



Mirror Pond Siltation Project, Phase 1A
Bend, Oregon

Steering Committee Meeting

SC Meeting: 002
Meeting Date: 01.24.11 @ 2:00 PM

MEETING MINUTES

Subject: Project Status Meeting
Location: City of Bend
Awbrey Butte Conference Room, 2nd floor

Attendees: [x] denotes present-

Name/initials	Representing	Phone	Email
[X] Mel Oberst /MO	City of Bend	(541) 330-4017	moberst@ci.bend.or.us
[X] Angela Jacobson /AJ	Pacific Power	(541) 633-2462	angela.jacobson@pacificcorp.com
[] Don Horton /DH	Bend Parks & Rec	(541) 280-0475	don@bendparksandrec.org
[X] Bill Smith /BS	William Smith Properties	(541) 382-6691	bill@wspi.net
[X] Matt Shinderman /MS	Bend 2030	(541) 693-2154	matt.shinderman@osucascades.edu
[X] Michael McLandress	Brightwater Collaborative LLC	(541) 788-7591	michael@brightwatercollaborative.com

GENERAL NOTES: none

MEETINGS: **Scheduling & coordination:**
Steering Committee meetings were established for next three months, typically on the 3rd Monday of each month at 2:00 PM, Awbrey Conference Room:

- March 2nd
- March 21st * This meeting may change depending on schedule for MB meeting
- April 18th and May 16th (verify)

Management Board meeting have been established as follows, @ 3:30, BP&R Conference Room:

- 1/27/11; re-introduction of the MP project, and give a progress report, Q&A, etc...
- *3/17/11; tentative, depending on availability of committee members due to Spring Break schedules (may shift to week of 28th)



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<u>Date/No.</u>	<u>Resp/Due</u>	<u>Issue/Discussion/Required Action</u>
01.24.01	on-going	<p><u>BUDGET:</u> MM described Job Cost Report, a tool used to track job cost relative to progress. It will help highlight Tasks that may take more time than allotted. Noted allotted hours for Task 1, SC Meetings and Management were being used more rapidly because there was no allotment for MB meetings and management; projected possible need for an additional 20 hrs. Also, no hours allotted for any kind of Outreach (though formally was not part of this Phase 1A scope), and if we found this to be necessary, projected additional 20-30 hrs is anticipated, with total ranging to \$3,000</p> <p>Mike Riley issued to the Financial Report on 1/20. Requested comments, and no comments noted. (Post note: Mike Riley asks for SC feedback on Financial Report every month. No comments means SC is OK with spending and financial snapshot, and is aware of projected job cost.</p>
12.17.01	MS/pending	<p><u>INVOICE REVIEW:</u> OWEB reimbursement- no discussion. Post-meeting note: after email correspondence with SC, MS from B2030 will coordinate and forward MPSC's final response to Mike Riley, B2030 Treasurer, for decision on reimbursement.</p>
01.24.02	closed	<p>Reimbursement approved.</p>
12.17.02	MM/on-going	<p><u>SCHEDULE:</u> MM provided 3-month overview showing intermittent TAC "work sessions" for refining the Alternative Analysis scope of work, and subsequent MPMB meetings for "final draft" presentation, discussions at key decision-making points in the process. Schedule anticipates possible early-March final draft submittal to MB.</p>
01.24.03	on-going	<p>MM added two weeks to schedule to refine Draft. This depends on progress of peer review and iterative process to complete Draft RFP. This</p>



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will push the final draft submittal of RFP to MB into late-March, early-April with RFP advertisement to follow.

PHASE 1A TASKS:

- 12.17.03 1. Task #2A- Technical Advisory Committee (TAC):
MM presented proposed TAC members for Tasks 2, 3, 4. This list was also presented to SC members in rough draft form at the individual SC meeting sessions held over recent two weeks. Some names were added since then. MM described the concept of the TAC formation, which is based on a “long list” of members with technical expertise, and shall be resources for MM to draw from in refining scope and budget and eventual RFP during the Phase 1A process. A small “working group” from the TAC will be selected by MM to help complete Task #3A&B – (“Review and Refine Scope of Services and Budget for SubK”). Once the working group refines the draft scope, it will be issued to the TAC for iterative comment and refinement as called for. SC agreed no written invitations were necessary to “formalize” TAC candidates. MM will refine TAC list further based on this meeting’s discussions and submit to SC for final approval.
- 01.24.04 closed **Revised TAC list was presented. List was accepted with no further comment. AJ motioned approval, MS second. Approved.**
- 12.17.04 2. Task #3A&B - Review and Refine Scope of Services and Budget for SubK:
MM noted first “working session” to begin refining scope and budget is set for Dec 22nd, with TAC members John Runyan of ICF, Ryan Houston of UDWC. DH felt using Runyan and Houston poses possible bias issues and suggested an outside consultant be selected to render a second review and opinion. MS agreed with DH. MM will provide second consultant to SC for approval. Schedule anticipates an approx. 7-week duration for the scope and budget refinement process.
- 01.24.05 MM/pending **MM reviewed Budget and Scope with TAC members Runyan and Houston on 12/22. Summary of meeting:**

Scope: Cannot formatively shift feasibility study’s scope since we need to follow an Alternative Analysis process that provides a foundation for



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MEETING MINUTES

Federal and State agency regulatory requirements (permitting). This will also set us up to qualify for Federal funding. The number of alternatives studied will determine costs of study. It is generally understood that four alternatives are necessary to offer the broadest set of options, yet this cannot be fully determined until the community's values and voice are heard through the public outreach process.

