City of Bend / Oregon State University - Cascades
Memorandum of Understanding
Short Term 10 - Acre Project (Phase 1)

The City of Bend and Oregon State University - Cascades are pleased to further higher education opportunities within the City of Bend for residents of Central Oregon and beyond. The intent of this MOU is to focus on meeting the objectives outlined below and as defined by four major categories that include:

1. Team Roles and Involvement;
2. Phasing/Schedule;
3. Community Involvement;
4. Transportation, Sewer and Water.

This MOU is intended to serve as a general basis for delivering an initial campus expansion that is ready for occupancy by fall of 2015. OSU-Cascades and the City of Bend will develop a separate MOU to address the long term master planning of the campus. This MOU does not contain all of the detailed steps or requirements to reach this objective, but does reflect the current mutual intentions of the parties. Neither City of Bend nor OSU-Cascades have any legal obligation under or by virtue of this MOU, but the parties currently believe this MOU outlines the parties’ current thinking on best means to achieve this objective and agreement to cooperate in good faith along the lines described in this MOU.

Agreed Upon Goals/Recitals:

1. OSU-Cascades plans to build a four year university campus within the City of Bend.

2. OSU-Cascades intends to open in fall of 2015 with approximately 75,000 – 150,000 square feet of residential, classroom, office and support space for the current 950 students and first freshman class.

3. Both the City of Bend and OSU-Cascades seek to build a highly successful university campus and institution of higher education in Bend that is integrated into the community, minimizes any adverse impacts to existing neighborhoods and public infrastructure, and can grow in a way that enhances the campus and surrounding community.

4. City of Bend will work closely in accordance with local land use law with OSU-Cascades to navigate entitlement planning, building and engineering processes, address infrastructure issues and balance/mitigate community impacts for Phase 1. The City will apply the applicable standards to the OSU Cascades land use proposal as it would for any new land use application.
5. OSU-Cascades and City of Bend both desire to establish a mutually beneficial working relationship focusing on open dialogue, long-term planning, community involvement and when needed, identified dispute resolution protocols.

6. OSU-Cascades and City of Bend have joined the International Town Gown Association as partner agencies to monitor and mirror best practices identified in other communities that are appropriate for this university and campus community, and to document and symbolize the dedication to creating a mutually beneficial and productive relationship.

7. OSU-Cascades and the City of Bend are committed to working together with the community on long term goals for and master planning of the larger campus site in order to address community issues and concerns. Initial goals for that effort will be to plan for a successful university and an appropriate transition area surrounding the campus property. The City and OSU’s involvement in that planning process will be described through a separate MOU.

8. OSU-Cascades and the City of Bend will work in good faith with other relevant public agencies engaged in planning large projects in the vicinity of the campus site in order to engage in a coordinated dialogue with the community as part of the larger campus master planning effort. This is in an attempt to identify common issues and concerns that may be best addressed collectively. It also will provide the public a clear understanding of each agency’s plans for and roles in the various projects. The agencies contemplated for this coordination include Deschutes County, Bend Metro Parks and Recreation District, and Bend LaPine School District in addition to the City and OSU Cascades.

**OSU-Cascades Phase 1 Project Scope**

OSU-Cascades will purchase a 10.44 acre site at 1500 SW Chandler Avenue. This site is currently zoned commercial limited. OSU-Cascades plans to develop this site per the current zoning and land use entitlement processes. OSU-Cascades intends to open in fall of 2015 with approximately 75,000 – 150,000 square feet of residential, classroom, office and support space for the current 950 students and first freshman class on the 10.44 acre property. Per City of Bend Development Code Title 4.2, OSU-Cascades plans to submit a site plan application for Phase 1 development.
Team Roles and Involvement

The city review process can be expedited based on the quality of applications submitted. Therefore, the correct team to lead that project is paramount for success. A clear definition of roles and rules of engagement are critical elements in meeting the aggressive timelines identified above.

OSU-Cascades will recruit and hire a team for Phase 1 including the following sets of expertise:

- Traffic Engineer
- Land Use Planner or Land Use Attorney
- Architect and necessary design services
- Civil Engineer
- Project Manager – main point of contact for OSU Cascades for this project.

OSU-Cascades agrees to appoint a project manager to coordinate its project with the City. This project manager will be the primary point of contact for the City project manager when facilitating and coordinating application submittals, reviews and permitting.

The City agrees to provide a high level project team and single project manager to coordinate the land use entitlement and permitting processes necessary to issue building permits for construction of part or all of Phase 1 at the earliest possible time. The City project manager will be the main point of contact for the City review team.

The City's role will be to coordinate the development review, approval and permitting processes consistent with adopted city codes and specifications.

The City of Bend will coordinate with the OSU-Cascades project team prior to application submittals to identify and try to resolve issues up front. The City encourages OSU-Cascades to request pre-application meeting(s) prior to submittal of applications to aid in that coordination.

The City of Bend will provide land use, building and engineering review services and work in good faith to meet OSU-Cascade's timelines.

