

**Mirror Pond Ad Hoc Committee
Minutes
August 27, 2013**

Committee Members Present: Don Horton, Executive Director, BPRD, City Councilor Victor Chudowsky, City Councilor Mark Capell, Ted Schoenborn, BPRD Board, Scott Wallace, Chair, BPRD Board and Mel Oberst, City Community Development Director.

BPRD Staff Present: Jim Figurski, Mirror Pond Project Manager, Jan Taylor, BPRD Community Relations Manager and Paula Lowery, BPRD Executive Assistant.

Media Present: Richard Coe and Hillary Borud, The Bulletin.

Visitors Present: Darlyne Hoover Haynes, Tom Filcich. Juanita Thompson, Tom Thompson, Dorothy Olsen, Craig Coyner, Bill Baer, Peter Coefflen, Nancy Carlsen, David Lynch, John Langhauser, Justin Gottlieb, Bob Breau, and Oran Teater.

Don Horton convened the meeting at 3:03 pm.

Review Charge of the Committee

The purpose of the committee was confirmed as defined by approved motions of the Bend City Council and Bend Park & Recreation District Board of Directors to work with project staff and the consultant team as an exploratory, fact-finding body to advise and assist project staff and the consultant team regarding issues pertaining to the future of Mirror Pond and to work with project staff and the consulting team and engage Pacific Power to become part of that exploratory process. The committee also clarified that the findings and recommendations of the committee would be reported to the Bend City Council and Bend Park & Recreation District Board of Directors for consideration toward reaching a solution for the management of the Mirror Pond.

Appointment of Committee Chair

Scott Wallace volunteered to serve as chair of the committee which was approved by consensus of the committee.

Citizen Representation Requests

Jim Figurski shared copies of resumes and letters of interest from three citizens who wish to serve on the ad hoc committee. The committee discussed the types of preferred qualifications of citizen appointees and a process to seek applications. Mel Oberst suggested considering members of the Mirror Pond Management Board in consideration of their knowledge of the project. Don Horton stated that he has heard from other community members who have expressed an interest in serving on the committee. The committee determined to advertise the citizen positions for two weeks and request a letter of interest directed to Jim Figurski. Jim was

instructed to collect and transmit the responses to the committee for their consideration prior to the next committee meeting.

KEY Decision Points

The committee discussed conducting a meeting with PPL regarding the future of the dam and directed that a small group of committee representatives should participate in the meeting. Don Horton and Mark Capell volunteered to represent the ad hoc committee in meetings with PPL. Don Horton recommended that the BPRD's legal counsel, Neil Bryant, also be included in those discussions. By consensus the committee agreed to representation by Mark Capell, Don Horton and Neil Bryant in discussions with PPL.

The committee discussed ownership of the land under Mirror Pond. Don Horton confirmed the majority of the land is in the ownership of the McKay Family Trust. He noted that Neil Bryant is working with the title company to determine whether a title report and title insurance could be obtained for any transfer of real estate, if it is determined there is a need for public ownership of the land under the pond.

Don Horton reviewed the issue of water rights owned by PPL for the purpose of generating power. He stated that there may be a possibility for transfer of those water rights to a different owner for other uses. He added that BPRD legal counsel is continuing to investigate this issue and discussions with PPL and the State Water Resources Board will follow.

Next Steps

The committee determined the citizen committee positions would be advertised with a closing date of September 13.

The committee directed Don Horton to schedule a meeting with PPL.

The committee determined the next meeting will be scheduled after the PPL meeting and the closing date for accepting letters of interest for the citizen representatives.

The committee discussed a process for accepting public comment.

The meeting was concluded at 3:35 pm.

Prepared by,

Paula Lowery
Executive Assistant

