

The work session of the Bend City Council was called to order at 5:00 P.M. in the City Council Chambers at Bend City Hall, 710 NW Wall. Present were Bend City Councilors Linda Johnson, Chris Telfer, Peter Gramlich, Jim Clinton, and Mayor Bruce Abernethy. Councilors Capell and Friedman were absent.

Joint meeting with Tree Committee (Issue Summary)

The Tree Committee was formed in response to a proposed ordinance protecting trees on private property. The Tree Committee met twice and decided to look at the larger picture of an urban forest. They decided that, if an ordinance is adopted, it should be based on reward rather than punishment. It should provide opportunity for the City to work with the property owner toward tree protection and preservation.

Mike Lovely advised that the committee discussed the possibility of hiring an arborist and preparing an inventory of the urban canopy and to focus on replacement of trees that are removed. The intent is to maintain an urban forest canopy.

Paul Stell advised that planning is needed in order to maintain a tree canopy. The parks district replaces each tree that is removed with three new trees. The tree ordinance calls for an urban forest plan. The Tree Committee would oversee the creation of the plan. This will require a high level of expertise. The committee felt that a punitive process would not be well-received.

Darcy McNamara advised that the committee reviewed numerous ordinances from other cities and felt that Bend fell short in three areas. The current ordinance does not establish goals. It does not have a management strategy. The ordinance will need wide community support.

Andy High added that the committee wanted to get the message out to people that the ordinance will be cooperative and citizens should not feel like they have to remove trees before an ordinance places too many restrictions on removal.

Councilor Johnson supports the public process. She asked how the pro-active, non-punitive approach interacts with regulations already in existence throughout the Bend Code. Mr. Stell responded that the committee does not propose elimination of any existing regulations. A new ordinance should work in accord with existing regulations.

Councilor Johnson appreciates the cost analysis provided on each of the options. Not having a fee attached to the permit surprises her, and she wonders how the urban forester will be funded. Community Development Director Mel Oberst explained the reason for the recommendation for no fee was not to dissuade citizens from coming in and working with the City. Mr. Stell discussed other means of funding the program such as grant funding. One of the charges of the committee could be to find a revenue

stream. Councilor Johnson believes the services of a forester are valuable to citizens and doesn't have a problem asking them to pay for it. Ms. McNamara felt that this could be discussed in developing the plan. Councilor Johnson recommended that the Planning Commission be involved in the process. Councilor Gramlich echoed the importance of the role of the Planning Commission. A tree ordinance should connect tree regulations throughout the Bend Code.

Mayor Abernethy appreciates the work of the committee to date and supports the direction they're taking. He discussed the three potential funding options and suggested a fourth option be considered. Is the arborist position a required, full time position, or might these services be provided on contract? He does not have a problem with there not being a permit fee and he understands the reason for not imposing a fee.

Mr. Oberst suggested that Council authorize staff to take a step back and not proceed with the original ordinance as presented last fall, and that the matter be referred to the Planning Commission for consideration and tasking of the Tree Committee. Council agreed to step back and pursue an incentive rather than disincentive approach and refer the issue to the Planning Commission for further direction.

Staffing Agreement between the City of Bend and Bend 2030 (Issue Summary) (Agreement)

Dina Barker and Stephanie Hicks presented a staffing agreement for Council consideration. Bend 2030 has entered Phase III. The project management team created a new non-profit organization. The board of directors will include three representatives from City of Bend - the City Manager, a City Councilor and a senior planning department representative. The staffing agreement calls for administrative support to Bend 2030 by the new Assistant City Manager, Eric King.

Presenters reported on the activities of the board of directors since January when the board was established. The board is made up of 19 members. The board has formed ad hoc committees, developed bylaws, and prepared development strategies and a fundraising plan, and is working on a budget. A board retreat will focus on the work plan and organizational structure.

Responding to Councilor Clinton, Councilor Johnson explained that both Peter Gramlich and herself and will serve on the board as requested by the board members. Councilor Johnson serves as the Council representative, and Councilor Gramlich serves in an at-large role.

The board has an unincorporated status at this point. The Council and board can ratify the staffing agreement when the board becomes incorporated.

Council Telfer wondered if the agreement is premature when the budget for Bend 2030 is not yet developed. There are so many unknowns. She is concerned about the cost of \$160,000 to the City. What are the other sources of revenue? Ms. Barker advised

that the board will be fundraising to support activities. Councilor Johnson clarified that the \$160,000 was for this year, not next fiscal year. She pointed out that Bend 2030 board is not a city-owned or operated agency. It is a contractor-like relationship. Councilor Telfer is worried about the City's portion of the funding compared to other agencies. Ms. Barker estimated funding for the coming year. The board anticipates two-thirds time of the Assistant City Manager through June 30, 2008, at \$107,000. Councilor Telfer asked about the full funding needs of Bend 2030, and what percentage the City is asked to pay. Ms. Barker explained that the Budget Committee just met for the first time and the information is not yet available. Councilor Telfer feels like the City's contribution keeps growing. Mr. Anderson explained that the expectation is that the board will need Mr. King 2/3rds time to get the program going. Then his time spent on Bend 2030 should reduce to half time. Councilor Johnson reminded Council that Council was aware that Bend 2030 funding ended in January. The Council had agreed and been willing to fund the transition. The Assistant City Manager will assist the board when the project manager leaves. The agreement defines and clarifies the services that the City has committed to. To hold off on the agreement would leave the initiative leaderless for three months and would not have any change in budgetary impact until next year. The agreement defines the scope of work.

Councilor Clinton confirmed that the portion of the Assistant City Manager's salary for Bend 2030 administration will come from the General Fund.

Update on Residential Land Study and UGB Expansion (Issue Summary)

Planning Staff Brian Shetterly and Damien Syrnyk explained that the public phase of the process has begun. A joint meeting between City of Bend and Deschutes County Planning Commissions was held last week. Two public houses are scheduled by mid May. Technical work is wrapping up and, currently, staff is writing findings and preparing for the public process. City, County, State and ODOT staff will meet tomorrow. Planning products will be available on the website.

Councilor Telfer is receiving phone calls from citizens who are expressing interest in either being included in or excluded from the expansion. She asked when they should become involved in the process. Mr. Syrnyk explained that they should prepare their materials for the decision making bodies during the public process.

Mayor Abernethy asked when the final, total number of acres will be ready. Staff responded that the next meetings will help to narrow down the land for consideration. Staff will look at facilities planning in order to determine this.

Councilor Gramlich discussed the importance of helping the public understand the difference between Urban Growth Boundary and Urban Area Reserve. He isn't sure the public is aware of this difference yet and how it impacts their properties.

For the meeting next week, staff hopes to have 8,000 to 10,000 acres identified. By mid May, three alternatives should be available with one preferred alternative. This should include about 3,500 to 3,600 acres. The State Department of Land Conservation and

Development must have notice of all the lands being considered before the June hearing.

Mayor Abernethy called a recess to Executive Session pursuant to ORS 192.660 (2) (d through h) at 5:57 P.M.

Respectfully submitted,

Patricia Stell
City Recorder

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