



## CITY OF LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, August 28, 2019

### 5:30 PM Regular Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Added Agenda Items

Any matters added to the Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such time selected by the City Council
5. Public Comments

Comments will be limited to 3 minutes
6. Consent Agenda

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.

  - a. Minutes 8.14.19
  - b. Financial Reports
7. A Resolution of the City of La Pine Establishing a Deadline for Properties in the Cagle and Glenwood Acres Neighborhoods to Participate in the City’s Program Connecting Properties to the City’s Water and Wastewater Systems at City’s Cost and Expense – Action Item

8. Public Hearing Regarding Ordinance 2019-07, an Ordinance of the City of La Pine Amending Ordinance No. 2015-04, Which Ordinance Concerns City of La Pine's Water System Utility – Action Item
  - a. Open Public Hearing
    - i. Staff Report
    - ii. Public Comments
    - iii. Close Public Hearing
    - iv. Deliberations
9. Other Matters

Only items that were previously added above in the Added Agenda will be discussed
10. Public Comments

Comments will be limited to 3 minutes
11. Staff Comments
12. Mayor and Council Comments
13. Adjourn Meeting

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend. Council may not take formal actions in Work Sessions. The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.



**CITY OF LA PINE CITY COUNCIL MEETING MINUTES**

Wednesday, August 14, 2019

**5:30 PM Regular Session**

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

1. Call to Order

Called to order by Mayor Richer at 5:32 p.m.

2. Establish Quorum

**Members Present:** Mayor Daniel Richer, Councilor Connie Briese, Councilor Donald Greiner, Councilor Michael Harper, Councilor Mike Shields.

**Absent by Prior Arrangement:** Student Councilor Max Miller.

**Staff Present:** City Manager Melissa Bethel, Public Works Director Jake Obrist, Accounting Clerk Tracy Read

3. Pledge of Allegiance

4. Added Agenda Items

None

5. Public Comments

None

6. Consent Agenda

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.

- A. Minutes 7.24.19
- B. Reimbursements
- C. Legends OLCC Application
- D. KNCP Community Funding Request

Greiner requested to pull the KNCP Community Funding Request and add to the Other Matters section of the Agenda.

**Motion to approve by Greiner.**

**Second by Briese.**

No objections. Unanimously approved.

7. Other Matters

Only items that were previously added above in the Added Agenda will be discussed

a. KNCP Community Funding Request

Mayor Richer stated KNCP is owned by the Frontier Days Association. He expressed concern regarding any benefit to the City resulting from providing funding. Briese spoke in support of the funding request and stated the station provides a service to the community. Shields stated KNCP should follow the guidelines. Harper spoke in support of the station and in agreement with Briese.  
**Motion by Briese:** Move to approve with the stipulation that the organization provide the required application documents.

**Second:** Harper.

No objections. Unanimously approved.

8. Public Hearing Regarding Ordinance 2019-02 Amending Ordinance Nos. 2015-02, 2016-10, and 2017-09, Which Ordinances Concern Recreational Marijuana Businesses and Medical Marijuana Dispensaries – Action Item

a. Open Public Hearing

Mayor Richer opened the public hearing at 5:43 p.m.

i. Staff Report

Bethel reviewed the staff report

ii. Public Comments

None

iii. Close Public Hearing

Closed at 5:45 p.m.

iv. Deliberations

**Motion by Greiner:** Move to approve Ordinance No.2019-02 an Ordinance Amending Ordinance Nos. 2015-02, 2016-10, and 2017-09, Which Concern Recreational Marijuana Businesses and Medical Marijuana Dispensaries. The approval will allow medical and recreational marijuana dispensaries to operate within the hours of Sunday through Saturday 7:00 a.m. to 10:00 p.m.

**Second: Harper**

**Roll Call Vote**

**Briese: Nay**

**Shields: Aye**

**Greiner: Aye**

**Harper: Aye**

**Motion passed.**

9. Regional Housing IGA Draft #1

Andrew Spreadborough of NeighborImpact reviewed the proposed IGA. The Agreement is required to apply for CDBG funding for the regional housing rehabilitation loan program. The City of Prineville will act as the Applicant and manage the grant. Applications are due the end of September, and NeighborImpact will be requesting \$400,000 to fund the program. If awarded, funds will be dispersed to homeowner in rural areas of Crook, Deschutes and Jefferson counties to be used for sewer, roof, structural, and other approved repairs.

**Motion by Briese:** Move to approve the Intergovernmental Agreement for the Central Oregon Regional Collaborative and allow the City Manager to sign the IGA barring any major changes which might impact the City of La Pine.

**Second: Greiner**

No objections. Unanimously approved.

10. Pfeifer & Associates Tiny Homes

Bethel reviewed the staff report regarding the tiny homes already constructed by Pfeifer & Associates. Staff recommendation is to hold a public hearing to allow for this use within the zone. Bethel will approach the agency and request they proceed with submitting a Conditional Use Application.

