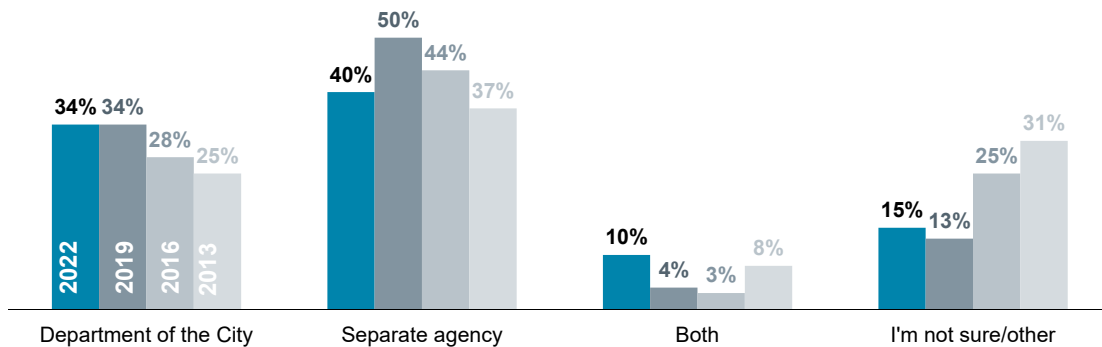
About four in 10 correctly identify Bend Park and Recreation as an agency separate from the city.



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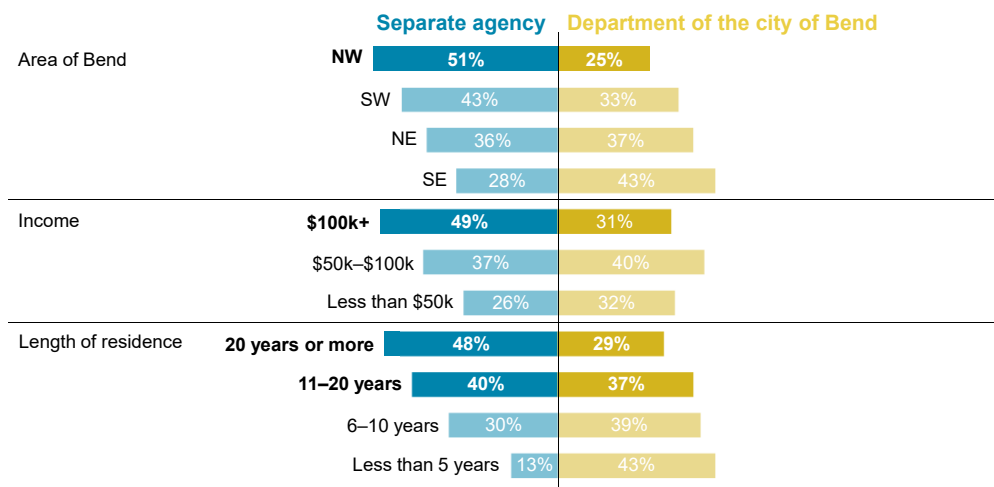
Compared to 2019, fewer this year indicated that BPRD is a separate agency.



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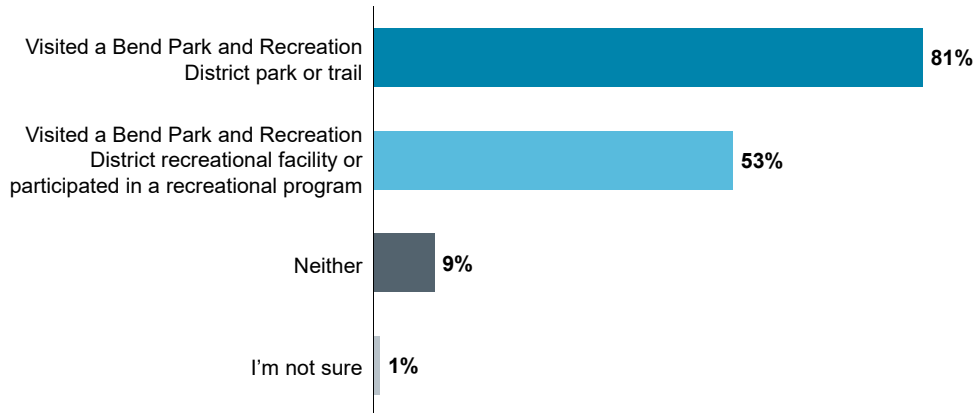
Residents in NW Bend, higher-income, and long-term residents are more likely to identify BPRD as an agency separate from the City of Bend.



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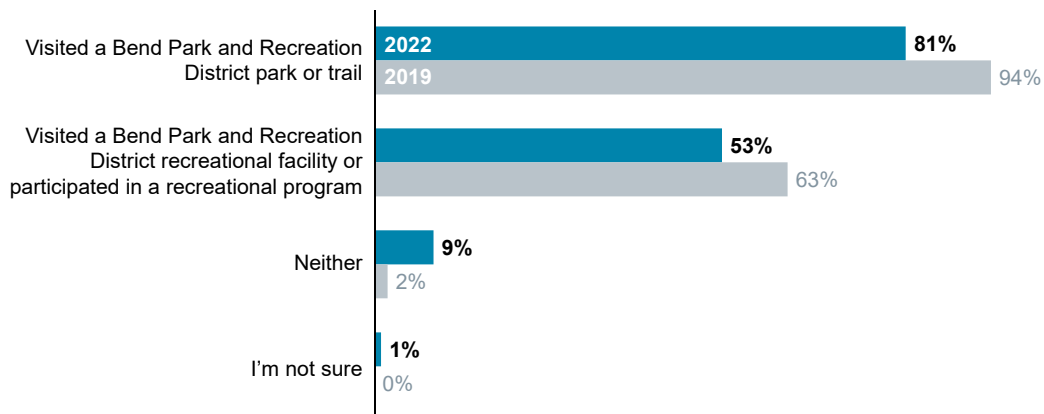
Eight in ten residents say someone in their household has visited a park or trail in the past year. Five in ten say that someone in their household has visited a recreational facility or participated in a recreational program.



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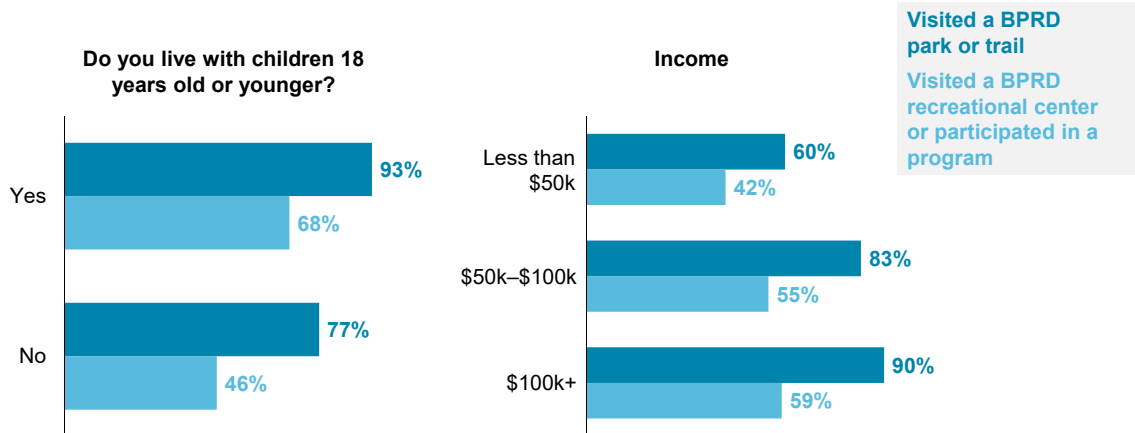
Fewer residents used parks and recreation facilities and programs in 2021 compared to 2019.



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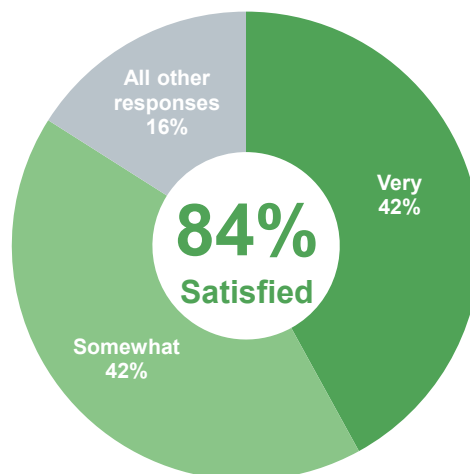
Residents living with children and higher-income residents are more likely to have used park and recreational services or programs.



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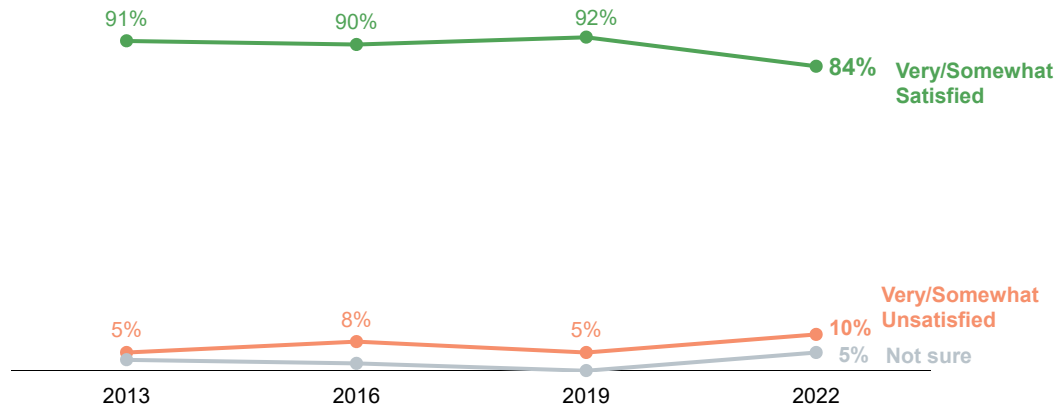
More than eight in ten residents say they are satisfied with Bend Park and Recreation Services.



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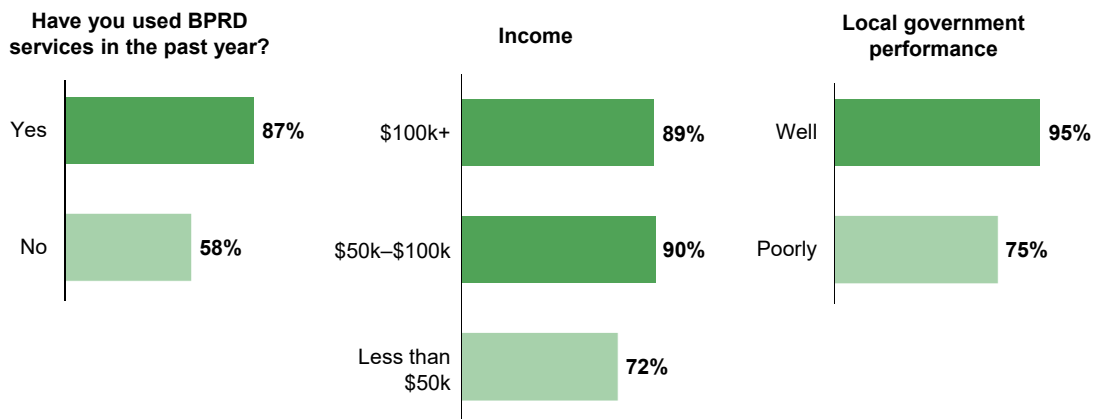
Satisfaction has declined since 2019, although most remain satisfied.