The City will allow various planning, engineering and building elements of the project to be submitted and reviewed concurrently and/or in any logical sequence necessary to advance the project toward the issuance of a building permit. There is some inherent risk with this approach which OSU-Cascades acknowledges and accepts. All approvals and permits will be issued in the sequence specified by the codes of the City.

The City and OSU-Cascades project teams will meet as necessary, preferably on a regular schedule, to coordinate various elements of the development process.
Scheduling/Phasing

There are statutory timelines that govern the land use entitlement process. The Site Plan Review application for the project has required timelines including notice to surrounding property owners and neighborhood association and opportunities for these parties to participate in the process. Because building and engineering permit timelines are regulated by local policy, there is more flexibility with the timing of review and issuance of these permits, as long as all applicable standards are met. In order for the City to expedite the review process, it is essential that the OSU-Cascades team submit complete, comprehensive applications to facilitate those reviews.

OSU-Cascades plans to enroll the first freshman class to begin on-campus studies in the fall of 2015 academic term. This will require Phase 1 buildings to be completed and certified for occupancy in August of 2015. OSU-Cascades will make every effort in good faith to submit quality design and construction applications in order to meet the Phase 1 desired timeline and allow proper City review in order to coordinate with ongoing City infrastructure improvements.

The City will make every effort in good faith to review land use, engineering and building permit applications to meet the goal of issuing certificates of occupancy for the buildings needed to allow students to begin classes and reside in student housing in August 2015. Again, in order to track these timelines, the project managers from both OSU-Cascades and the City will schedule regular team meetings to address issues that may have the potential to delay the project and impact completion dates. It is anticipated that these meetings will be held weekly throughout the life of the project. The parties understand, however, that the City cannot control time delays from the public process, including land use appeals, if any.

Community Involvement

The City will provide notification of land use entitlement applications to adjacent neighborhood associations and affected property owners within 250 feet of the 10 acre site. A meeting with affected neighborhood associations is required by City code and will be hosted by OSU-Cascades prior to submitting any land use application for the Phase 1 project. Community involvement beyond these required steps is elective and would be the responsibility of OSU-Cascades. OSU-Cascades feels that a comprehensive, methodical and multi-pronged community involvement strategy will be key to a successful OSU-Cascades expansion. Both OSU-Cascades and the City agree that it is to the benefit of both the campus and surrounding communities to integrate the campus in a way that meets the university’s needs but respects the City of Bend’s unique sense of place.

A community involvement structure implemented by OSU-Cascades includes:
- A specific public involvement plan for Phase I.
Descriptions, purpose, membership, schedule and roles of various stakeholder groups such as the Campus Expansion Advisory Committee (CEAC) and its various task forces, Neighborhood Associations, required land use public involvement processes, key businesses and environmental groups impacted by the expansion, and elected boards or commissions that will play a significant role in the decision-making process.

An agreement of who is the “process owner” for each stakeholder group or public involvement effort, including roles of consultants or other key partners.

Methods to document and respond to community concerns.

An ongoing plan and process to identify stakeholders as decisions evolve through the expansion efforts.

Transportation, Sewer, Stormwater & Water

The numerous planned developments on the West Side of Bend and any future use of this 10-acre commercially limited zone site will impact transportation, water, stormwater and sewer infrastructure. OSU-Cascades will follow all required City of Bend land use entitlement processes to analyze impacts and mitigate those impacts as required by code. The City will hold OSU-Cascades to the same standards as any new land use proposal.

The City is working on a Transportation Growth Management Plan to address West Side transportation and land use concerns on a broader scale to focus on the numerous redevelopment projects slated for the west side of Bend and evaluate the mobility standards appropriate for this area. The work associated with the TGM is in part designed to address the impacts and issues associated with the full master planning of the campus. Due to timing, this work will not be applicable to the Phase 1 project.

There will be transportation impacts from the first phase and generally include:

- Parking (onsite and offsite)
- Multi modal safety
- Traffic congestion
- Access and connectivity for all modes of transportation to the campus

The City and OSU-Cascades will work closely to identify progressive approaches to address these issues. The City would like to team with OSU-Cascades and Bend Parks and Recreation District to identify opportunities to implement bike and pedestrian facilities that will benefit the campus and the community. OSU-Cascades will develop and submit a robust Transportation Demand Management Plan with its site plan application detailing pathways and connections, parking, and transport to and from the COCC campus.

The City, based on direction from the Sewer Infrastructure Advisory Group and City Council, has begun design for a regional pump station that has been sized according to
potential impacts from the OSU-Cascades expansion. Sewer impacts will be analyzed with each phase of development but the City has been proactive in sewer infrastructure planning based on the university expansion plans.

Provision of water for the first phase will also be analyzed based on anticipated demand. This analysis will consider ability to meet fire flow requirements for the proposed development in addition to potable and irrigation needs.

Each person signing below represents that this MOU reflects the position and understanding of the organization the person is signing for.

CITY OF BEND

[Signature]
Eric King, City Manager
Date: 1-16-14

OSU-CASCADES

[Signature]
Becky Johnson, Vice President
Date: