

**Agenda
Bend City Council
September 4, 2013
City Council Chambers, Bend City Hall
710 NW Wall, Bend, Oregon**



Light Meal, 4:30 p.m.

City Council Work Session Meeting, 5:00 p.m.

1. **Convene Work Session**
 2. **Executive Session under authority of ORS 192.660 (2)(e) to conduct deliberations with persons designated to negotiate real property transactions and (h) to consult with attorney regarding legal rights and duties of a public body with regard to current litigation or litigation likely to be filed**
 3. **Return to Open Session**
 4. **Deschutes Collaborative Forest Landscape Restoration Project**
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City Council Regular Meeting, 7:00 p.m.

1. **Roll Call: Mayor Jim Clinton, Councilor Jodie Barram, Councilor Scott Ramsay, Councilor Mark Capell, Councilor Victor Chudowsky, Councilor Doug Knight, Councilor Sally Russell**
2. **Pledge of Allegiance**
3. **Good of the Order**
 - A. **Southeast Bend Neighborhood Association Report**
4. **Visitor's Section— 3 minutes per person; when invited to the podium, please state your name and whether you live inside the City of Bend.**
5. **Consider a Motion to approve the Consent Agenda**
 - A. **Approval of Minutes:**
August 7, 2013 work session
August 7, 2013 regular meeting
 - B. **OLCC Report**

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- C. Authorize a sole source service request agreement with Central Electric Cooperative for the purpose of facilities and line relocation as required for the Reed Market Road: 3rd St. to Newberry Project ST12CJ, for an estimated amount of \$228,939**

The 15th and Reed Market Road roundabout area where utilities are going underground, require utility relocations by the franchise utilities. Central Electric Cooperative (CEC) has numerous relocations, some of which are reimbursable per the franchise agreement. The total estimate for the CEC relocations is \$228,939

- D. Approval of Leading Edge Aviation Helicopter Parking Ramp Lease Renewal**

Leading Edge Aviation (LEA) currently leases the Helicopter Parking Ramp for Helicopter flight and training operations. The area provides safe ingress and egress to FAA approved helicopter parking sites and is used extensively by Leading Edge's/COCC affiliated flight program, with approximately 130 students. In accordance with FAA grant assurances, LEA has a demonstrable need for the continued long term use of the Helicopter Parking Area.

- E. Approval of lease area modification and lease term for Hangars 63000 and 63002 owned by Mr. Leonard Peverieri**

This request is for an amendment to current leases in order to allow the construction of an addition and access to hangar 63000. The FAA has approved the modification (attached) and Deschutes County has approved the site plan (attached). Mr. Peverieri has also requested that the lease terms be extended to justify the investment in the improvements.

End of Consent Agenda

- 6. Hold a public hearing on a Bend Development Code Text Amendment to reinstitute the prohibition on height variances on the west side of Brooks Street between Franklin Blvd and Newport Ave.**

The recent Code amendment that removed the prohibition on variances, now allows the property owners west of Brooks Street to apply for a Class B Variance to the maximum 35-foot height limitation. Reinstating the prohibition will remove a height variance as a development option for properties west of Brooks Street.

Recommended motion: *I move for the first reading of the ordinance reinstating the prohibition on variances west of Brooks Street in downtown Bend.*

- 7. First reading of an ordinance cancelling a Statutory Development Agreement with Pahlisch Homes, Successor in Interest to Elk Horn Land Development, Inc.**

On August 30, 2007, the City and Elk Horn Land Development, Inc. entered into a statutory 15-year development agreement, which related to Condition 15 of the 2006 Land Use Approval for the Shadow Glen Subdivision, PZ 06-261 and PZ 06-

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262. Pahlisch Homes has since applied for a modified development proposal with a new phasing plan for the subdivision development.

Recommended motion: *I move that Council hold a first reading of the ordinance cancelling a statutory development agreement by mutual consent of the City of Bend and Pahlisch Homes Inc., the Successor in Interest to the original developer, Elk Horn Development.*

8. First reading of an ordinance amending Bend Code Title 1 by Adding Provisions Relating to Leasing of Airport Property and by Adding a new chapter 3.05 Bend Municipal Airport

Property at the Bend Municipal Airport exclusive of public use, taxi lanes, taxiways and runways, is intended to be leased to aircraft owners, operators and others for airport-related uses. Because leases are often long-term, the leases can end up with total rent in excess of \$25,000. Although the City Manager's has leasing authority to enter into leases with a total value of up to \$25,000, some have argued that the City Manager lacks authority to enter into leases that may result in total rents over the rental period, including extensions, that will exceed \$25,000. The proposed ordinance would give the City Manager authority to enter into, amend and extend leases if the rent is at the appraised amount.

Recommended motion: *I move for the first reading of the Ordinance Amending Bend Code Title 1 by Adding Provisions Relating to Leasing of Airport Property and by Adding a new chapter 3.05 Bend Municipal Airport.*

9. Council Action and Reports

A. Committee Reports

10. Receive City Manager's Report

11. Adjourn

Accessible Meeting/Alternate Format Notification



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