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BPRD service users, higher-income residents, and those with positive impressions of local government are more likely to be satisfied with BPRD services.



**Showing total somewhat/very satisfied

38

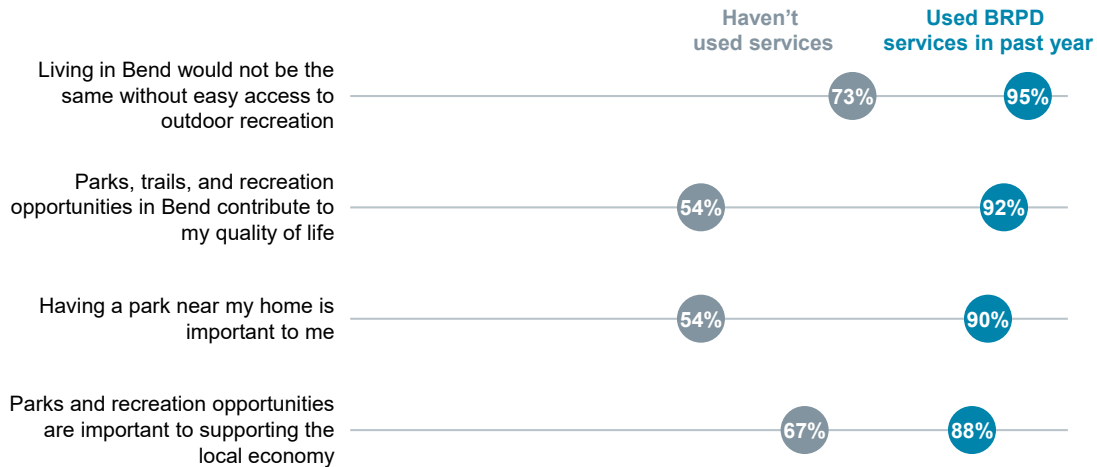
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Values and satisfaction

Overall, large majorities agree that parks and outdoor recreation have positive impacts on the quality of life in Bend.



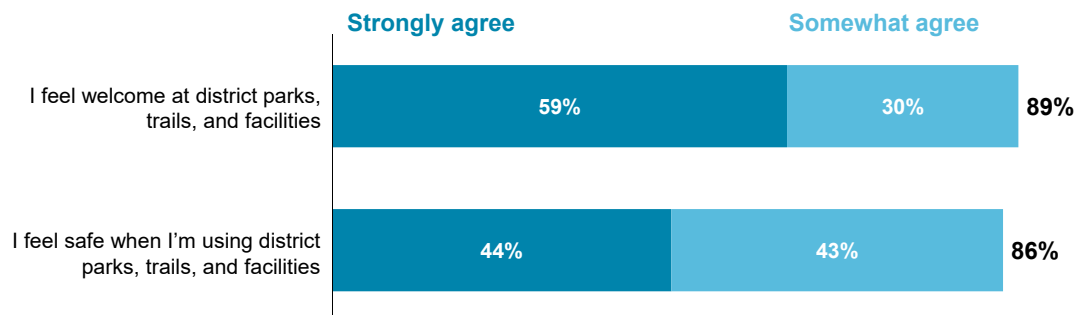
Residents who have used BPRD services in the past are more likely to agree with these statements.



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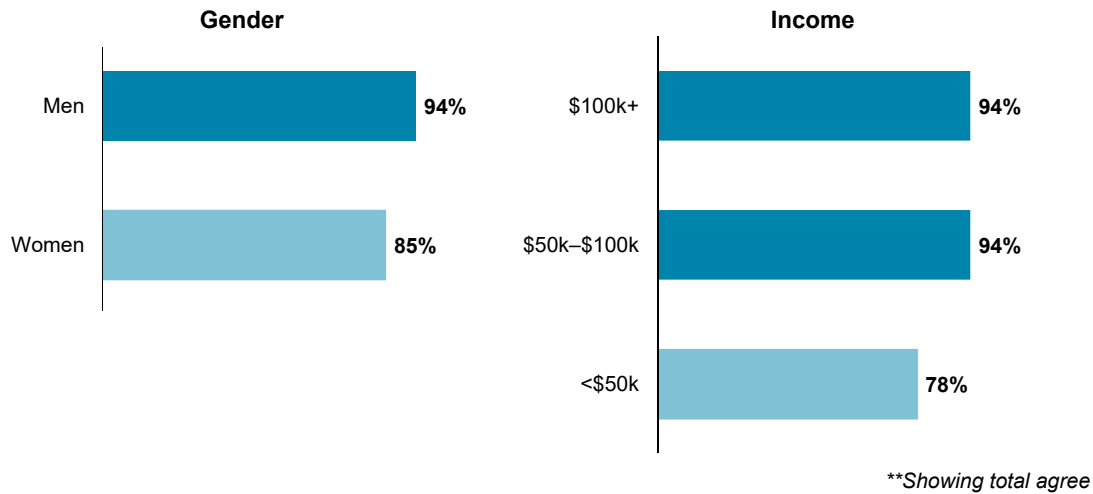
A vast majority of residents agree that they feel welcome and safe at parks, trails, and facilities.



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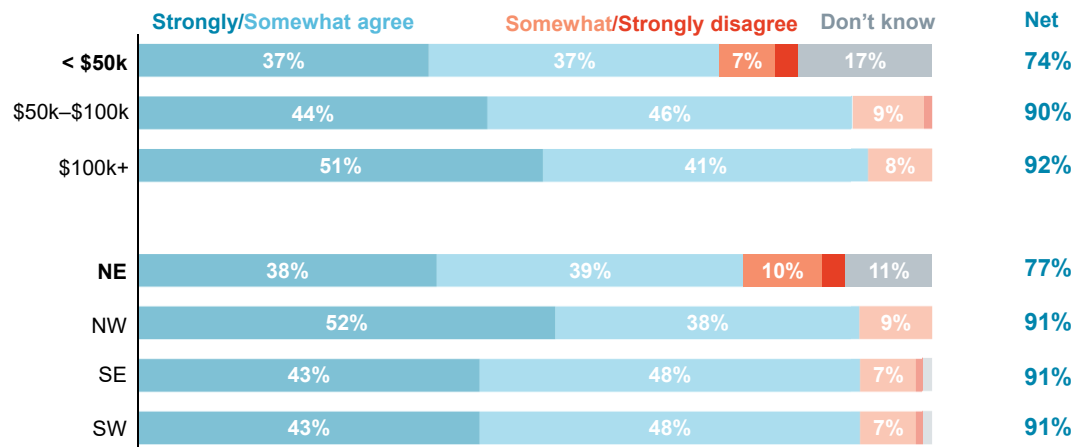
Men and higher-income residents are more likely to say that they feel welcome at district parks, trails, and facilities.



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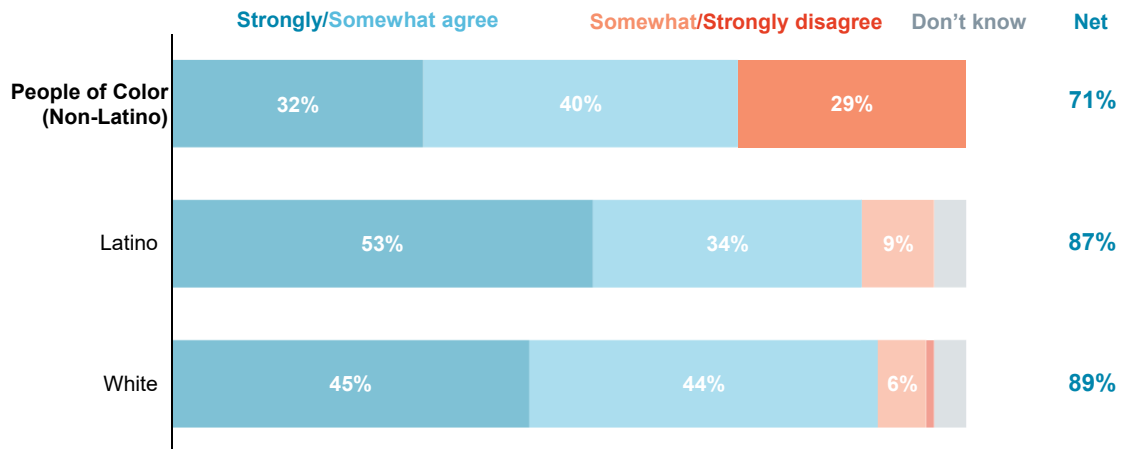
Fewer low-income and NE residents agree they feel safe when using district parks, trails, and facilities. This is driven more by feelings of uncertainty rather than disagreement.



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More Non-Latino People of Color disagree that they feel safe when using district parks, trails, and facilities.

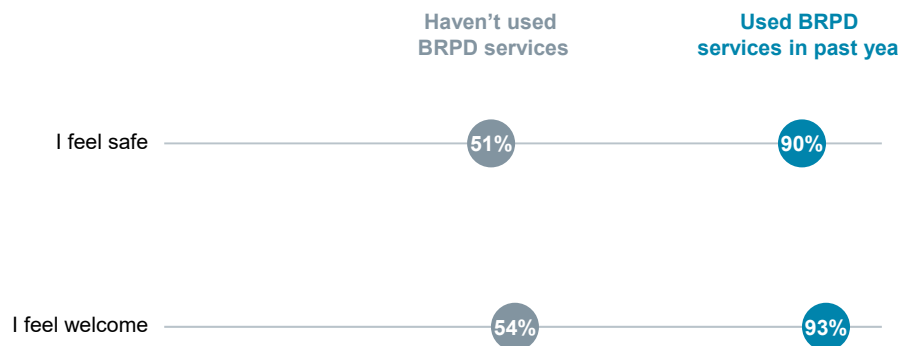


**Small sample sizes; interpret with caution.*

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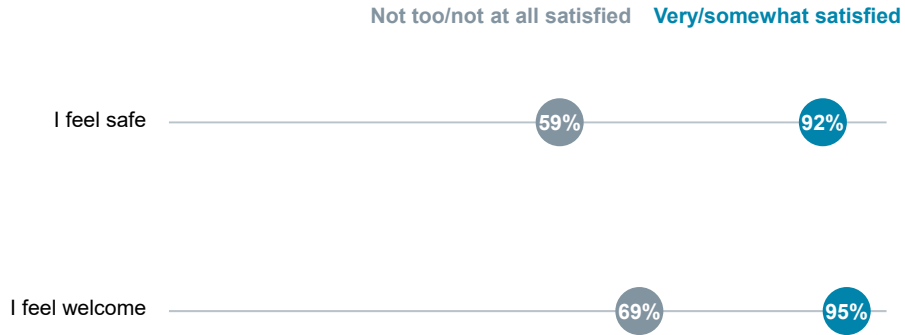
Residents who have used BPRD services are more likely to feel safe and welcome.



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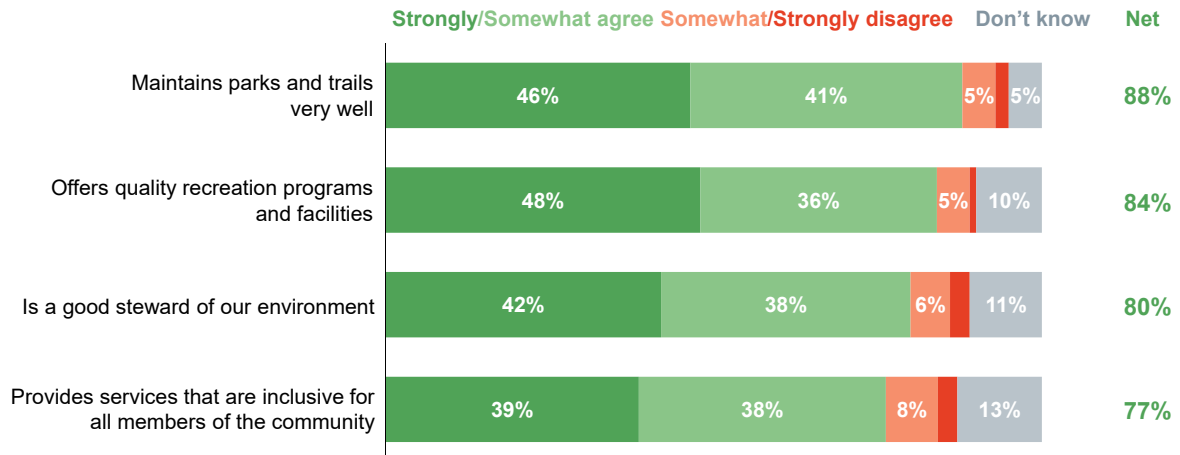
46

Residents who are satisfied with Bend Parks and Recreation services are also more likely to feel safe and welcome.



Satisfaction with services

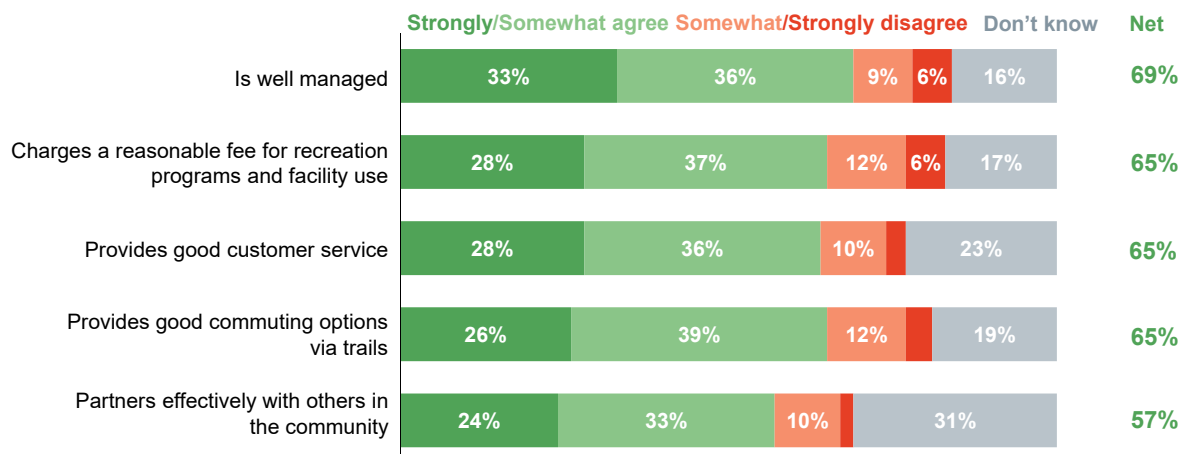
Residents rate BPRD's services positively, particularly the core of maintaining parks and trails and offering quality recreation programs.



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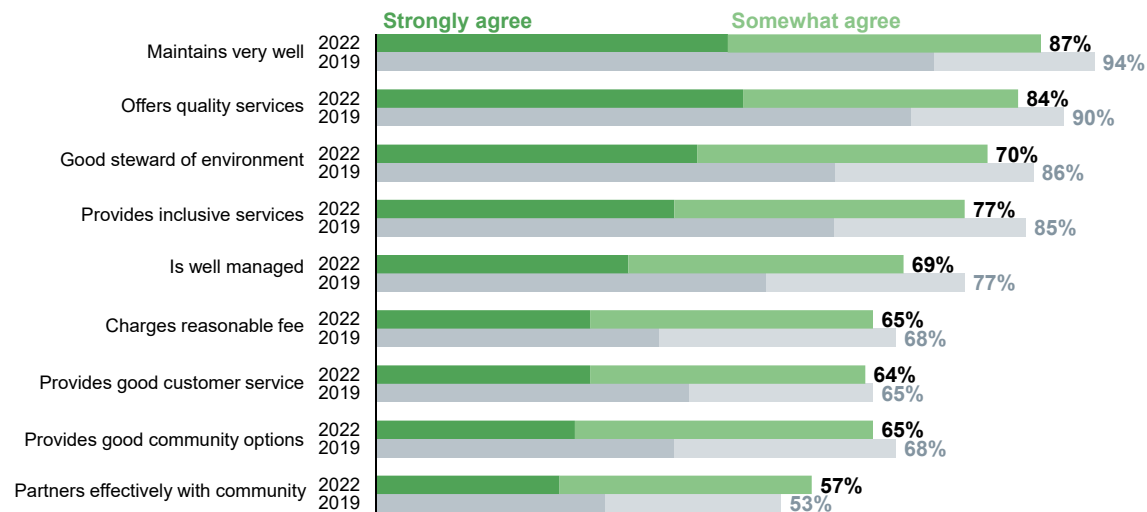
Residents are more uncertain about features of the district that may not have as much visibility such as partnerships, customer service, comparable fees and management.



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Service ratings have generally declined since 2019 and agreement has shifted from strongly to somewhat agree.



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Residents who are more familiar with BPRD and those who have used their services in the past year are more likely to agree with each of these statements.

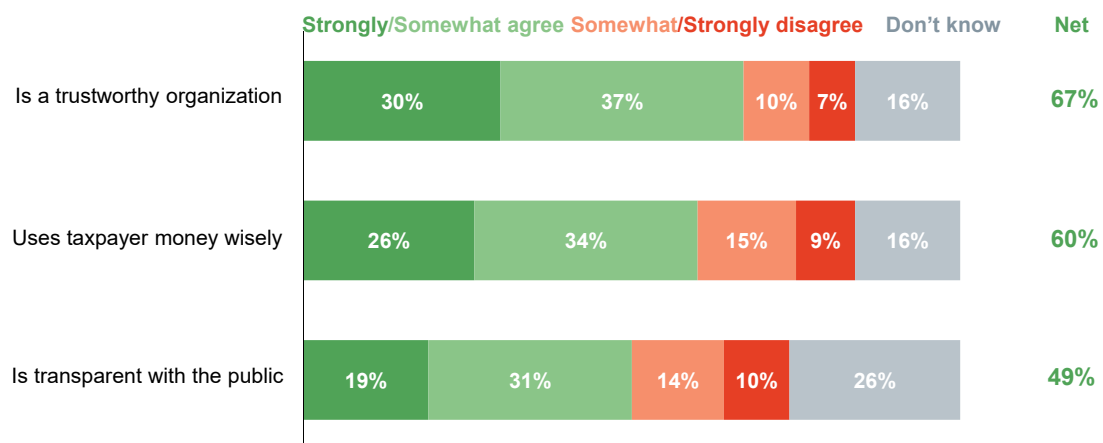
	Familiar	Not too familiar	Used in Past Year	Didn't Use in Past Year
Maintains parks and trails very well	90%	74%	90%	65%
Offers quality recreation programs and facilities	87%	67%	88%	50%
Is a good steward of our environment	82%	67%	83%	53%
Provides services that are inclusive for all	79%	60%	80%	48%
Is well managed	71%	52%	71%	47%
Charges a reasonable fee	66%	56%	67%	49%
Provides good customer service	67%	52%	67%	42%
Provides good commuting options via trails	67%	48%	66%	33%
Partners effectively with the community	60%	37%	59%	34%

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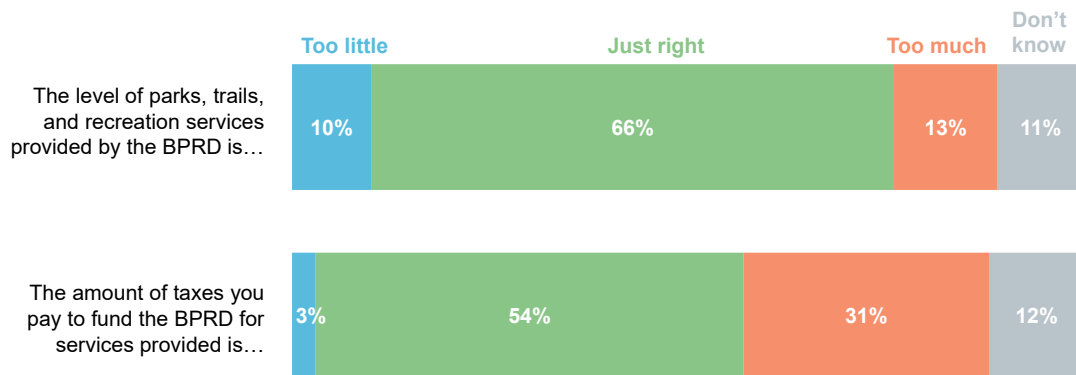
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Policy and use

Two-thirds of residents agree that the district is trustworthy. Six in ten agree the district uses taxpayer money wisely; about half agree that it is transparent with the public.



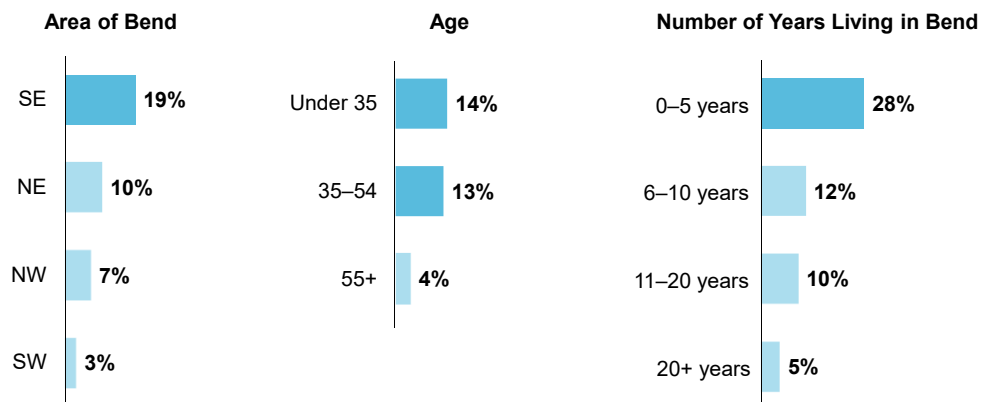
A majority of residents say that the level of service provided by the District is just right and that the amount of taxes paid to fund the services is just right.



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55

SE residents, younger and newer residents are more likely to say that the number of parks and trails provided by BPRD is too little.