11. Transportation Funding Discussion

Bethel reviewed the Staff Report and asked that Council begin consideration of funding options for City street maintenance and repair. In addition to streets currently maintained by the City, Deschutes County is encouraging the City to assume responsibility and control of the remaining streets within City limits. Funds are budgeted this year to hire a consultant for the project. Potential funding options included SDC fees, gas tax and a Local Improvement District (LID). Staff will gather more information on gas tax, whether gas tax revenues are able to be directed to the General Fund, how LIDs work, and additional information on SDCs.

12. Public Comments

**Russ Smith, resident of the Cagle subdivision:** Stated that area expects approximately 150 new homes to be constructed this year and feels that if an SDC is enacted it should be done as quickly as feasible in order to capture that revenue. He also stated a gas tax could be a challenge for low income residents and could cause those people to purchase gas elsewhere. He said many residents of the neighborhood would not be able to afford a Local Improvement District property tax increase. He supports the SDC option to lessen the burden on existing homeowners.

13. Staff Comments

Bethel: Research on Roll Call Votes, she stated there is a Resolution which states there is to be a roll call vote on all motions. She also said the City Charter is in need of review and possible revision. La Pine does not qualify for the USDA grant due to the City budget having available funds, even though that money is set aside for the Cagle subdivision. She reviewed the SLED meeting and Scott's performance thus far, stating he is already very involved and making good progress in his position.

Obrist: Back to full staff, new guys are doing very well. He has received a lot of phone calls resulting from the letter regarding deadline for free hookups. He appreciates the opportunity to talk with residents. The City provided water for the McKay wildfire. No revenue will be generated from this.

Read: Everyone is registered for LOC conference.

#### 14. Mayor and Council Comments

Briese: Attended COIC on August 1. Reviewed staffing challenges there.

Shields: None.

Greiner: Commended the mayor on the letter of support for LCHC. Reviewed invoices.

Harper: None.

Richer: Asked about a deterrent for the Pandora moths.

#### 15. Adjourn Meeting

Adjourned at 6:47 p.m.

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend. Council may not take formal actions in Work Sessions. The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.

