

**Minutes  
Neighborhood Leadership Alliance  
Land Use Working Group  
February 11, 2021, 3-5 p.m.**



**CITY OF BEND**

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**3:00 p.m. Neighborhood Leadership Alliance (NLA) Land Use Working Group Meeting**

**Call to order 3:01 p.m.**

- 1. Roll Call:** Lisa Mushel (Chair), Jim Christo, Dave Johnson, Hans Jorgensen, Elizabeth Rhodes

**Guests:** Deby DeWeese, Mike Walker

**Staff:** Makayla Oliver, Ian Leitheiser, Colin Stephens, Anne Aurand, Pauline Hardie

- 2. Approve Minutes**

Member Dave Johnson made a motion to approve both the December and January meeting minutes. Member Hans Jorgensen seconded the motion. Approved unanimously (5-0).

- 3. Public Comments**

There were no public comments for the working group.

- 4. Working Group Format**

Staff Makayla Oliver shared that she had heard some concerns regarding the "Guide to Public Meetings with Neighborhoods" document. She summarized the concerns she had received were regarding the changes City staff had made during the design process, including a major change prompted by new information about CityView.

Oliver shared this is the first document that has entered the final stages as part of the Land Use Education Plan, and so it was an appropriate time to get everyone on the same page moving forward. Oliver said that the working group, being new, ventured off course when working group members began to draft content for the resources identified in the Land Use Education Plan, rather than City staff who are the subject-matter experts hired to do this work at the City. Oliver explained how staff is supposed to collaborate with advisory groups on Council-directed projects, saying that Council heard the NLA in 2019, when they shared that the community needed better knowledge of land use. Council found merit in their concern, and incorporated a strategy in 2019-2021 Council Goals that directed

the City to create land use education materials while utilizing the NLA/NAs as a sounding board. Oliver said the NLA should absolutely be helping the City in identifying a vision, providing the ideas/bullet points about what is needed, and then in providing feedback from the neighbor perspective as City staff develop this vision. She reiterated that City staff should be the ones writing and producing the content, therefore the documents we receive from the working group are accepted as recommendations, and we do the best we can to keep the intent in the final product.

Staff Ian Leitheiser shared that when the City attorney's office reviews materials, one of the things they look for is the high-level implications, inferences and nuances that aren't apparent to most. Leitheiser said that these documents are City documents, not Neighborhood Association documents, and that at the end of the day the City has the final say in what they are publishing. Leitheiser said that Neighborhood Associations can produce what they want on their own, but that with this working group the goal is to get to a point in the review where everyone feels comfortable with the product.

Member Jorgensen confirmed that what was said was that the City needs to maintain editorial license of the products, but that the goal is to maintain the working group's intent. Leitheiser said risk mitigation is only part of the review. Jorgensen asked if branding and communication was also a part of this. Staff Anne Aurand discussed the importance of tone in communications and how the City uses language. Aurand also shared that City staff are the liaisons between working groups and Council, who directed the project.

Guest Deby DeWeese shared that she was surprised by the conflict. She said that she was confused when Oliver said that City staff should be creating the documents, because she hasn't seen that in the year she's been a part of the working group. She clarified the conflict was that the working group had submitted a document for design, and that City staff had edited that document which upset the working group. Oliver confirmed. DeWeese suggested that we define the issues.

Oliver shared that this discussion stemmed from feedback received when the documents were sent out prior to this meeting.

Member Johnson said that he's concerned they had not heard from staff until after they submitted the final product. Johnson says City staff stepped in and revised without discussing with the group. Concerned that the process should be iterative and doesn't feel that it has been.

Member Mushel said that a few members of the working group feel the guide is watered down and they wonder why a developer would even use it. They don't feel it is a complete document.

Guest Mike Walker feels the intent of the guide has changed. Disagrees with the changes that were made due to CityView. Walker said the missing documents,

which were identified as the first couple of pages of an application that explains the application requirements, could be put back in.

DeWeese shared that she has tested the guide with a developer. She also tested the Land Use Chair Guide. She said the developer provided great feedback and that they said the guide helped them since they were from out of the area and that it was one of the better experiences they have had with a meeting. DeWeese said that she felt that it was the easiest meeting she had been involved with and was pleased with the documents. Member Johnson said he heard about the meeting in Old Farm District and that it was commended for how well it was facilitated.

Oliver shared that Walker brought up the importance of the missing portions with Planning staff, and that they are working on a solution to make those available. Oliver said she didn't believe it should hold up the packet, as there are only seven applications that require a public meeting. She added that they could be added in later, if desired.

Member Mushel asked if the Land Use Chair Guide should be taken out of the working group's purview and given to the Land Use Chairs, citing the City's need for a certain tone and presentation.

Leitheiser agreed that it's something to consider. He also said that there isn't a formal review process, but that it is an iterative process. He said if the group wants more time and needs more time they can take that. He also shared that during the review he didn't feel that any of the changes that were made took away from the intent.