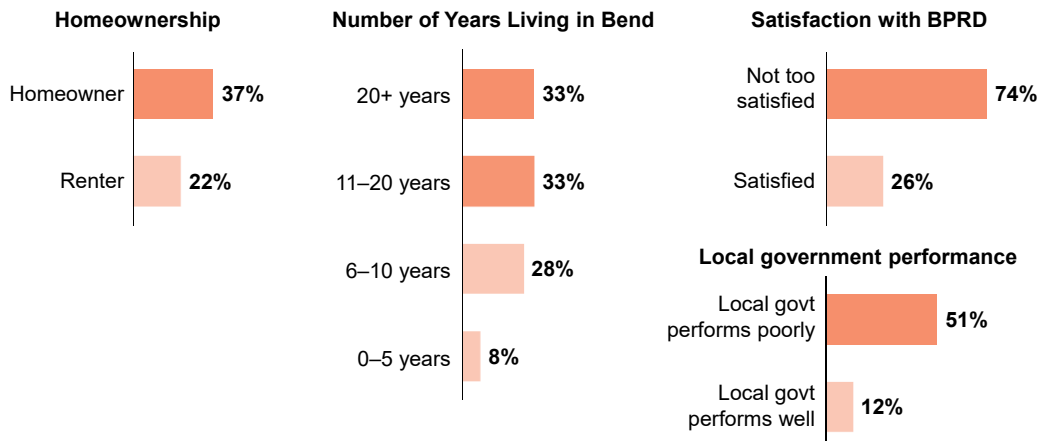


***Showing differences for residents who believe there aren't enough parks*

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Homeowners, long term residents and those less satisfied with local government are more likely to say the amount of taxes to fund parks is too much.

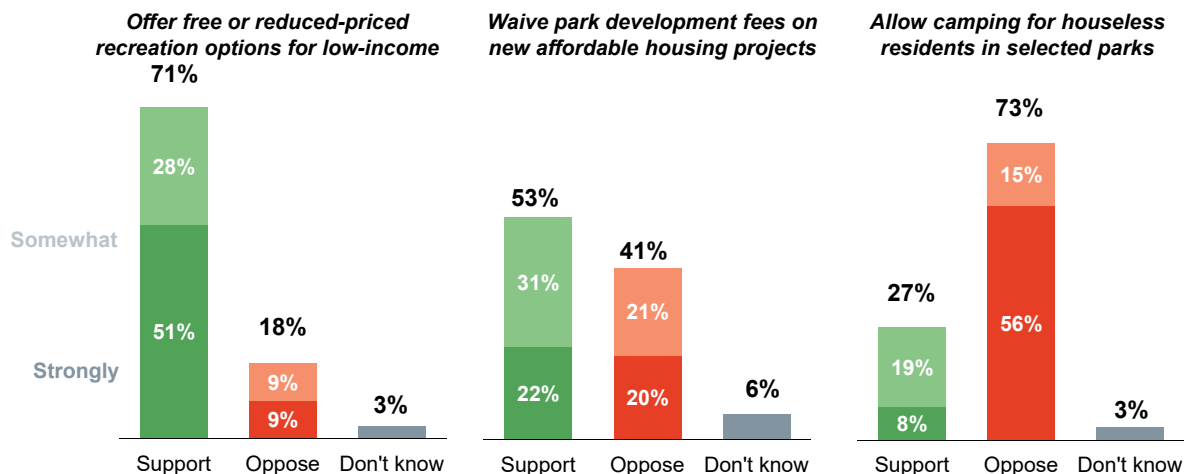


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***Showing differences for residents who believe they pay too much taxes for services*

57

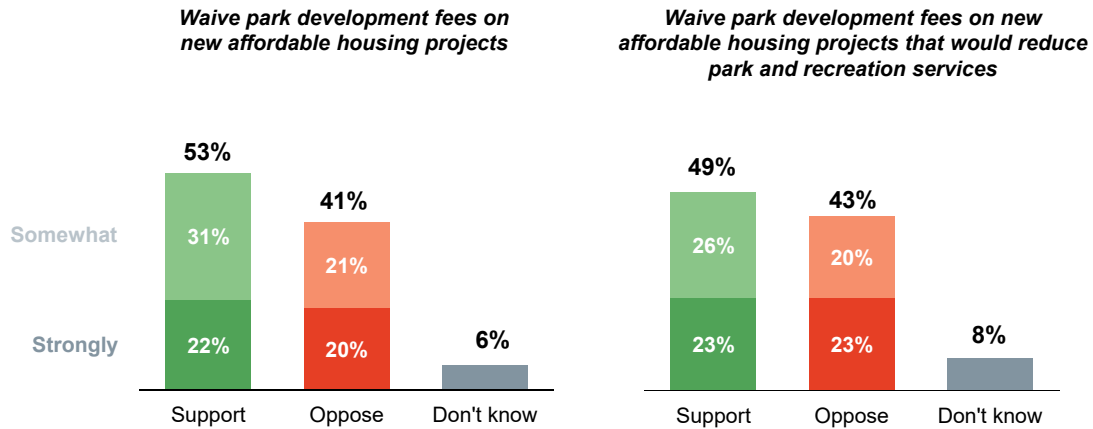
Residents strongly support offering free and reduced-price recreation options, somewhat support waiving park development fees on new affordable housing units, and do not support allowing houseless residents to camp in specific parks.



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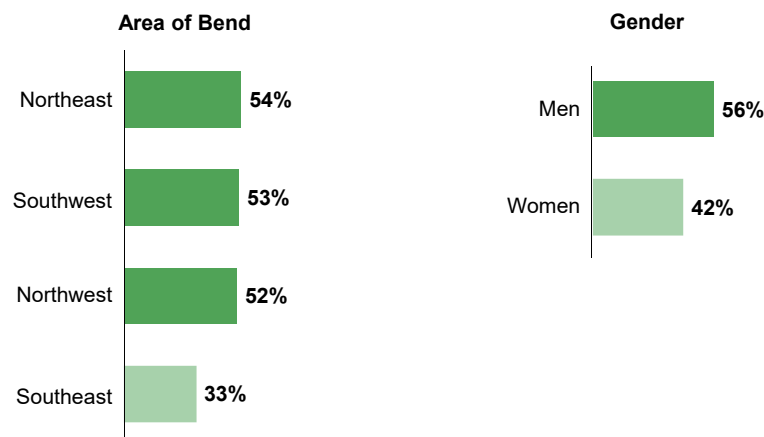
There isn't clear support for waiving the park development fee that is charged for the construction of new affordable housing projects in Bend though support is lower when residents are informed of the tradeoffs.



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Men and residents outside southeast Bend are more likely to support waiving park development fees for affordable housing projects.



****Showing total support for waiving fee with tradeoffs**

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Demographics

Demographics tables

	Area				Age				
	NW	NE	SE	SW	18–24	25–34	35–54	55–64	65+
Statistically valid general population	26%	32%	21%	21%	15%	13%	35%	13%	24%
Open link	25%	31%	18%	20%	3%	10%	45%	11%	17%

	Gender				Years Living in Central Oregon			
	Male	Female	Trans	Non-binary or gender non-conforming	5 or less	6–10	11–20	More than 20
Statistically valid general population	48%	52%	--	n=1	9%	16%	26%	45%
Open link	23%	63%	--	1%	20%	19%	25%	25%

Demographics tables

	Race/Ethnicity			Income		
	White	Latino	POC(Non-Latino) Other	Less than \$50k	\$50k to \$100k	\$100k or more
Statistically valid general population	81%	7%	6%	21%	40%	30%
Open link	65%	17%	2%	17%	25%	34%

	Homeownership			Live with children under 18	
	Rent	Own	Some other arrangement	Yes	No
Statistically valid general population	34%	58%	4%	29%	68%
Open link	18%	68%	3%	42%	46%



Michelle Neiss
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January 31, 2023

To: Rachel Colton, Bend Park and Recreation District
From: Michelle Neiss & Brandon Cruz, DHM Research
Re: Open link survey, #01161

INTRODUCTION & METHODOLOGY

From October 28 to November 18, 2022, Bend Park and Recreation District (BPRD) conducted an open link online survey of residents in the district. The purpose of the survey was to track awareness, perceptions, and priorities of Bend-area residents as they relate to parks and recreation services. This survey was done as a supplement to the separate statistically valid telephone and text to online survey conducted from October 22-26, 2022, by DHM.

Research Methodology: The open link survey consisted of 510 residents in the district and took approximately six minutes to complete on average, when taken on-line. This is a sufficient sample size to assess difference in opinions to the general population results and to review findings by multiple subgroups, including by age, gender, area, income, and race and ethnicity.

Respondents were invited to participate in the online survey via Survey Monkey or via paper surveys at outreach events. The survey was programmed in Spanish and English to allow multi-lingual participation and 459 surveys were completed in English and 51 were completed in Spanish. Focused outreach was conducted to engage underrepresented community groups. This outreach included two events at local churches and a total of 55 surveys were completed at both events. In gathering responses, a variety of quality control measures were employed, including questionnaire pre-testing and validation. Weighting was not applied to this sample which is standard practice for open link surveys.

Statement of Limitations: Open link surveys do not rely on random sampling and therefore, a margin of error cannot be calculated with confidence. Differences observed between demographic groups should be interpreted cautiously as possible trends.

DHM Research Background: DHM Research has been providing opinion research and consultation throughout the Pacific Northwest and other regions of the United States for over 40 years. The firm is nonpartisan and independent and specializes in research projects to support public policy making.

Overall, results from the open link survey are consistent with findings in the representative general population survey.

Not surprisingly, open link respondents appear to be more engaged supporters of BPRD. This is often true of open link surveys, as stronger supporters are more likely to take the survey. Although we summarize a few key findings from the open link survey in this memo, the open link survey largely mirrors findings from the more representative general population sample, but is more positive in nature.

Residents are positive about the quality of life in Bend and about how well the local government is serving the community. Nonetheless, opinions tend to be on the softer side; that is, they lean somewhat positive rather than very positive.

Over eight in ten residents rate quality of life in Bend positively (94% in open link; 81% in general population). A plurality say local government is doing well at serving the community (62% in open link; 48% in general population). Nonetheless, opinions are less strongly positive than in the past: residents rate quality of life as *good* rather than *very good*; and note government is doing *well* rather than *very well*. Statewide, Oregonians are relatively negative about government and the general direction of their communities. In this context, Bend residents appear more positive than those in other communities.¹ As was found in the general population survey, newer residents are more positive.

Residents see parks, trails, and recreation services as a good value.

Parks, trails, and recreation services rise to the top of the list of services residents feel are a good value. On a scale of one to ten, general population respondents give parks and recreation services an average ranking of 7.9. and open link respondents give an average rating of 8.2. Among the open link respondents, those with incomes above \$100,000 per year and newer residents gave the highest ratings.

Open link respondents clearly support BPRD: they are aware of BPRD's services, are satisfied with services, and find parks and facilities to be welcoming and safe.

About nine in ten open link respondents (93%) are familiar with BPRD and about half (54%) accurately say that the district is a separate agency from the City. Nearly all (95%) have visited a BPRD park or trail and about seven in ten (71%) say they have visited a recreational facility or participated in a recreational activity. Almost nine in ten say they are satisfied (89%) and that the district is generally going in the right direction (82%). A large majority say that the District's parks and facilities are safe (93%) and welcoming (94%), with a few who believe otherwise (7% or less). Most say the District is a trustworthy organization (77%), uses taxpayer money wisely (71%), and is transparent with the public (61%). Six out of ten say that the level of parks, trails, and recreation services provided by BPRD is just about right (61%).