## FINANCIAL SUMMARY JUNE 30, 2019

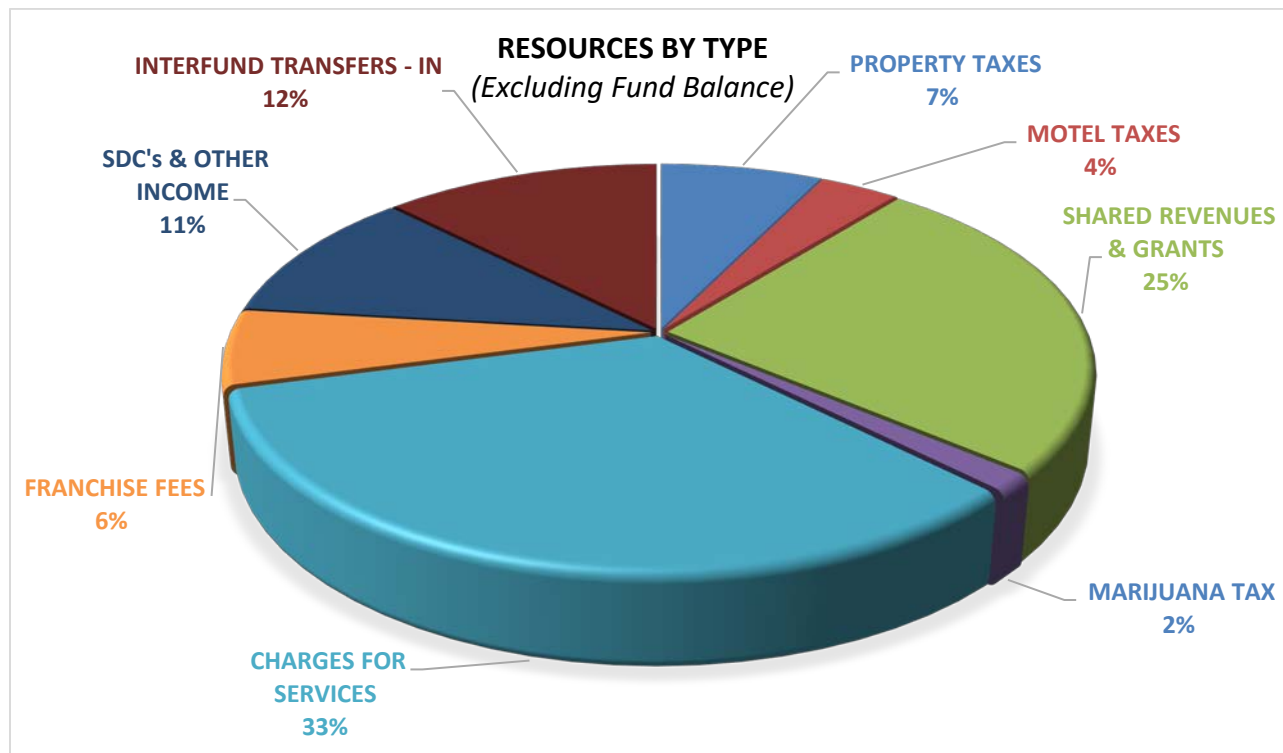
### TOTAL RESOURCES - BUDGET TO ACTUAL

AS OF JUNE 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(100% lapsed) % Earned
BEGINNING FUND BALANCE	7,295,571	6,679,299	(616,272)	109.2%
PROPERTY TAXES	307,565	292,000	(15,565)	105.3%
MOTEL TAXES	149,476	140,000	(9,476)	106.8%
SHARED REVENUES & GRANTS	1,073,242	1,229,500	156,258	87.3%
MARIJUANA TAX	58,565	30,000	(28,565)	195.2%
CHARGES FOR SERVICES	1,409,165	1,491,600	82,435	94.5%
FRANCHISE FEES	256,968	223,500	(33,468)	115.0%
SDC's & OTHER INCOME	455,598	282,750	(172,848)	161.1%
	<b>11,006,150</b>	<b>10,368,649</b>	<b>(637,501)</b>	<b>106.1%</b>

#### FINANCIAL HIGHLIGHTS - RESOURCES:

- YTD actuals are preliminary as accrual journal entries will be made in preparation for the annual audit.
- Revenues are higher than budget except for Shared Revenues/ Grant and Charges for Services which is due to Industrial leases are less than expected and Sewer grant will need to account for 4<sup>th</sup> quarter reimbursement.
- Transfers In have been made to the following funds: General Fund, Cemetery Fund, Streets Fund, Community Development Fund, Economic Development and Water Fund.



**RESOURCES - BUDGET TO ACTUAL BY FUND**

AS OF JUNE 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(100% lapsed) % Earned
<b>GENERAL FUND</b>				
BEGINNING FUND BALANCE	558,446	451,428	(107,018)	123.7%
PROPERTY TAXES	307,565	292,000	(15,565)	105.3%
SHARED REVENUES & GRANTS	88,040	44,000	(44,040)	200.1%
MARIJUANA TAX	58,565	30,000	(28,565)	195.2%
CHARGES FOR SERVICES	12,817	12,600	(217)	101.7%
FRANCHISE FEES	256,968	223,500	(33,468)	115.0%
MISCELLANEOUS & OTHER INCOME	78,100	100,000	21,900	78.1%
INTERFUND TRANSFERS - IN	30,000	45,000	15,000	66.7%
	<u>1,390,501</u>	<u>1,198,528</u>	<u>(206,973)</u>	<u>116.0%</u>
<b>CEMETERY FUND</b>				
BEGINNING FUND BALANCE	20,796	16,068	(4,728)	129.4%
CHARGES FOR SERVICES	5,445	5,000	(445)	108.9%
INTERFUND TRANSFERS - IN	5,000	5,000	-	100.0%
	<u>31,241</u>	<u>26,068</u>	<u>(5,173)</u>	<u>119.8%</u>
<b>STREETS FUND</b>				
BEGINNING FUND BALANCE	901,308	801,088	(100,220)	112.5%
SHARED REVENUES & GRANTS	126,375	90,000	(36,375)	140.4%
MISCELLANEOUS & OTHER INCOME	-	250	250	0.0%
INTERFUND TRANSFERS - IN	223,500	223,500	-	100.0%
	<u>1,251,183</u>	<u>1,114,838</u>	<u>(136,345)</u>	<u>112.2%</u>
<b>TOURISM FUND</b>				
BEGINNING FUND BALANCE	161,952	126,107	(35,845)	128.4%
MOTEL TAXES	149,476	140,000	(9,476)	106.8%
	<u>311,428</u>	<u>266,107</u>	<u>(45,321)</u>	<u>117.0%</u>
<b>COMMUNITY DEVELOPMENT FUND</b>				
BEGINNING FUND BALANCE	104,217	77,357	(26,860)	134.7%
CHARGES FOR SERVICES	68,053	40,000	(28,053)	170.1%
ADVANCED PLANNING FEES	43,087	25,000	(18,087)	172.3%
INTERFUND TRANSFERS - IN	20,000	20,000	-	100.0%
	<u>235,357</u>	<u>162,357</u>	<u>(73,000)</u>	<u>145.0%</u>
<b>INDUSTRIAL/ECONOMIC DEVELOPMENT</b>				
BEGINNING FUND BALANCE	37,488	21,734	(15,754)	172.5%
INDUSTRIAL SITE LEASES / SALES	16,473	163,000	146,527	10.1%
MISCELLANEOUS & OTHER INCOME	9,800	5,000	(4,800)	196.0%
INTERFUND TRANSFERS - IN	30,000	30,000	-	100.0%
	<u>93,761</u>	<u>219,734</u>	<u>125,973</u>	<u>42.7%</u>
<b>RESERVE FUND - WATER/SEWER</b>				
BEGINNING FUND BALANCE	1,615,000	1,590,000	(25,000)	101.6%
INTERFUND TRANSFERS - IN		525,000	525,000	0.0%
	<u>1,615,000</u>	<u>2,115,000</u>	<u>500,000</u>	<u>76.4%</u>
<b>DEBT RESERVE FUND</b>				
BEGINNING FUND BALANCE	193,503	193,503	-	100.0%
	<u>193,503</u>	<u>193,503</u>	<u>-</u>	<u>100.0%</u>
<b>SDC FUND</b>				
BEGINNING FUND BALANCE	2,287,045	2,233,991	(53,054)	102.4%
SYSTEM DEVELOPMENT CHARGES	355,606	150,000	(205,606)	237.1%
	<u>2,642,651</u>	<u>2,383,991</u>	<u>(258,660)</u>	<u>110.8%</u>
<b>WATER FUND</b>				
BEGINNING FUND BALANCE	668,409	577,217	(91,192)	115.8%
CHARGES FOR SERVICES	651,994	646,000	(5,994)	100.9%
MISCELLANEOUS & OTHER INCOME	12,092	500	(11,592)	2418.4%
INTERFUND TRANSFERS - IN	215,000	750,000	535,000	28.7%
	<u>1,547,495</u>	<u>1,973,717</u>	<u>426,222</u>	<u>78.4%</u>
<b>SEWER FUND</b>				
BEGINNING FUND BALANCE	747,407	590,806	(156,601)	126.5%
GRANT REVENUE	815,740	1,095,500	279,760	74.5%
CHARGES FOR SERVICES	654,383	625,000	(29,383)	104.7%
MISCELLANEOUS & OTHER INCOME	-	2,000	2,000	0.0%
	<u>2,217,530</u>	<u>2,313,306</u>	<u>95,776</u>	<u>95.9%</u>



