



Mirror Pond Siltation Project, Phase 1A
Bend, Oregon

Steering Committee Meeting

SC Meeting: 004
Meeting Date: 03.21.11 @ 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 Park & Rec	(541) 280-0475	don@bendparksandrec.org
[X] Bruce Ronning	Bend Park and Rec	(541) 706-6113	bruce@bendparksandrec.org
[X] Bill Smith /BS	William Smith Properties	(541) 382-6691	bill@wsppi.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:
➤ April 18th
➤ May 16th
➤ June 20th

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

➤ 3/29/11;(shifted from 3/17 due to Spring Break schedules)



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<u>Date/No.</u>	<u>Resp/Due</u>	<u>Issue/Discussion/Required Action</u>
		A. <u>BUDGET:</u> Mike Riley issued this month's Financial Report to SC. Requested comments, and no comments noted. (General note: B2030 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).
03.21.01	on-going	no comments
01.24.13		A.1 - <u>PM Scope of Services</u> MM noted 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).
03.02.02		MM presented "Proposed Revision" to Project Management Services Agreement, dated 3/1/11, reflecting added scope to include the issuance of the RFP through selection of consultant, as agreed by SC. See attached. This more accurately shows requested tasks to be performed by the PM, as agreed by the SC. B2030 to process PSA modification. (Post meeting note: Revision was modified slightly to show more accurately the scope of the added tasks, and re-issued to B2030 on 3/10.)
03.21.02	Closed	PM's Professional Services Agreement (PSA) modification request, adding Tasks 4.1 thru 4.6, was re-submitted for SC vote of approval. A clarification was needed with the understanding the added value of \$8,840 (not to exceed) is in addition to the original and current PSA value of \$44,100. Total new value of PSA would be \$52,940. BS moved for approval of proposal; AJ seconded. SC all voted in favor of approval and it passed. DH absent; BR (alt) abstained vote. Mike Riley of B2030 will issue modification to PSA. See attached.



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- 03.02.03 **B. SCHEDULE:**
On-track for RFP issuance early-April
- 03.21.03 pending Schedule will be revised once RFP is issued. On track for early April, and may push for March 31, but MM suggested an individual legal review of RFP by all SC members' legal counsel. SC agreed but not to hold up issuance.**

(See meeting note 03.21.05 below for Post Meeting Note).

- C. PHASE 1A TASKS:**
- 12.17.04 **C.1 - Task #3A&B - Review and Refine Scope of Services & 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 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 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



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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 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.

03.02.04 SC reviewed Swirsky’s Peer Review with general agreement to move to a two-phase project: Phase 1 – “Baseline Conditions and Community Engagement”; Phase 2 – “Evaluating Alternatives”. This approach would allow us to move ahead with Phase 1 with limited funding if necessary.

03.21.04 closed no further comment



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- 12.17.05 C.2 - 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 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.
- 03.02.05 Draft RFP writing in progress, using TAC members K. Swirsky, J. Runyon and R. Houston; along with assist from Dave Crowther, BP&R Business Manager (Contract Specialist).
- MM will re-issue DRAFT RFP to SC members for comments and RFP refinement. Comments due back by Tues. 3/8.
- 03.21.05 MM/pending **Draft comments taking longer to get back from SC and TAC; DH away in DC. Suggestion to take our time to 'get it right' is better than operating on a self-imposed deadline, and issuing unnecessary addenda. MM's still shooting for issuance 3/31.**
- BR suggested to limit hard copies of proposals to only two (2), and request 8 digital copies**
- MM recommended SC members provide their own legal review; this would push the RFP issuance further out. BS believes we could issue RFP by 31st and if necessary respond via addenda with any legal concerns to consultants.**
- (Post meeting note: After further consult with MPMB at the 3/28 MPMB meeting, it was recommended we wait for all legal reviews to be complete before final issuance of RFP for advertisement)**



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C.3 - Task#5 – Funding Research and Planning:

- 01.24.08
- a. FUNDING OPPORTUNITIES-
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
- 03.02.06
- b. BUREAU OF RECLAMATION-
Letters to the Delegation: City of Bend letters jointly signed by SC currently being drafted; pending review and SC comment. Letter will request Delegation to support SC’s efforts with MP and desired engagement by the Bureau for technical study and funding assistance. This will pre-empt DH visit to D.C. on March 14th (BP&R business), and his scheduled meeting with Delegation representatives on 3/17 to request Bureau involvement.
- 03.21.06 **Closed** **Joint SC Delegation letters to Walden, Wyden and Merkley were issued on March 7th.**



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| 03.02.07 | | Local Bureau Contact: MM to contact Scott Boelman, new Bureau of Rec. Manager, Central Oregon Field Office- to meet and discuss MP project, and Bureau's involvement. |
| 03.21.07 | MM/pending | Nothing to report. Scott Boelman has not returned calls. MM to follow up and arrange for meeting. |
| 03.21.08 | MM/pending | c. <u>ARMY CORP OF ENGINEERS-</u>
MM working on WRDA (Water Resource Development Act) for 2011. This allows the Mirror Pond Project to be considered as an Army Corp authorized project for the Corp's workload. If accepted (and it has been suggested by ACE staff and delegation reps it would qualify), we would be in line for ACE technical and financial support. MM requested 6 letters of support due 3/24 (ODFW, COID, WSPI, BP&R, PPL, City of Bend). WRDA app. due April 4th. |

D. OTHER BUSINESS:

D.1 - COMMUNITY OUTREACH:

(Not part of the Phase 1A scope of work, but SC finds Community Outreach is being considered more as we progress in this phase.)

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| 12.17.07 | a. <u>Local Stakeholders</u>
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 met with Mike Hollern. He suggested <u>not meeting</u> 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. |



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| 03.02.08 | | DH to contact Hollern about further ideas on best approach. SC recognizes the importance of the adjacent property-owner Stakeholder Group. The context of the engagement, and timing is such, is important to consider. Pat Egan suggested we be sure to have a fully developed project prior to issuing a letter or meeting with them. Otherwise, this would be a challenge to manage the public opinion. |
| 03.21.09 | DH/pending | DH not present to report. |
| 01.24.11 | | b. <u>Media/Outreach</u>
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 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 will inquire with City's PR Director Justin Finestone to assist in updating website. MM would manage updates |
| 03.02.09 | | Post-meeting note: Apparently City decided prior to Phase 1A to use the B2030 website to manage information for MP, rather than continuing with City's website. MM to follow up with B2030's website manager, Donna Jacobsen. There may be a fee involved for Donna's assistance. |
| 03.21.10 | MM/pending | MM meet with Donna and arranged for Bend2030 website to be new link to the Mirror Pond Project. She will add to B2030 website to allow for a direct link to a new blog website ("Blogspot") to be created (with Donna's assistance) and managed (by MM) for all current and new (Phase 1A) updates. The B2030 site will direct to the City of Bend's website for all historical MP info. City's site would refer to B2030 site for the new info. |



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- 01.24.13 c. Roll of Management Board vs. Steering Committee
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.
- 03.02.10 Definition is clearly stated in the RFP, including that the SC has all decision-making authority with consultant.
- 03.21.11 closed **Relationship has been defined in the RFP. No further discussion.**

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 date of issuance noted below. Modifications to the project record are shown in italics.

Date of issuance: 4/06/11

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