Almost all participants in the open link survey (97%) agree that BPRD maintains parks and trails very well. At least eight in ten agree that the District offers quality services and facilities (89%), provides inclusive services (85%), provides good customer service (81%), are good stewards of the environment (81%) and is well-managed (80%). About three in four (76%) say that the District charges a reasonable fee for programs and facility use. Fewer say the District provides good commuting options via trails (63%) and partners effectively with the community (61%), although this is largely because a higher proportion of residents do not know whether the District is doing these things (19%–28%).

¹ See p. 23 in DHM's full report of survey results.

Bend Park and Recreation District Community Survey Results
October 28–November 21, 2022
Open link Survey
N=510; 15 minutes
DHM Research
Project #01161

***Indicates new question

WARM UP

1. What is your zip code?

Response category	General population n=400	Open link n=510
97701 [Northeast]	32%	31%
97702 [Southeast/Southwest]	42%	40%
97703 [Northwest]	26%	25%
Other	TERM	TERM

2. **[Asked If zip code =97702]** Do you live west or east of the Parkway (Highway 97)?

Response category	General population n=168	Open link n=205
West [Southwest]	49%	46%
East [Southeast]	51%	49%
I'm not sure	1%	5%

3. Do you feel the overall quality of life in Bend is:

Response category	General population n=400	Open link n=510
Very good	26%	35%
Good	56%	59%
Poor	11%	3%
Very poor	5%	1%
I'm not sure	3%	2%

4. How well do you feel your local government is serving the community?

Response category	General population n=400	Open link n=510
Very well	8%	7%
Well	40%	55%
Poorly	27%	20%
Very poorly	19%	8%
I'm not sure	6%	10%

PARKS AND RECREATION SERVICES IN CONTEXT

I'm going to read a list of services provided by different local government agencies in Bend. How would you rate each service based on the value received for the tax dollar being spent? Use a scale between 0 and 10, where 0 is "very poor value" to 10 is "very good value". **[Randomize]**

Response Category	Top box (8-10)	Mean	Don't know
5. Parks, trails, and recreation services²			
General population, n=400	65%	7.9	1%
Open link, n=499	74%	8.2	--
6. Street repair and maintenance			
General population, n=400	24%	5.5	1%
Open link, n=499	26%	5.9	--
7. K-12 public schools			
General population, n=400	29%	6.1	19%
Open link, n=499	40%	6.6	--
8. Library services			
General population, n=400	61%	7.9	12%
Open link, n=499	70%	8.0	--
9. Police, fire, and public safety			
General population, n=400	54%	7.3	2%
Open link, n=499	59%	7.5	--

AWARENESS AND OVERALL SATISFACTION

10. How familiar are you with the Bend Park and Recreation District?

Response category	General population n=400	Open link n=490
Very familiar	35%	48%
Somewhat familiar	52%	45%
Not too familiar	9%	6%
Not at all familiar	3%	1%
I'm not sure	<1%	<1%

²In 2019 this question (Q5) was asked as: *parks and trails in the City of Bend*. In 2013 this question was asked as *parks, recreation programs, walking and biking trails*.

11. Based on your familiarity with the Bend Park and Recreation District, do you believe the district is:

Response category	General population n=400	Open link n=490
A department of the City of Bend	34%	26%
A separate agency (not part of the City of Bend)	40%	54%
Both	10%	6%
Other: [Open]	<1%	1%
I'm not sure	15%	13%

12. How satisfied are you with parks and recreation services in Bend?

Response category	General population n=400	Open link n=490
Very satisfied	42%	46%
Somewhat satisfied	42%	43%
Not too satisfied	8%	6%
Not at all satisfied	2%	2%
I'm not sure	5%	2%

13. In general, would you say that the Bend Park and Recreation District is going in the right direction or wrong direction in serving the community?

Response category	General population n=400	Open link n=490
Generally going in the right direction	70%	82%
Generally going in the wrong direction	15%	10%
I'm not sure	15%	8%

14. During the past year, have you or any member of your household done any of the following? You can choose all that apply. **[Rotate]**

Response category	General population n=400	Open link n=490
Visited a Bend Park and Recreation District park or trail	81%	95%
Visited a Bend Park and Recreation District recreational facility or participated in a recreation program	53%	71%
Neither [Exclusive]	9%	1%
I'm not sure	1%	1%

VALUES AND VISION

Do you agree or disagree with the following statements? **[For phone, wait and ask: Is that strongly or somewhat?]** **[Randomize]**

Response category	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know
15. Parks, trails, and recreation opportunities in Bend contribute to my quality of life					
General Population, n=400	60%	28%	8%	2%	2%
Open link, n=488	79%	17%	2%	1%	1%
16. Living in Bend would not be the same without easy access to outdoor recreation					
General Population, n=400	74%	19%	4%	2%	1%
Open link, n=488	85%	12%	1%	1%	<1%
17. Parks and recreation opportunities are important to supporting the local economy					
General Population, n=400	57%	29%	8%	2%	3%
Open link, n=488	72%	23%	3%	1%	2%
18. Having a park near my home is important to me					
General Population, n=400	61%	25%	9%	2%	3%
Open link, n=488	77%	18%	4%	<1%	<1%
19. ***I feel welcome at district parks, trails, and facilities					
General Population, n=400	59%	30%	3%	1%	6%
Open link, n=488	78%	16%	3%	2%	<1%
20. I feel safe when I'm using district parks, trails, and facilities					
General Population, n=400	44%	43%	9%	1%	4%
Open link, n=488	60%	33%	5%	2%	<1%

SATISFACTION WITH PARK AND RECREATION SERVICES

Do you agree or disagree with the following statements about the Bend Park and Recreation District? **[For phone, wait and ask]: Is that strongly or somewhat? [Randomize]**

Response category	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know
21. Maintains parks and trails very well					
General Population, n=400	46%	41%	5%	2%	5%
Open link, n=483	70%	27%	2%	<1%	<1%
22. Provides services that are inclusive for all members of the community					
General Population, n=400	39%	38%	8%	3%	13%
Open link, n=483	54%	31%	7%	3%	5%
23. Offers quality recreation programs and facilities					
General Population, n=400	48%	36%	5%	1%	10%
Open link, n=483	58%	31%	4%	2%	5%
24. Is well managed					
General Population, n=400	33%	36%	9%	6%	16%
Open link, n=483	43%	37%	6%	4%	10%
25. Provides good customer service					
General Population, n=400	28%	36%	10%	3%	23%
Open link, n=483	50%	31%	6%	2%	11%

Response category	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know
26. Charges a reasonable fee for recreation programs and facility use					
General Population, n=400	28%	37%	12%	6%	17%
Open link, n=483	45%	31%	11%	5%	7%
27. Partners effectively with others in the community					
General Population, n=400	24%	33%	10%	2%	31%
Open link, n=483	32%	29%	8%	3%	28%
28. Is a good steward of our environment					
General Population, n=400	42%	38%	6%	3%	11%
Open link, n=483	51%	30%	5%	2%	12%
29. Provides good commuting options via trails					
General Population, n=400	26%	39%	12%	4%	19%
Open link, n=483	29%	34%	13%	4%	19%

POLICY AND USE

The Bend Park and Recreation District is funded primarily from property taxes, user fees, and fees on new houses and hotels. Oregon law requires these funds to be used for operations, maintenance, and development of park and recreation services throughout the community.

The district's permanent property tax rate is \$1.461 per \$1,000 of assessed value. For example, a home with a tax assessed value of \$300,000 pays \$438.30 annually to the district.³

Do you agree or disagree with the following statements? **[For phone, wait and ask: Is that strongly or somewhat?]**

The Bend Park and Recreation District...

Response category	Strongly agree	Somewhat agree	Somewhat disagree	Strongly disagree	Don't know
30. Uses taxpayer money wisely ⁴					
General population, n=400	26%	34%	15%	9%	16%
Open link, n=483	33%	38%	11%	5%	13%
31. Is transparent with the public					
General population, n=400	19%	31%	14%	10%	26%
Open link, n=483	31%	30%	13%	4%	21%
32. Is a trustworthy organization					
General population, n=400	30%	37%	10%	7%	16%
Open link, n=483	44%	33%	7%	2%	14%

³ In 2019 a lower average amount was used in the preface to the questions: *a home with a tax assessed value of \$200,000 pays \$292.20 annually to the district.*

⁴ In 2013 and 2016 the question regarding wise use of taxpayer money (Q30) was not prefaced with information about how BPRD is funded.

33. Do you believe the level of parks, trails, and recreation services provided by the Bend Park and Recreation District is:

Response category	General population n=400	Open link n=474
Too little	10%	22%
Just about right	66%	61%
Too much	13%	12%
I'm not sure	11%	5%

34. Do you feel the amount of taxes you pay to fund the Bend Park and Recreation District for services provided is:

Response category	General population n=400	Open link n=474
Too little	3%	7%
Just about right	54%	57%
Too much	31%	21%
I'm not sure	12%	15%

35. ***Currently, a fee is charged on the construction of new residences in Bend to pay for additional parks, roads, sewer, and water services to serve population growth. A portion of the fee goes to the Bend Park and Recreation District to help build parks and trails. Waiving this portion of the fee would help make affordable housing projects more affordable, but would also mean reducing park and recreation services. Would you support or oppose **[rotate]** waiving this portion of the fee on new affordable housing projects? **[For phone, wait and ask]:** Is that strongly or somewhat? **[If asked]:** *Waived means it would not be charged.*

Response category	General population n=400	Open link n=474
Strongly support	24%	14%
Somewhat support	25%	21%
Somewhat oppose	19%	21%
Strongly oppose	23%	33%
I'm not sure	9%	11%

- I'm going to read a list of ways that Bend Park and Recreation District can support low-income community residents and improve affordability in the community. Do you support or oppose **[rotate]** the district using these tools? **[Randomize]**

Response category	Strongly support	Somewhat support	Somewhat oppose	Strongly oppose	Don't know
36. ***Waive park development fees on new affordable housing projects					
General population, n=400	22%	31%	21%	20%	6%
Open link, n=474	22%	28%	18%	24%	8%
37. ***Offer free or reduced-priced recreation options for low-income residents					
General population, n=400	51%	28%	9%	9%	3%
Open link, n=474	53%	32%	8%	5%	2%

Response category	Strongly support	Somewhat support	Somewhat oppose	Strongly oppose	Don't know
38. ***Allow camping for houseless residents in select parks					
General population, n=400	8%	19%	15%	56%	3%
Open link, n=474	5%	10%	17%	64%	4%

DEMOGRAPHICS

These last questions are to make sure we have a representative sample of the community. Your information is completely confidential and anonymous.