## FINANCIAL SUMMARY JUNE 30, 2019

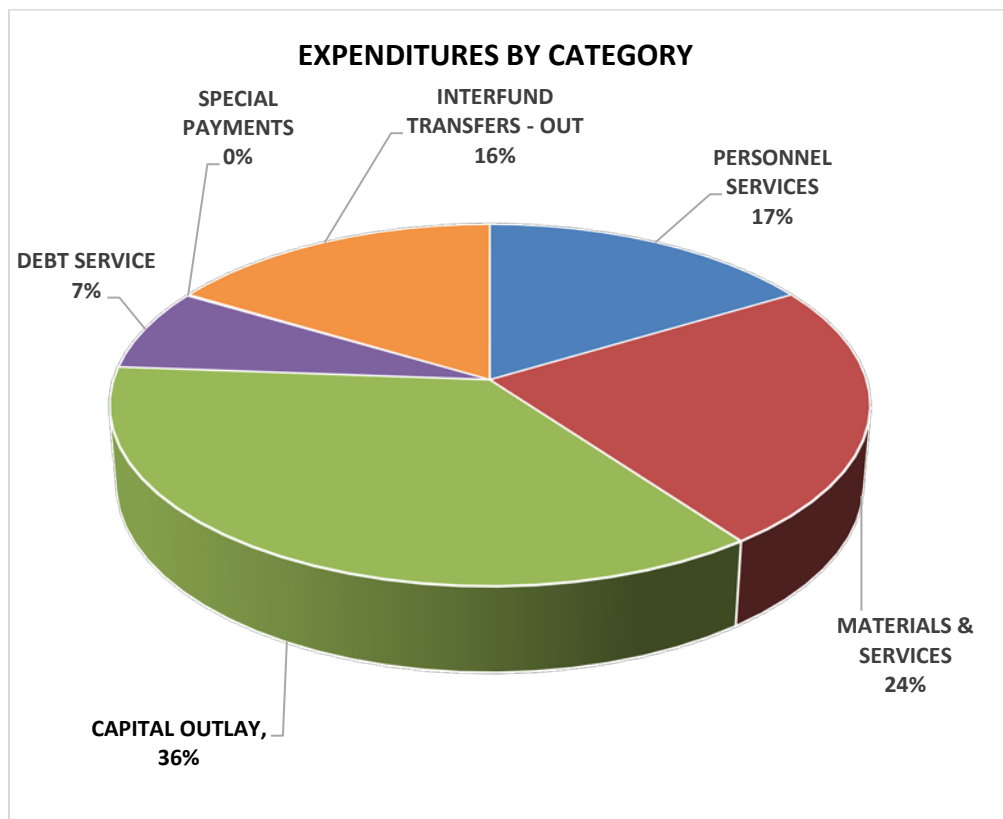
### TOTAL EXPENDITURES - BUDGET TO ACTUAL

AS OF JUNE 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(100% lapsed) % Expended
PERSONNEL SERVICES	523,906	642,404	118,498	81.6%
MATERIALS & SERVICES	750,665	1,172,751	422,086	64.0%
CAPITAL OUTLAY	1,156,478	2,723,000	1,566,522	42.5%
DEBT SERVICE	233,588	245,000	11,412	95.3%
SPECIAL PAYMENTS	3,868	55,000	51,132	7.0%
INTERFUND TRANSFERS - OUT	523,500	1,593,500	1,070,000	32.9%
	<b>3,192,005</b>	<b>6,431,655</b>	<b>3,239,650</b>	<b>49.6%</b>

#### FINANCIAL HIGHLIGHTS – EXPENDITURES:

- Personnel, Debt Service and Materials & Services Expenditures are at expected program levels which are below budget.
- Capital Outlay spending levels are underspent in the General Fund, Cemetery Fund, Streets Fund, and Tourism Fund. The Water Fund and Sewer Fund make up 75% of the capital budget.
- Interfund Transfers-Out have been made by the following funds; General Fund, Tourism Fund, Reserve Fund-Water/Sewer and SDC Fund.



**EXPENDITURES - BUDGET TO ACTUAL BY FUND**

AS OF JUNE 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(100% lapsed) % Expended
<b>GENERAL FUND</b>				
PERSONNEL SERVICES	103,093	101,530	(1,563)	101.54%
MATERIALS & SERVICES	157,684	184,498	26,814	85.5%
CAPITAL OUTLAY	38,317	259,000	220,683	14.8%
DEBT SERVICE	40,520	45,000	4,480	90.0%
INTERFUND TRANSFERS - OUT	278,500	278,500	-	100.0%
	<u>618,114</u>	<u>868,528</u>	<u>250,414</u>	<u>71.2%</u>
<b>CEMETERY FUND</b>				
MATERIALS & SERVICES	1,654	18,568	16,914	8.9%
CAPITAL OUTLAY	-	5,500	5,500	0.0%
	<u>1,654</u>	<u>24,068</u>	<u>22,414</u>	<u>6.9%</u>
<b>STREETS FUND</b>				
PERSONNEL SERVICES	37,377	55,541	18,164	67.3%
MATERIALS & SERVICES	65,333	136,297	70,964	47.9%
CAPITAL OUTLAY	75,267	353,000	277,733	21.3%
	<u>177,977</u>	<u>544,838</u>	<u>366,861</u>	<u>32.7%</u>
<b>TOURISM FUND</b>				
MATERIALS & SERVICES	82,797	128,607	45,810	64.4%
CAPITAL OUTLAY	7,016	50,500	43,484	13.9%
INTERFUND TRANSFERS - OUT	30,000	40,000	10,000	75.0%
	<u>119,813</u>	<u>219,107</u>	<u>99,294</u>	<u>54.7%</u>
<b>COMMUNITY DEVELOPMENT FUND</b>				
PERSONNEL SERVICES	35,224	89,703	54,479	39.3%
MATERIALS & SERVICES	68,797	54,654	(14,143)	125.88%
	<u>104,021</u>	<u>144,357</u>	<u>40,336</u>	<u>72.1%</u>
<b>INDUSTRIAL/ECONOMIC DEVELOPMENT</b>				
MATERIALS & SERVICES	33,529	118,734	85,205	28.2%
	<u>33,529</u>	<u>118,734</u>	<u>85,205</u>	<u>28.2%</u>
<b>RESERVE FUND - WATER/SEWER</b>				
INTERFUND TRANSFERS - OUT	80,800	240,000	159,200	33.7%
	<u>80,800</u>	<u>240,000</u>	<u>159,200</u>	<u>33.7%</u>
<b>SDC FUND</b>				
INTERFUND TRANSFERS - OUT	134,200	510,000	375,800	26.3%
	<u>134,200</u>	<u>510,000</u>	<u>375,800</u>	<u>26.3%</u>
<b>WATER FUND</b>				
PERSONNEL SERVICES	173,909	197,665	23,756	88.0%
MATERIALS & SERVICES	145,432	201,052	55,620	72.3%
CAPITAL OUTLAY	147,781	810,000	662,219	18.2%
DEBT SERVICE	193,068	200,000	6,932	96.5%
SPECIAL PAYMENTS	2,771	40,000	37,229	6.9%
INTERFUND TRANSFERS - OUT		300,000	300,000	0.0%
	<u>662,961</u>	<u>1,748,717</u>	<u>1,085,756</u>	<u>37.9%</u>
<b>SEWER FUND</b>				
PERSONNEL SERVICES	174,303	197,965	23,662	88.0%
MATERIALS & SERVICES	195,439	330,341	134,902	59.2%
CAPITAL OUTLAY	888,097	1,245,000	356,903	71.3%
SPECIAL PAYMENTS	1,097	15,000	13,903	7.3%
INTERFUND TRANSFERS - OUT		225,000	225,000	0.0%
	<u>1,258,936</u>	<u>2,013,306</u>	<u>754,370</u>	<u>62.5%</u>



## CITY OF LA PINE

### STAFF REPORT

Meeting Date: August 28, 2019  
 TO: La Pine City Council  
 FROM: Jake Obrist  
 SUBJECT: RESOLUTION NO 2019-11: Discontinuing Connection Waiver

TYPE OF ACTION REQUESTED (Check one):

- |                                     |                         |                          |                             |
|-------------------------------------|-------------------------|--------------------------|-----------------------------|
| <input checked="" type="checkbox"/> | <b>Resolution</b>       | <input type="checkbox"/> | Ordinance                   |
| <input type="checkbox"/>            | No Action – Report Only | <input type="checkbox"/> | Public Hearing              |
| <input type="checkbox"/>            | Formal Motion           | <input type="checkbox"/> | Other/Direction: Discussion |

Councilors:

The City has notified those customers in these areas affected by the upcoming water and wastewater improvements and expansion projects that a deadline has been established for a waiver of fees to existing homes. This deadline mostly pertains to those customers with undeveloped land or land in the process of being developed. The City is requiring a Certificate of Occupancy prior to August 31, 2019 for those properties in the process of developing. Our notification process has included mailers, public notice in local newspapers, City social media, and our City website.

Suggested Motion:

I move the City Council approve Resolution 2019-11: A Resolution of the City of La Pine Establishing a Deadline for Properties in the Cagle and Glenwood Acres Neighborhoods to Participate in the City's Program Connecting Properties to the City's Water and Wastewater Systems at City's Cost and Expense.

**RESOLUTION NO. 2019-11**

**A RESOLUTION OF CITY OF LA PINE ESTABLISHING A DEADLINE FOR PROPERTIES IN THE CAGLE AND GLENWOOD ACRES NEIGHBORHOODS TO PARTICIPATE IN CITY'S PROGRAM CONNECTING PROPERTIES TO CITY'S WATER AND WASTEWATER SYSTEMS AT CITY'S COST AND EXPENSE.**

WHEREAS, City of La Pine ("City") is completing certain improvements to City's water and wastewater systems (the "Project") with funding assistance from the U.S. Department of Agriculture – Rural Development program; and

WHEREAS, in connection with the Project, City completed (or will be completing) certain improvements to extend City services to residents in the Cagle and Glenwood Acres neighborhoods (collectively, the "Neighborhoods"); and

WHEREAS, in addition to constructing all City-owned infrastructure, City constructed and installed (or intends to construct and install), at City's cost and expense, new water and sewer service lines on properties located in the Neighborhoods to connect the properties to City's water and sewer systems (the "Program"); and

WHEREAS, City provided notices to property owners in the Neighborhoods advising the owners of the opportunity to participate in the Program (i.e., to connect to City's systems at City's cost and expense); and

WHEREAS, participation in the Program is optional and intended for the benefit of each individual property owner; and

WHEREAS, the costs of the improvements are included in the overall Project budget; and

WHEREAS, City's Project lenders have requested certain information from City for purposes of providing City Project funding, including, without limitation, City's costs incurred to date to construct and install water and sewer service lines connecting individual properties to City's systems; and

WHEREAS, to facilitate the lender's request, City must establish a deadline for participation in the Program; and

WHEREAS, by adoption of this Resolution 2019-11 (this "Resolution"), the La Pine City Council (the "Council") desires to establish a deadline for property owners in the Neighborhoods to participate Program.

NOW, THEREFORE, BE IT RESOLVED, by and through the Council meeting in regular session, the following:

1. Findings. The above-stated findings contained in this Resolution are hereby adopted.
2. Program End Date. The Program is terminated effective August 30, 2019 (the "Termination Date"). After the Termination date, each owner of a property in the Neighborhoods will, at the owner's cost and expense, be responsible for complying with City's water and sewer ordinances (and all applicable provisions thereof), including, without limitation, connecting to City water service in accordance with Section 4.6 of Ordinance No. 2015-04 and to the sewer system in accordance with Section 4.2 of Ordinance No. 2015-05. Notwithstanding anything contained in this Resolution to the contrary, (a) an owner of property in the Neighborhoods will not be permitted to participate in the

Program after the Termination Date, except as expressly authorized by City in writing prior to the Termination Date, and (b) continued participation in the Program has and will continue to be at City's discretion and subject to any requirements and/or conditions City deems necessary or appropriate.

3. Notice. City staff is directed to provide notice through such means reasonably calculated to inform affected properties located in the Neighborhoods of the Termination Date and termination of the Program. The city manager or his or her designee is authorized to act on behalf of City and take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with applicable law.

4. Miscellaneous. All pronouns contained in this resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. The provisions of this Resolution are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by order of the City Council to cure editorial and/or clerical errors.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the Council on this \_\_\_ day of August, 2019.

\_\_\_\_\_  
Daniel Richer, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Bethel, City Manager



## CITY OF LA PINE

### STAFF REPORT

Meeting Date: August 28, 2019

TO: La Pine City Council

FROM: Staff-Jake Obrist

SUBJECT: Ordinance 2019-07 Amending Ordinance No.2015-04, which Ordinance concerning City of La Pine's Water System Utility

TYPE OF ACTION REQUESTED (Check one):

- |                                     |                         |                                     |                             |
|-------------------------------------|-------------------------|-------------------------------------|-----------------------------|
| <input type="checkbox"/>            | Resolution              | <input checked="" type="checkbox"/> | <b>Ordinance</b>            |
| <input type="checkbox"/>            | No Action – Report Only | <input type="checkbox"/>            | Public Hearing              |
| <input checked="" type="checkbox"/> | <b>Formal Motion</b>    | <input type="checkbox"/>            | Other/Direction: Discussion |

Council:

Background:

The City of La Pine Public Works Department has determined the need to establish requirements for water connections and meter sizing within our Water System Utility. These needed changes are beneficial to the users and the City to provide adequate flow requirements and to streamline the connection process.

Attached for reference is the previous Ordinance No.2015-04

Amendment Changes Overview:

Provided in the attached Ordinance No.2019-07 are Amendment changes "6.1, 13.1, 13.2, and section 21.

"Section 6.1"

Determines that all service connections be metered. City will conduct meter installations after all applicable fees have been paid, inspections have been made, and specifications and standards adhered to. Also, establishes that the City will install meters of sizes 2" or less.

"Section 13.1"

No service connections can be performed without the authority of the City. All applicable fees must be paid and service connections will adhere to City Standards and Specifications. Meter sizes will be determined by the manager who may adopt policies or formulas to determine appropriate meter size. Location of services will be determined by the City. Removal or Relocation is at the expense of the customer.

“Section 13.2”

Determining the need or consideration of separate service lines when applicable.

“Section 20”

Given the exclusive authority to the City Manager or his/her designee.

Conclusion and Recommendation

Staff recommends amending Ordinance NO.2015-04 and adopting Ordinance No. 2019-07. These needed changes are crucial to our City and its customers. Provided in an attachment is a memo from Becon Engineering, providing an example of requiring meter sizing in regards to ADU's.

Council Approval:

*Suggested Motion: (Roll Call Vote)*

I move the La Pine City Council approve Ordinance 2019-07, an Ordinance of the City of La Pine Amending Ordinance No 2015-04, which Ordinance Concerns City of La Pine's Water System Utility.



March 29, 2019

**To:** Jacob Obrist, Public Works Director  
City of La Pine  
16345 Sixth Street, La Pine, OR 97739

**From:** Erik Huffman, PE, Engineer of Record  
Jose Banuelos, PE, Engineer III

**Re:** Meter Size for Homes with ADU's

Dear Jake,

We have identified the meter size required for home sites proposing ADU's in the City of La Pine. The 2018 International Residential Code and the 2017 Oregon Specialty Code were used to determine water meter size. Our approach was to determine the Water Sizing Fixture Units (WSFUs) for a standard single family home and a standard single family home with an ADU.

**Assumptions/Calculations**

A standard single family home includes: 2 bathrooms (2 gravity tanks, 2 lavatories, 1 shower, 1 bathtub shower combo), washer/dryer hookups, 1 kitchen sink, 1 dishwasher, 1 hose bib. Table 1 below shows the calculated WSFUs and water meter size required.

Table 1: Standard Single Family Residence

FIXTURE TYPE	WATER SIZING FIXTURE UNITS (WSFU)		
	Post-development	WU to WSFU	Post-development
Water Closet, 1.6 GPF - Gravity Tank	2	2.5	5.0
Lavatory	2	1.0	2.0
Laundry sink, Hand sink, Kitchen sink, & Prep sink	1	1.5	1.5
Dishwasher	1	1.5	1.5
Clothes washer	1	4.0	4.0
Bathtub Shower Combo	1	10.0	10.0
Shower	1	2.0	2.0



Hose bib	1	2.5	2.5
(2.5 for 1st and 1.0 for any additional)		1.0	0.0
<b>TOTAL WUs &amp; WSFUs:</b>	<b>10</b>		<b>28.5</b>
<b>Demand (gpm)</b>	<b>23</b>		
<b>Water Meter Size</b>	<b>5/8" Meter</b>		

The ADU is assumed to / include: 1 bathroom (1 lavatory, 1 gravity tank, 1 shower, 1 kitchen sink, 1 dishwasher and washer dryer hookups), and 1 hose bib. A standard home with an ADU will include the water supply fixture units (WSFU) shown in Table 2 below:

Table 2: Standard Single Family Residence

FIXTURE TYPE	WATER SIZING FIXTURE UNITS (WSFU)		
	Post-development	WU to WSFU Conversion	Post-development
Water Closet, 1.6 GPF - Gravity Tank	3	2.5	7.5
Lavatory	3	1.0	3.0
Laundry sink, Hand sink, Kitchen sink, & Prep sink	2	1.5	3.0
Dishwasher	2	1.5	3.0
Clothes washer	2	4.0	8.0
Bathtub Shower Combo	1	10.0	10.0
Shower	2	2.0	4.0
Hose bib	2	2.5	2.5
(2.5 for 1st and 1.0 for any additional)		1.0	1.0
<b>TOTAL WUs &amp; WSFUs:</b>	<b>17</b>		<b>42</b>
<b>Demand (gpm)</b>	<b>27</b>		
<b>Water Meter Size</b>	<b>3/4" Meter</b>		

**Recommendations/Conclusions**

Based on the calculated WSFUs it is recommended that home sites proposing an ADU install and/or upgrade to a 3/4" water meter with a 1" service.

If you have any questions, please contact me.

Sincerely,



Erik J. Huffman, PE, Engineer of Record  
 Ehuffman@beconeng.com  
 549 SW Mill View Way, Suite 100, Bend, OR 97702  
 Phone (541) 633-3140

**CITY OF LA PINE  
ORDINANCE NO. 2019-07**

**AN ORDINANCE OF CITY OF LA PINE AMENDING ORDINANCE NO. 2015-04, WHICH ORDINANCE CONCERNS CITY OF LA PINE'S WATER SYSTEM UTILITY.**

WHEREAS, on May 12, 2015, City of La Pine ("City") adopted Ordinance No. 2015-04 (the "Water Use Regulations Ordinance"), which ordinance concerns City's water use regulations and City's water system; and

WHEREAS, pursuant to Section 6 of the Water Use Regulations Ordinance, all premises receiving service from the City must be metered; and

WHEREAS, Section 13.1 establishes the requirements for connections to the City system including the minimum meter sizes; and

WHEREAS, Section 13.2 establishes the requirements for separate service connections; and

WHEREAS, City staff identified a need to clarify the requirements for separate service connections, separate meters, and meter size; and

WHEREAS, City desires to amend the Water Use Regulations Ordinance to clarify the requirements for separate service connections, separate meters, and meter size.

NOW, THEREFORE, City of La Pine ordains as follows:

1. Findings. The above-stated findings contained in this Ordinance No. 2019-07 (this "Ordinance") are hereby adopted.
2. Purpose. The purpose of this Ordinance is to clarify the requirements for separate service connections, separate meters, and meter size.
3. Amendment No. 1. Section 6.1 is restated in its entirety as follows:

"6.1 Meters. All service connections must be metered. Upon the advance payment of any applicable charges, the City will install the water meter for meter sizes up to 2". Meter sizes above 2" will be installed by the owner in accordance with applicable City standards and specifications and will be subject to City inspection. Where water is now supplied to more than one residence, business, or premises through a single service connection, City may require the owner to provide separate service connections and/or meters."

4. Amendment No. 2. Section 13.1 is restated in its entirety as follows:

"13.1 Requests for Connection. It is unlawful for any person to make any service connection or any other connection to the system without first obtaining written permission from City. If a request for a service connection or other connection is approved by City, the requestor will pay all applicable service connection and system development fees and charges. All service connection and system development fees and charges will be paid at the time the request for

connection is approved. If the request for connection is approved, the owner will make the necessary service connections to the system in accordance with applicable City standards and specifications and will be subject to inspection. Meter size will be determined by the manager who may adopt policies or formulas to determine the appropriate meter size. Connections will be located at such points as City will determine appropriate. Unless required by City, removal or relocation of a service connection will be at the expense of the customer. The customer will bear responsibility for reconnection of the customer service line. All service connections will be made consistent with City specifications relating to size, materials, and methods of installation. No customer will extend a service line to furnish water to any residence, business, or premises on the same or neighboring tax lot(s) than the premises occupied by the customer without City's prior written approval."

5. Amendment No. 3. Section 13.2 is restated in its entirety as follows:

"13.2 Separate Service Connection. A separate service connection is required for the following: (a) each property under separate ownership including without limitation condominiums; (b) each single family dwelling but excluding accessory dwelling units; (b) each unit in a multifamily structure or group of multifamily structures; and/or (c) each place of business. All outlying buildings used in conjunction with the property, dwelling, and/or business or other institution may be served from the same service connection. In the discretion of the manager, multiple buildings on the premises operating under one management may utilize the same service connection with or without separate meters."

6. Amendment No. 4. Section 21 is restated in its entirety as follows:

"21. Authority of City Manager. Unless otherwise stated herein, the city manager or his or her designee will have the exclusive authority to make any discretionary determination assigned to City or otherwise allowed by this Ordinance, including, without limitation, determinations as to approvals, authorizations, judgments, adjustments, requirements, options, and/or impacts upon the water system and/or customers thereof.

7. Miscellaneous. This Ordinance is hereby made part of the Water Use Regulations Ordinance. The provisions of the Water Use Regulations Ordinance that are not amended or modified by this Ordinance remain unchanged and in full force and effect. All capitalized terms used in this Ordinance not otherwise defined herein will have the respective meanings assigned to them in the Water Use Regulations Ordinance. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance or the Water Use Regulations Ordinance. This Ordinance may be corrected by order of the City Council to cure editorial and/or clerical errors.

This Ordinance was PASSED by the La Pine City Council by a vote of \_\_\_ for and \_\_\_ against and APPROVED by the Mayor on this \_\_th day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Daniel Richer, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Bethel, City Manager

DRAFT