Johnson shared that he feels the process is broken and not iterative. Walker shared that he had written a document that outlines the intent and thought the group was following that. Christo shared concern that there isn't a process. Asked if we could outline a path forward.

Mushel asked the attendees if they had anything to add. Ken Atwell, Southeast Bend Land Use Chair tried to speak but due to technical issues was unable to. Christo offered to follow-up, as the Southeast Bend NLA representative. Mushel shared that there were several members of the group who were not going to approve the guide in its incomplete form.

Staff Pauline Hardie shared that Planning staff can work on putting together easy to reference documents that would take the place of the PDF applications which were replaced. Links could be provided to these.

Mushel defined the intent of the guide. Suggested there were items taken out of the packet that they feel need to be included again.

Johnson moved that the developer guide not move forward until there is a process in place, where the group can negotiate staff changes. No second at this time.

Christo shared that he spoke with Ken Atwell via phone and that his comments were that the guide did not address the Land Use Chair and the developer working together. Mushel agreed due to some language that was removed. Oliver shared that it was two sentences that were moved from the “Code Requirements” section of the packet to the “Meeting Checklist” section of the packet because it is not a code requirement, but it was not removed. DeWeese agreed that when she tested the packet that the partnership with the developer was helpful. Leitheiser said he remembered this change and that the reason was because City documents can’t look like they are imposing requirements that aren’t code. He thought this was a good best practice. Leitheiser mentioned maybe there would be more understanding if we went through each change by staff and explain where the changes come from, recognizing that the timeline would be longer.

Jorgensen shared his memory of discussing the importance of “shall” and “must.” Explained that there needs to be some trust that the City is preserving intent.

Walker explained his view of the process started with the survey and he thought that the back and forth during the meetings meant they had the OK from Legal and Planning. Reiterated the need to re-incorporate completeness. Mushel agreed the break in communication was the transition to formatting.

Johnson reminded everyone that there was a motion on the floor. Christo seconded the motion. Motion passed (4-1; Jorgensen opposed).

Oliver shared that not the whole process is a wash. That up until design the process had worked. Oliver recognized that when the guide was moved to design, the group was not able to track changes between the two steps. Suggested that the group should have an additional step in between group OK and design, which would be an additional staff review with all suggested changes by staff. That would provide the opportunity for discussion about the changes so that the design is not a surprise to anyone. Christo reiterated the above discussion. Oliver shared that this additional step would extend the timeline and the Council Goals deadline would not be met. Mushel shared that she was in favor of extending the timeline if everyone could be comfortable with the documents the group produces. Mushel also emphasized the need to understand the line between “analysis paralysis” and “good enough,” encouraging the group to not get stuck trying to reach perfection.

Oliver shared concern for the documents that have been created by Walker and Mushel, that the City hasn’t seen. Mentioned that they would like to have access to these documents to see the status of these.

Johnson requested the City provide the process. Mushel reiterated the process which was supported by Jorgensen, DeWeese. Oliver agreed to put the agreement and discussion of the group in writing.

Oliver also requested a stop on the extra meetings and discussions on documents outside of public meetings whether it be with City staff or Land Use Chairs to help simplify the tracking process and make sure everyone was on the same page and could follow the changes being made.

Hardie asked if the group could start to review a document to practice on. Mushel agreed to close the discussion.

Oliver asked if they could review the developer packet comments since the group had received it. Christo and Johnson said they had not seen it and couldn't review. Mushel confirmed it was included in the packet sent out the week prior.

Mushel decided to table the document due to lack of group review.

#### **5. NLA Code Change Recommendations**

The group did not discuss this item due to lack of time.

#### **6. Land Use Education Resources**

Mushel directed the group to look at the "Welcome to Neighborhood Public Meetings" document.

Oliver pulled up the "marked" version of this document. Oliver gave a review of the last time this document was discussed, the group had expressed concern about redundancy. Oliver began by explaining communications changes are mostly for consistency with language used citywide. DeWeese asked if we could just cover the clean version of the document.

The group discussed changes to the document and then ran out of time. Oliver offered to update the document with the changes that were made and then send it out for another day.

#### **7. Land Use Education Rollout**

The group did not discuss this item due to lack of time.

#### **8. Upcoming Important Dates**

The group did not discuss this item due to lack of time.

Mushel asked if the group would be willing to meet in the next two weeks for an hour to cover some of the additional items that were missed. Oliver offered to send a Doodle Poll for the group.

Mushel revisited the group meeting time, asking if the second Thursday, 3-5 p.m. would work for Member Rhodes who has had some schedule conflicts. Rhodes said she can make the current time now that school has changed their schedule. Agreed to revisit if it becomes an issue.

**Adjourn at 5:06 p.m.**

Respectfully submitted,

Makayla Oliver  
Community Relations Manager