Of importance is the visual aids and rendering developed out of the alternatives process. MS stated the need to do the best we can afford and negotiate that level of service with the selected consultant. "Cutting corners" on public presentations and outreach would put us at risk and lessen the effectiveness of the AA process. A thorough and well presented AA process, including quality visual aids increases the public's perception of the project. Therefore, not recommended we lessen the scope of visual presentations.

Budget:

- Hydrology/Hydraulics study: Could ask BoR to perform, save +/- \$50K
Pros: no cost-
Cons: slower, and not "local knowledge"
- Modeling: Current budget/scope based on 1D modeling; 2D is probably better for this project and provides better known outcomes for alternative design and implementation. Add 50%, or +/- \$25K

Conclusions: Keep scope "as-is"; have BoR perform Hydrology/Hydraulics study for a savings; but increase the modeling level for a better outcome, though this would increase costs. Net possible savings of approx. <\$25K> and revised budget of \$475K

01.24.06 MM/pending Third party peer review will be performed by Karen Swirsky of the Oregon Dept. of Land Conservation and Development (ODLCD). She comes highly recommended as a former consultant for many years with David Evans and Assoc. SC approved of Karen's involvement. Report expected by mid-Feb.



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MEETING MINUTES

- 12.17.05 3. Task #4A - Write RFP for SubK for Alternatives Analysis:
It is anticipated that the RFP will resemble in style and format much like the recent RFP issued for the Colorado Street/Whitewater Park. Similarly, the MP RFP will not be prescriptive in context or format, and will be written based on desired outcomes necessary for an Alternatives Analysis process required of NEPA.
- 01.24.07 MM/pending **Draft RFP process will begin once Swirsky has completed her peer review, anticipated to being third week of February. Final Working Draft will be issued to SC for comment. Final Draft presented to MB prior to advertisement.**
- 01.24.08 MM/pending 4. Task#5 – Funding Research and Planning:
Draft Scope of Work defines funding sources fairly concisely. Restoration component is required for most State and Federal Agencies.
- State (NEPA-level AA required to keep these doors open)
 - OWEB, Ken Bierly- “strong” restoration component; Measure 76 changes opens it up a bit; \$50K Planning; grant-based 2x/yr May&Oct, 6 mo. Waiting period
 - ODEQ, “strong” restoration component; \$150K planning and construction; grant-based- 1x/yr, 9-mo waiting period
 - ODF&W, “strong” restoration component; construction \$, not planning
 - ODSL, Wetland Mitigation Funding – (other source?); Restoration only
 - Federal- (NEPA-level AA required to keep these doors open)
 - Bureau of Reclamation, Delegation letter; begin process now; long-range planning: David Blair/Wyden; Walden, Merkley;
 - Starting engaging – “best” source of bigger funding; years...?
 - Local foundations
 - Meeting with Julie Gregory of OCF

OTHER BUSINESS:



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- 12.17.06 Oregon Regulatory Agency TAC:
It was discussed of the importance to begin building relationships with the various permitting and regulatory agencies such as ODFW, DEQ, DSL, USACE. MM will research key personnel and develop those contacts, adding some to the TAC for agency representation.
- 01.24.09 Closed** **MM researched key contacts with regulatory agencies and contacted them to introduce project. Understanding is that MP will fall under DEQ's Federal and State regulation for permitting under DEQ's Section 401 Water Quality Certification (WQC). This will include a USACE permit for a "Removal and Fill" project. Agency contacts include: ODFW, Brett Hodgson; USACE, Brian Wilson; DSL, Bethany Harrington; DEQ, Alex Liverman. They are available for Q&A, and believe once the Consultant team is on board a meeting with regulatory folks would be prudent.**
- 12.17.07 Local Stakeholders:
MM suggested pulling together a "local" Public Stakeholder meeting comprised of just the landowners adjacent to MP. It is felt this meeting is important to partner with and provide a voice to these key public stakeholders during the refinement process. SC agreed, and MM will arrange and inform SC of that meeting.
- 01.24.10 MM/ pending** **MM met with Mike Hollern. He suggested not meeting with local/adjacent property owners now; rather keep them informed through a simple mailing. Only meet once alternatives are being vetted, and outreach process is underway. This will strengthen our position with those more protective of the Mirror Pond.**
- 01.24.11** Media/Outreach
Recent Bulletin Articles and Editorials prompt questions of media and outreach at this early stage. MM has discussed with Jan Taylor of BP&R the importance of getting out our message and beginning to craft the community's perception and understanding of our project. Domain name is secured: www.mirropondbend.org. MS states outreach begins in next phase of the project and will need the proper funding, as it will be relatively costly and take more time than budgeted in Phase 1A. Until then, SC agrees use City of Bend's MP Link



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- for meeting minutes and general information until consultant is on-board and outreach is necessary, at which time the website will be developed.
- 01.24.12** **MO/ pending** **MO will inquire with City's PR Director Justin Finestone to assist in updating website. MM would manage updates**
- 01.24.13** Roll of Management Board vs. Steering Committee
Need to define roll of the Management Board. Which group makes final decision, SC or MB?
- It's understood that the MB is a "Citizen Advisory Committee, and delegates to the SC for final decision. MB votes by simple majority; SC will take into account MB comments. MB reports to the City council on progress".
- BS requests a flow chart showing graphically the relationship between the two bodies. MS and MM to get together for this.
- 01.24.13** PM Scope of Services
MM noted that with the understanding to extend Phase 1A Project Management Scope and Services through the consultant selection process, PM contract would need modification. (See proposed PM Planning budget, Phase 1A-rev-distributed)

END OF MEETING

These Meeting Notes shall be considered an accurate account of the issues discussed and decisions reached unless written notification is received within three (3) days of issuance. Modifications to the project record are shown in italics.

Submitted by:
Brightwater Collaborative, LLC
Michael McLandress
Project Manager
Mirror Pond Siltation Project