39. In what year were you born? _____ **[Collect four-digit open end] [Autofill age as:]**

Response category	General population n=400	Open link n=510
18–24	15%	3%
25–34	13%	10%
35–54	35%	45%
55–64	13%	11%
65+	24%	17%
I prefer not to answer	--	15%

40. How would you describe your gender? **[Open] [Record as:]**

Response category	General population n=400	Open link n=510
Man	48%	23%
Woman	52%	63%
Trans	--	--
Non-binary or gender non-conforming	n=1	1%
I prefer not to answer	--	14%

41. How many years have you lived in Central Oregon? **[Collect open end] [Autofill as:]**

Response category	General population n=400	Open link n=510
5 years or less	9%	20%
6–10 years	16%	19%
11–20 years	26%	25%
More than 20 years	45%	25%
I prefer not to answer	4%	10%

42. Do any children under the age of 18 live in your home?

Response category	General population n=400	Open link n=510
Yes	29%	42%
No	68%	46%
I prefer not to answer	2%	12%

43. Do you rent or own your home, or do you have a different arrangement?

Response category	General population n=400	Open link n=510
Rent	34%	18%
Own	58%	68%
I have a different arrangement	4%	3%
I prefer not to answer	3%	11%

44. Which of the following best describes your race or ethnicity? **[Allow for multiple responses]**

Response category	General population n=400	Open link n=510
African	--	--
Asian/Pacific Islander	2%	1%
Black/African American	1%	--
Hispanic/Latino	7%	17%
Middle Eastern/North African	n=2	n=1
Native American/American Indian	3%	1%
White/Caucasian	81%	65%
Not listed? [Open]	1%	n=1
Don't know	9%	18%

45. Which category best describes your 2021 gross household income, before taxes? Remember to include everyone living in your household. Your best estimate will do.

Response category	General population n=400	Open link n=510
Less than \$25,000	8%	4%
\$25,000 to less than \$50,000	13%	13%
\$50,000 to less than \$75,000	25%	11%
\$75,000 to less than \$100,000	15%	14%
\$100,000 to less than \$150,000	14%	18%
\$150,000 or more	16%	16%
I prefer not to answer	9%	25%

Thank you for your time.

BOARD AGENDA COMMUNICATION

AGENDA DATE:	February 21, 2023
SUBJECT:	Recreation Department Seasonal Reporting
STAFF RESOURCE:	Michael Egging, Recreation Business Manager
PREVIOUS BOARD ACTION:	None
ACTION PROPOSED:	None
STRATEGIC PLAN:	
Pillar:	Operations and Management Practices
Outcome:	Invest in services that provide the greatest community benefit while maintaining financial sustainability.

BACKGROUND

The Recreation Department began producing a seasonal report this past summer as a way of summarizing key performance indicators and identifying trends in a consistent and timely manner. These reports provide a clear and concise summary of facility visitation, program participation, capacity, scholarship use and financial status using charts and graphs. The reports will show comparisons to the same season for previous years and include short narratives for context and interpretation. The reports will also feature noteworthy updates such as new programs, special events, outreach efforts and significant achievements or challenges. The Recreation Department will also complete an annual report each September summarizing the full program year (September-August). The annual reports will include additional demographic information on who we are serving, as well as strategic plan performance measurements.

The reports or portions thereof can be used to help inform stakeholders, both internally and externally, including the Board. The reports will be provided seasonally with the Board Agenda. Staff does not intend to provide a presentation on the seasonal reports, but invites board questions or comments in a similar way as the Planning and Development Project Updates are used.

Staff will provide the draft Recreation Report for the Fall season (September-December) on Friday, February 17. Staff will provide a brief overview of the report and solicit feedback from the board to help finalize the content and format for future reports.

BUDGETARY IMPACT

None

ATTACHMENT

None – Recreation Report for Fall Season will be sent to the Board on Friday, February 17.

January 17, 2023

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Mr. Sweet explained that this change to the purchasing policy is due to the revised Oregon statutes and administrative rules. These changes grant local contracting agencies the right to evaluate fee proposals from architects, engineers and related services as part of informal and formal procurement. He added that the district desires to use this right to select the most qualified bids while also considering price. He said resolution 2023-01 amends resolution 416 and brings it into compliance with law and rule, the remainder of resolution 416 remains in full force and effect.

Director Hovekamp made a motion to adopt Resolution No. 2023-01 amending the district's public contracting rules. Director Owens seconded. The motion was approved unanimously, 4-0.

2. Approve Miller, McKay and Columbia Parks Contract Amendment - *Ian Isaacson*

Mr. Isaacson reported that staff and the design team have completed the initial phase of work for the McKay, Millers Landing and Columbia Parks River Access Project. He said the initial phase included site surveys, data collection and development of initial concept drawings. He explained that two initial concepts will be provided for each river access location and are intended to present the widest range of possible solutions. Community input will be collected on these concepts and the feedback will assist the project team in the development for the preferred concept design for each location. He reviewed the existing conditions of the parks, the uses that have impacted certain areas of the parks and the concepts for each park.

Mr. Isaacson reviewed the budgetary impact that he is requesting of the board and cited the grants from the Oregon State Marine board that will also be used.

Director Barram made a motion to authorize the executive director to negotiate and execute amendment #1 to the contract with Environmental Science Associates for the McKay, Miller's Landing, and Columbia Parks River Access Project in an amount not to exceed \$130,000 and to approve an additional contingency amount of \$13,000, for a total design budget not to exceed \$223,000. Director Owens seconded. The motion was approved unanimously, 4-0.

EXECUTIVE DIRECTOR'S REPORT

- Executive Director Horton reminded the board that they are welcome to attend the public meeting for the outreach for the three river parks as discussed tonight.
- He said the legislative session started with over 1800 bills that have been submitted. He and Ms. Healy attended a Special Districts Association of Oregon (SDAO) legislative pre-session where they spoke about System Development Charges (SDCs) that are likely to be a target in the legislative session due to the higher cost of housing. Several bills have already been introduced and they are being watched. He added that most Special districts do charge SDCs in Oregon and these decisions will effect several agencies. As members of ORPA, staff has access to their legislative committee information.
- He thanked Directors Owens and Barram for attending the upcoming SDAO board training.
- He reported that Epic Land Solutions has been having some success in speaking with land owners and looking optimistic to provide park space to underserved areas. He said this will be discussed more at a future Executive Session.

- He checked in with new board members about the orientation last week to be sure it was a good experience.
- He asked the board for two volunteers for the benefits committee to review employee benefits. He said the meeting is usually one lunch meeting to review changes and recommendations. He informed the board that there will be a lot of increased costs this year including PERS, unemployment taxes and health benefits. Directors Hovekamp and Schoen volunteered to serve.

PROJECT REPORT

BOARD MEETINGS CALENDAR

GOOD OF THE ORDER

- Director Hovekamp welcomed and thanked the new board members.
- Director Owens remarked about her positive experience with her orientation with staff.
- Director Schoen recalled that Director Borja said he would be absent tonight. She said she and Director Hovekamp met with Eric King and councilors as part of a regular monthly meeting and welcomed topics from the new board members for discussions with the city.
- Executive Director Horton mentioned the City of Bend's Area of Special Interest (ASI) application as a possibility for Worrell Park to Director Owens.

ADJOURN 7:00 pm

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Prepared by,

Sheila Reed
Executive Assistant

Deb Schoen, Chair

Nathan Hovekamp, Vice-Chair

Donna Owens

Zavier Borja

Jodie Barram

BOARD AGENDA COMMUNICATION

AGENDA DATE:	February 21, 2023
SUBJECT:	Assignment of the Ground Lease for the Sand Volleyball Courts at Pine Nursery Park to 3Step Sports LLC
STAFF RESOURCE:	Michelle Healy, Deputy Executive Director Don Horton, Executive Director
PREVIOUS BOARD ACTION:	Approved NPJ Ground Lease November 5, 2019
ACTION PROPOSED:	Authorize executive director to execute assignment of the ground lease for the sand volleyball courts at Pine Nursery to 3Step Sports LLC
STRATEGIC PLAN:	
Pillar:	Community relationships
Outcome:	The district is strategic about partnerships
Strategy:	Partner when there is shared mission and broad community benefit

BACKGROUND

In November 2019, the board of directors approved a ground lease with North Pacific Juniors Volleyball Club, LLC (NPJ) to build and maintain sand volleyball courts at Pine Nursery Park.

The general terms of the ground lease are:

- BPRD would provide space for up to six sand volleyball courts at Pine Nursery Park through a 30-year ground lease.
- The courts would be located in the northeast quadrant of the park, south of the dog park.
- NPJ would pay all development costs (including design, permitting, inspection and construction) for up to six* courts. (*NPJ built five courts).
- BPRD would review the design of the courts and construction documents. BPRD would sign any permit applications required by the city of Bend or others.
- NPJ would maintain and operate the courts.
- NPJ would have first right to use the courts. When NPJ is not using the courts, BPRD and the public would be allowed to use them. Additionally, two of the six (five) courts will be available to the public at all times, except during tournaments (which are coordinated with the district).

The district entered into this lease agreement after the four sand volleyball courts that were located adjacent to the Les Schwab Amphitheater closed. With the closure, there were no other publicly accessible sand volleyball courts left in Bend, and several community members contacted the district requesting the development of new courts. Seeing the need for courts (both for the club and the public), NPJ reached out to the district with an offer to fund the development and operation of new courts, if the district could provide space to accommodate them. After

consideration and evaluation of different park sites, Pine Nursery was selected as the best location for the new courts. The courts opened to the public in 2020, and NPJ has successfully operated them since.

In December 2022, NPJ was acquired by 3Step Sports LLC (3Step), a national company (<https://threestep.com>) that operates sports facilities and runs numerous youth sport programs around the country. The volleyball club's change in ownership necessitates the assignment of the existing ground lease for the courts at Pine Nursery to the new owner, 3Step (attachment A). District staff met with representatives of NPJ and 3Step and per their arrangement, the existing staff from NPJ will be the district's day-to-day contact for the courts. They will also continue to be the ones that maintain the courts and run the volleyball club. There are no other changes to the terms or requirements of the ground lease.

District legal counsel has reviewed the lease assignment agreement.

BUDGETARY IMPACT

At this time, the only budgetary impacts are legal fees associated with the review of the lease assignment document.

STAFF RECOMMENDATION

Staff recommends that the Board authorize the executive director to finalize and execute an agreement for the assignment of the ground lease for the sand volleyball courts at Pine Nursery to 3Step Sports LLC.

MOTION

I make a motion to authorize the executive director to finalize and execute the lease assignment agreement for the ground lease at Pine Nursery Park with 3Step Sports LLC.

ATTACHMENT

Attachment A: Draft Lease Assignment

ASSIGNMENT AND ASSUMPTION OF GROUND LEASE AGREEMENT

FOR VALUE RECEIVED, North Pacific Juniors Volleyball Club, LLC, an Oregon limited liability company, (“**Assignor**”) hereby assigns, conveys, transfers, and sets over to 3 Step Sports LLC, a Delaware limited liability company (“**Assignee**”), its successors and assigns, all of Assignor’s right, title, and interest in, to, and under that certain ground lease (the “**Lease**”) dated February 3, 2020 made by and between Bend Park & Recreation District, as landlord, (“**Landlord**”) and Assignor, as tenant, covering the premises located at 3750 NE Purcell Blvd., Bend, OR, 97701 , together with all options, rights, contracts, licenses, permits, deposits, and profits appurtenant to or related to the Lease.

Assignee hereby accepts the foregoing assignment and assumes all of the obligations of Assignor as tenant under the Lease accruing from and after the date hereof and agrees, for the benefit of Assignor, its successors and assigns, and for the benefit of Landlord, its successors and assigns, to pay, perform, discharge when due, and otherwise satisfy in due course all of such obligations and liabilities of the tenant under and in accordance with the provisions of the Lease. Assignor and Assignee, for the benefit of Landlord, agree to be bound by the terms and conditions of Landlord’s consent to the assignment contemplated herein.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Assignor and Assignee have duly executed this Assignment and Assumption of Lease Agreement as of February ___, 2023.

North Pacific Juniors Volleyball Club, LLC

By_____

Name:

Title:

3 Step Sports LLC

By_____

Name: David Geaslen

Title: Executive Chairman

[LANDLORD'S CONSENT FOLLOWS]

LANDLORD CONSENT

Landlord executes this Landlord Consent (“**Consent**”) to provide Landlord’s consent to the to the assignment and assumption of the Lease on the terms set forth in the foregoing Assignment and Assumption of Ground Lease Agreement (the “**Assignment**”), subject to the following:

1. This Consent shall not be construed to modify, waive or affect (i) any of the provisions, covenants or conditions in the Lease, (ii) any of the Assignor’s obligations under the Lease arising prior to the date of the Assignment, or (iii) any rights or remedies of Landlord under the Lease, nor be construed as Landlord’s waiver of any present or future default on the part of Assignor or Assignee under the Lease.
2. Assignor shall remain primarily liable and responsible for the full performance and observance of all of the provisions, covenants and conditions set forth in the Lease on the part of Tenant.
3. This Consent shall not be construed to release or discharge Assignor from any liability under the Lease arising prior to the Effective Date.
4. This consent shall not be construed as a consent by Landlord to any further assignment of the Lease and any such assignment shall be subject to the terms and conditions of the Lease.
5. Landlord is not a party to the Assignment (only a third-party beneficiary) or any other agreement or understanding between Assignor and Assignee (collectively, “**Transaction Documents**”). Landlord’s consent does not constitute Landlord’s approval of any provisions contained in the Transaction Documents. Assignor and Assignee will hold Landlord harmless from and against any and all claims arising from or related to the Transaction Documents.
6. Except as expressly provided in this Consent, the Lease remains unmodified and in full force and effect. In the event of any conflict between the Assignment and the Lease, the provisions of the Lease will control.
7. Capitalized terms used but not defined in this Consent shall have the meaning ascribed to them in the Assignment.

Landlord:

Bend Park & Recreation
District

By _____

Name: Don Horton

Title: Executive Director

Date:

BOARD AGENDA COMMUNICATION

AGENDA DATE:	February 21, 2023
SUBJECT:	Approve Intergovernmental Agreement for Riverfront Street Improvements with the City of Bend
STAFF RESOURCE:	Henry Stroud, Planner
GUEST PRESENTER:	Brad Tower P.E., City of Bend Transportation and Mobility Department
PREVIOUS BOARD ACTION:	April 5, 2022 – Project Update
ACTION PROPOSED:	Authorize executive director to finalize and execute Riverfront Street Improvements IGA with the city of Bend
STRATEGIC PLAN:	
Pillar:	Operations & Management Practices
Outcome:	A balance between caring for existing infrastructure and new development
Strategy:	Work with the board to determine the District’s role in providing transportation options within the urban trail system in collaboration with the City of Bend

BACKGROUND

This presentation will provide the board with an overview of the proposed intergovernmental agreement (IGA) for the section of the Deschutes River Trail connecting Galveston Road to Miller’s Landing Park along Riverfront Street (Riverfront Street Improvement Project). The presentation will cover:

1. Project background
2. Proposed IGA including cost sharing and project responsibilities
3. Next steps

The Deschutes River Trail downtown is the most heavily used trail in Bend, with more than 1,200 trail users per day, it is an important transportation and recreation facility. Between Galveston Road and Miller’s Landing Park, the trail runs along Riverfront Street; an aging street that is in poor condition and has a narrow, 40-foot, right-of-way. The district has long sought to improve the pedestrian and bicycle connectivity of the street and began developing designs to improve conditions for trail users beginning in 2015. However, during the development of these designs it became apparent that the project was more complex and costlier than anticipated, and that the city of Bend would be better positioned to lead the project due to the need to address extensive utility issues and to fully reconstruct the street.

Under the terms of the proposed IGA (attached), the city would lead the design and construction of the project with financial and technical support from the district. The district currently has \$703,604 allocated in the Capital Improvement Plan to put towards the design and construction of the project. The city received \$340,000 in grants funds from the Bend Metropolitan Planning Organization towards the project.

The cost of the design phase will be funded 50% by each agency. Remaining funds will be reserved to put towards the construction phase of the project, including being used as match for future grant applications. Additional funds through grants or other sources will be necessary to complete the construction of the project. Early cost estimates for the total project cost range from \$2 million to \$3 million.

District and city staff will provide additional information about the project and the terms of the proposed IGA during the board meeting. If the IGA is approved by the board, staff will provide regular updates to the board regarding the status of the project and to review major milestones including design alternatives and construction cost estimates.

The district's legal counsel reviewed the draft IGA, which is attached to this board agenda report.

BUDGETARY IMPACT

The district currently has \$703,604 in in system development charge funding allocated in the 2023-2027 Capital Improvement Plan for the project. The city will combine these funds with the MPO grant funds and other city funds to complete the project. The need for additional city funds or other funding sources will be determined based on updated cost estimates created during the design phase of this project.

STAFF RECOMMENDATION

Staff recommends the board authorize the executive director to finalize and execute the Riverfront Street Improvements project IGA with the city of Bend.

MOTION

I make a motion to authorize the Executive Director to finalize and execute the Intergovernmental Agreement for the Riverfront Street Improvements project with the city of Bend.

ATTACHMENT

Attachment A: Project Map

Attachment B: Draft IGA Riverfront Street Improvements



RIVERFRONT STREET PROJECT LOCATION



INTERGOVERNMENTAL AGREEMENT RIVERFRONT STREET IMPROVEMENTS

This Intergovernmental Agreement (“Agreement”) is entered into effective _____ (“Effective Date”) by and between the Bend Park and Recreation District, an Oregon special district (“BPRD”), and the City of Bend, an Oregon municipal corporation (the “City”), individually a “Party” and together the “Parties”.

RECITALS

- A. The Deschutes River Trail (the “DRT”) extends over seventeen (17) miles along the Deschutes River and through the heart of the city of Bend. The DRT is the spine of BPRD’s trail network and one of the longest and most complete trails in Bend. The DRT is designated in the BPRD comprehensive plan as a “Primary Trail” – a major route that crosses multiple neighborhoods and connects multiple park sites.
- B. The DRT consists of five segments: (1) Awbrey Reach; (2) River Run Reach; (3) Pioneer Reach; (4) Old Mill Reach; and (5) South Canyon Reach. The Pioneer Reach section of the DRT includes a segment of the trail that uses narrow curb-tight sidewalks along Riverfront Street in the Old Bend Neighborhood between Drake Park and Miller’s Landing (“Riverfront Segment”). The sidewalks within the Riverfront Segment are in poor condition, lack curb ramps, and cross many residential driveways.
- C. BPRD began work to improve the Riverfront Segment in 2014 but stopped in 2017 due to utility impacts, project complexity, and funding limitations. The 2014 project produced several design concepts, ranging from improving existing conditions, enhancing the street in various ways, and reducing the street to one-way vehicular travel to allow space for a two-way cycle track (“Initial Concept Designs”). BPRD expended approximately \$96,400 for public outreach and design work for the Initial Concept Designs. However, the Initial Concept Designs never proceeded past the conceptual stage.
- D. In coordination with the City, BPRD desires to renew its effort to redesign the streetscape and sidewalk and extend a multi-use path within the Riverfront Segment (the “Project”). A joint effort between BPRD and the City will address the previous limitations of utility impacts, project complexity, and available funding.
- E. The purpose of the Project is to (1) rebuild Riverfront Street to include a safe multi-use trail to connect the existing DRT at Miller’s Landing and Drake Park, (2) rebuild Riverfront Street in accordance with City of Bend Design Standards and Specifications; and (3) maintain private driveway access and provide parking on one side of Riverfront Street, as feasible.
- F. The Project has been designated as a high-priority project in the BPRD Comprehensive Plan. The Riverfront Segment Project is depicted on the BPRD

Trails Map as Project 13E. The BPRD Trails Map is incorporated in the City of Bend Transportation System Plan (“TSP”) and the Project is depicted as a planned segment of the City’s Low Stress Bicycle Network.

- G. The City of Bend TSP established a bicycle program that intends to facilitate people traveling by bicycle within the City along the planned Low Stress Bicycle Network. The purpose of this is to reduce greenhouse gases and vehicle miles traveled (“VMT”), as well as increase the safety of people riding bicycles. Part of the bicycle program includes wayfinding, which is meant to guide people riding along the Low Stress Bicycle Network. The City has identified the first north-south and east-west routes that will receive wayfinding, and Riverfront Street is currently planned to be a part of the north-south route.
- H. The Project total cost has not been determined, but early estimates range from \$2 million to \$3 million, which includes up to \$300,000 for design.
- I. BPRD has agreed to fund the Project with an initial amount of \$703,600. The City of Bend has agreed to fund the Project with an initial amount of \$347,000. The City and BPRD will share the costs to design the Project equally. Any funds remaining following completion of the design will be allocated to the cost of construction.
- J. The City and BPRD will work together to identify and secure additional funds for construction of the Project.
- K. The City and BPRD desire to enter into this Agreement to outline the Parties’ responsibilities and coordinate planning, design, construction, and funding for the Project.

AGREEMENT

1. Effective Date and Duration

This Agreement is effective when signed by both Parties and will terminate six (6) months following substantial completion of the Project, currently expected to be October of 2024. This Agreement may be amended as provided in Section 2 and earlier terminated as provided in Section 13.

2. Amendment

The terms of this Agreement may not be waived, altered, modified, supplemented, amended or extended in any manner whatsoever, except by written instrument signed by both Parties. Any such waiver, alteration, modification, supplement, amendment or extension, if made, shall be effective only in the specific instance and for the specific purpose given.

3. Payment and Project Funding

- A. BPRD will pay to City \$253,000.00 (Two Hundred Fifty-Three Thousand Dollars and no cents) to fund the design and preparation of the construction bid documents for the Project. Remaining funds, if any, will be used to fund construction of the Project. Payment shall be made to the City following approval of the Agreement by BPRD's Board of Directors.
- B. The remaining \$450,600.00 of funds committed by BPRD for the Project will be held by BPRD for later contribution to the Project ("Later Contribution"). BPRD may use such Later Contribution as matching funds for additional grants consistent with subsection G below but will not otherwise encumber the Later Contribution without the prior written consent of the City.
- C. City will fund the design and preparation of the construction bid documents for the Project in the amount of \$347,000.00 (Three Hundred Forty-Seven Thousand Dollars and no cents). Remaining funds, if any, will be used to fund construction of the Project. Funding shall be made following approval of the Agreement by the Bend City Council.
- D. The City will establish a Project-specific fund (the "Project Fund") in which it will deposit BPRD's initial contribution of \$253,000.00 and the City's initial contribution of \$347,000.00 and any other contributions to the Project. The funds in the Project Fund may be spent by the City at its reasonable discretion, provided the funds are spent on costs or expenses related to the Project and otherwise consistent with this Agreement. The City shall keep accurate books and records relating to the Project Fund throughout the term of the Agreement.
- E. Within 90-days following City approval of the final Project design, or within a reasonable time following written request by BPRD, City shall provide to BPRD an accounting showing the expenditures from the Project Fund through that date.
- F. Funds remaining in the Project Fund following approval of the final Project design shall be spent by the City to fund construction of the Project, including costs related to preparing the construction bid documents.
- G. BPRD and City will work together to identify and secure additional funds for construction of the Project. Any additional funds identified and secured by either BPRD or the City to fund the Project will be deposited by BPRD or the City, as applicable, in the Project Fund.
- H. In the event BPRD and the City are unable to identify and secure additional funds for construction of the Project within one (1) year following final approval of the Project design, City agrees, following a written

request by BPRD, to return to BPRD any amounts deposited by BPRD into the Project Fund less one-half (1/2) of the amount spent up to that date on the Project from the Project Fund.

- I. Within a reasonable time following securing additional funds for construction of the Project, the Parties agree to amend this Agreement to memorialize final construction costs and Party contributions.

4. City Rights and Obligations

- A. City will fully manage the design and construction of the Project.
 - i. City may hire and manage a consultant team to complete the survey, planning, design, contract administration, and project management services to assist in the completion of the design of the Project.
 - ii. City agrees to design the Project to include, at a minimum, an eight (8) foot wide paved multi-use path on either the west or east side of Riverfront Street that connects the existing DRT path in Drake Park north of Galveston to the existing path at the north end of Miller's Landing Park.
 - iii. City will provide BPRD with design concepts and consultant-recommended preferred alternative, as well as 60% and 90% plan sets for the preferred design alternative.
 - iv. City agrees to work with BPRD to address BPRD comments so the Project complies with BPRD's standards for multi-use paths, but the City has final review and approval authority over design and construction of the Project.
 - v. City may hire and manage a contractor team to complete the construction of the Project.
 - vi. City will draft construction bid documents and manage all applicable procurement processes related to construction of the Project, including additional service requests or change orders.
 - vii. City will comply with the applicable provisions of ORS Chapter 279, 279A, 279B, and 279C, and any other applicable rules governing procurement of the work.
- B. City will provide BPRD with copies of the design development, construction documents, as-builts, and any other Project-related

documents within a reasonable time following a request for the same from BPRD.

- C. City will pay all applicable application and permit fees for costs associated with design and construction of the Project. The City will pay franchise relocation costs to the extent required by applicable state law or franchise agreement.
- D. City will work collaboratively with BPRD to identify solutions to any problems that may arise during the design and construction of the Project.
- E. City will retain ownership of the multi-use path following completion of the Project and agrees to allow BPRD to maintain the path as a District Maintained Trail or Trail Route, depending on the Project's final design, to the extent required by the Parties' Intergovernmental Agreement for Trail Planning and Maintenance, as may be amended from time to time.

5. BPRD Rights and Obligations

- A. BPRD will assist the City as reasonably necessary in the design, bid, construction and permitting process for the Project.
 - i. BPRD will provide the City with the Initial Conceptual Designs and summary of, or minutes from, public meetings in which the Initial Conceptual Designs were presented, addressed, or discussed.
 - ii. BPRD will provide written comments within two (2) weeks of receipt of the 60% plan documents for the preferred design alternative, which are described in Section 4, above.
 - iii. BPRD will provide written comments within two (2) weeks of receipt of the 90% plan documents, which are described in Section 4, above. BPRD will review these plan documents only for compliance with BPRD's adopted standards. Such review shall not be unreasonably delayed, conditioned, or withheld.
- B. BPRD will work collaboratively with the City to determine solutions to problems that may arise during the design and construction of the Project.
- C. BPRD agrees to maintain the path as a District Maintained Trail or Trail Route, depending on the Project's final design, to the extent required by the Parties' Intergovernmental Agreement for Trail Planning and Maintenance, as may be amended from time to time.

6. Community Outreach

- A. The Project will include up to two rounds of community outreach during the design phase: (1) during final design concept evaluation to solicit public input on the design alternatives and consultant-recommended preferred design; and (2) at 60% design of the preferred alternative.
 - i. During the design phase, the City and BPRD will co-lead both rounds of community outreach.
- B. City will lead community outreach during the construction phase of the Project, with reasonable support from BPRD.

7. Coordination Meetings

- A. The Parties agree to hold an annual formal coordination meeting to evaluate and coordinate the responsibilities outlined in this Agreement and to make modifications to this Agreement and its exhibits, as necessary.
- B. The Parties also agree to hold regular meetings as reasonably necessary to:
 - i. Coordinate planning, design, and construction efforts.
 - ii. Develop funding strategies for the Project, including capital improvement planning and application for grant funds.
 - iii. Discuss updates and amendments to planning documents to reflect completion of the Project and changing conditions on the ground.

8. Authorized Coordinators

Each Party designates the following person as their representative for purposes of this Agreement ("Authorized Coordinator"). Either Party may change the Authorized Coordinator by written notice to the other Party.

City: Brad Tower, Project Engineer, 575 NE 15th Street, Bend, OR 97701, Phone: (541) 323-8528, btower@bendoregon.gov, or assigned designee.

BPRD: Henry Stroud, Planner, 799 SW Columbia St., Bend, OR 97702, Phone: (541) 706-6155, henrys@bendparksandrec.org, or assigned designee.

9. Notices

All notices and demands of a legal nature that either Party may be required or may desire to serve upon the other Party shall be in writing and shall be served upon the other Authorized Coordinator by personal service, email followed by mail delivery of the original of the notice, by overnight courier with proof of receipt, or by certified mail, return receipt requested, postage prepaid, addressed to the authorized coordinator for the other Party.

10. Dispute Resolution

The Authorized Coordinators, in coordination with the Project teams, shall attempt in good faith to resolve any dispute arising out of this Agreement. The Authorized Coordinators may escalate disputes that cannot be resolved following a good faith attempt to the Assistant City Engineers and the BPRD Development Manager. If not resolved, the dispute shall be presented to the City Transportation and Mobility Department Director, and BPRD Deputy Executive Director, who shall attempt in good faith to resolve the dispute. If the City Transportation and Mobility Department Director, and BPRD Deputy Executive Director are unable to resolve the dispute within seven (7) calendar days, the City Manager and BPRD's Executive Director will attempt to resolve the dispute in good faith. If the dispute remains unresolved following no less than fourteen (14) calendar days after being presented to the City Manager and BPRD's Executive Director, the Parties may then agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation. If such dispute resolution is not successful at resolving the dispute, the Parties agree that any claim, action, suit, or proceeding between City and BPRD arising from or relating to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Deschutes County, Oregon, or, if the claim must be brought in a federal forum, the United States District Court for the District of Oregon. The provisions of this Agreement shall be construed in accordance with the provisions of the laws of the state of Oregon.

11. Indemnification

Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, each Party shall defend, indemnify, and hold the other Party, and its officers, agents, employees and volunteers, harmless against all liability, claims, losses, demands, suits, fees and judgments (collectively referred to as "claims") that may be based on, or arise out of, damage or injury (including death) to persons or property caused by or resulting from any act or omission of the Party in connection with the performance of this Agreement or by conditions created thereby or based upon violation of any statute, ordinance or regulation. This indemnification shall not apply to claims caused by the sole negligence or willful misconduct of the other Party, its officers, agents, employees and volunteers. The Parties agree that they are not agents of each other and are not entitled to indemnification and defense under ORS 30.285 and ORS 30.287. Nothing in this Section 9, or any other provision of this Agreement, is intended to limit the applicability of any immunity available to either Party under applicable laws, rules, regulations, or ordinances including, without limitation, recreational use immunity provided in ORS 105.682.

12. Insurance

The Parties shall maintain commercial general liability insurance in an amount sufficient to cover the maximum liability under the Oregon Tort Claims Act, as those limits may be increased over time, insuring against bodily injury and property damage from all

activities, conditions, and operations under this Agreement. To the maximum extent possible under their respective insurance policies, the Parties agree to waive subrogation for claims arising from the obligations of this Agreement.

13. Termination

This Agreement is a binding agreement so that City may design and construct the Project. This Agreement may be modified or amended as provided in Section 2 but may not be terminated except by mutual agreement.

14. Entire Agreement

This Agreement contains the entire understanding of the Parties and supersedes all prior negotiations and agreements, whether written or oral, between the Parties with respect to the subject matter of this Agreement.

15. No Third-Party Beneficiaries

No other person shall have any rights, interests or claims hereunder or be entitled to any benefits under or on account of this Agreement as a third-party beneficiary or otherwise.

16. Agreement to be Bound and Authorization to Sign

Each Party, by the signature below of its authorized representative, acknowledges that it has read this Agreement, understands it and agrees to be bound by its terms and conditions. Each undersigned signer represents that it has the authority to sign on behalf of the represented entity.

17. Recitals Incorporated

All recitals and exhibits are hereby incorporated and made a part of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

By signing below, each party represents that all appropriate approvals have been obtained to enter into this Agreement.

**BEND PARK AND RECREATION
DISTRICT**

CITY OF BEND

Don Horton, Executive Director

Date: _____

Eric King, City Manager

Date: _____

Approved as to Form

City Attorney's Office

DRAFT

Board Calendar 2023

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

March 7 Canceled

March 21

Staff Introductions

Eric Solberg

Josh Olson

Derek York

Work Session

- ◆ Registration Update – *Michael Egging (20 min)*
- ◆ Communications Update – *Julie Brown and Colleen McNally (20 min)*
- ◆ Stewardship Update – *Jeff Hagler (30 min)*

Consent Agenda

- ◆ Resolution to apply for LGGP grant for Sawyer

Business Session

- Millers, McKay and Columbia Parks project update and initial concept approval – *Ian Isaacson (40 min)*

April 4

Staff Introductions

Matt Roberts

Joe White

Josh Gibbs

Work Session

- ◆ Business Use in Parks – *Matt Mercer and Michael Egging (20 min)*
- ◆ Volunteer Update – *Kim Johnson (15 min)*
- ◆ Worrell Wayside Park – *Don Horton (15 min)*

Business Session

- ◆ Approve Needs Based Assistance Plan for Fiscal Year 23-24 – *Matt Mercer (30 min)*
- ◆ Approve design consultant contract Pine Nursery Phase 5 – *Bronwen Mastro (15 min)*
- ◆ Hiatus Housing Project MUPT Application Review: *Michelle Healy and Rachel Colton (30 min)*

April 12 Budget Tour

April 18 Canceled

May 2

Work Session

- ◆ Adopt Resolution No. XXX – Adopting a Revised Fee Schedule for System Development Charges, effective July 1, 2023 – *Kristin Donald (15 min)*

- ◆ Park Services Review – *Sasha Sulia (15 min)*

Business Session

- ◆ Approve Private Security Contract – *Jeff Hagler and Justin Sweet (20 min)*

May 23 and 25 Budget Committee Meetings

June 6

Work Session

- ◆ Juneteenth Proclamation

Business Session

- ◆ Adopt Resolution No. XXX Adopting the 2024-2028 CIP – *Michelle Healy*
- ◆ Hold Public Hearing and Adopt Resolution No. XXX – Adopting the Budget and Making Appropriations for Fiscal Year 2023-24, and Adopt Resolution No. XXX - Imposing and Categorizing Taxes for Fiscal Year 2023-24 – *Kristin Donald*

June 21

Work Session

Business Session

City of Bend presentation of parking districts (Tobias Marx) – *Sara Anselment*

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

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

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

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

Website Update/Data Sharing

IGA with NUID for canal trail – *Henry Stroud*

Approve SE Neighborhood Park Development Agreement – *Henry Stroud (20 min)*

COID Property overview

Approval of Fish Passage Concept Plan – *Don Horton*