



CITY OF LA PINE CITY COUNCIL REGULAR AND WORK SESSION AGENDA

Wednesday, June 12, 2019

Work Session Immediately 5:30 p.m., Regular Session Immediately Following

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

A. Work Session – 5:30 p.m.

1. Call to Order
2. Establish Quorum
3. State Collection of Marijuana Taxes IGA – Discussion
4. Transfer of Jurisdiction of Old Main Court from Deschutes County - Discussion

B. Regular Session – Immediately Following Work Session

1. Call to Order
2. Re-Establish Quorum
5. Pledge of Allegiance
6. 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
7. Public Comments
8. 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. Approval of Budget Committee and Council Minutes
 - i. May 1, 2019 Budget Committee Meeting Minutes
 - ii. May 22, 2019 Budget Committee Meeting Minutes
 - iii. May 22, 2019 Council Meeting Minutes
 - b. Financial Summary
 - c. OLCC Application – Badlands Artisan Distillery
 - d. Request for Approval to Seek Grant Funding
9. Community Funding Request – La Pine Senior Activity Center – Action Item
 10. Housing Works Annual Update to Council
 11. Appointment of Cathi Van Damme to Public Works Committee – Action Item
 12. Resolution No. 2019-10 – A Resolution Requesting Deschutes County Surrender Jurisdiction Over Old Main Court – Action Item
 13. 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
 - i. Staff Report
 - ii. Public Comments
 - iii. Close Public Hearing
 - iv. Deliberations
 14. Budget Hearing on the FY 2019-20 Fiscal Year Budget
 - a. Open Public Hearing
 - b. Staff Comments
 - c. Public Comments
 - d. Close Public Hearing
 - e. Council Deliberation
 15. Resolution No. 2019-07 – A Resolution Declaring the City’s Election to Receive State Revenues – Action Item
 16. Resolution No. 2019-08 – A Resolution Adopting the FY 2019-20 Fiscal Year Budget and Appropriating Funds for the City of La Pine – Action Item
 17. Other Matters: Only those matters properly added to this Agenda under line item No. 4
 18. Public Comments
 19. Staff Comments
 20. Mayor and Council Comments

21. 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. 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

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Melissa Bethel, Staff
SUBJECT: Discussion regarding State Collection of Marijuana Tax

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

The City currently collects the 3% tax for Marijuana Retailers in house. Some concerns from Staff regarding the collection of these funds are:

1. The City has no capacity to know if the funds collected are accurate.
2. The funds are collected in cash which leads a small staff to have large amounts of money in City Hall during certain periods of the month. This leads to staff having to make special trips to the bank.
3. The City currently does not have a mechanism set up to go after retailers who fail to pay.
4. There is increased staff time dealing with the large payments and accounting.

Staff would like the City to consider allowing the State of Oregon to collect the tax on the City's behalf. The cost of this service is less than \$1,000 yearly. Over the last two fiscal years the City has collected approximately \$86,000. This service would have cost us less than \$2,000. In addition, the State will reconcile what is paid to the City with what the State is owed to confirm amounts are correct. The State will also pursue non payers on behalf of the City.

If the Council is agreeable a final IGA, Resolution and an amending Ordinance will be brought to a future meeting for adoption.

Attachments: Draft IGA and Draft Resolution

MARIJUANA TAX COLLECTION AGREEMENT

This Marijuana Tax Collection Agreement (“Agreement”) is entered into between the State of Oregon, acting by and through its Department of Revenue (the “Department”) and the city of Yachats (“City”), under the authority of ORS 305.620.

In consideration of the conditions and promises hereinafter contained, it is mutually agreed by the parties that the Department shall supervise and administer, according to the terms and conditions set forth in this Agreement, the Local Tax on sales of marijuana items by Marijuana Retailers authorized under ORS 475B.345 and approved by the voters of City.

(1) Definitions. As used in this Agreement the following terms have the meanings ascribed to them:

(a) “Confidential Information” means the information on Local Tax returns administered pursuant to ORS 305.620, any information in the reports required under Sections 8 and 9 of this Agreement from which information about a particular Local Taxpayer is discernable from the report due to a small number of Local Taxpayers in City or similar factors, and any other information exchanged between the Department and City related to this Agreement, that is confidential under ORS 314.835.

(b) “Fees” means collectively the Administrative Services Fee, the Business Fee and the Core Systems Replacement Fee described in Section 5 of this Agreement.

(c) “Local Government” means a city or county that has entered into a form of this agreement with the Department under the authority of ORS 305.620 for the Department to collect Local Taxes authorized under ORS 475B.345.

(d) “Local Tax” or “Local Taxes” means the Marijuana Tax imposed by City, together with any additional interest or penalties provided for by statute or the Department’s rules; it does not include any additional penalties or fees that City may assess against its Local Taxpayers.

(e) “Local Taxpayer” means a licensed Marijuana Retailer located in the taxing jurisdiction of City.

(f) “Marijuana Retailer” has the meaning given in ORS 475B.015.

(g) “Marijuana Tax” means the tax imposed on sales of marijuana items by Marijuana Retailers pursuant to ORS 475B.345.

(h) “Marijuana Taxpayer” means a licensed Marijuana Retailer that is subject to the Marijuana Tax imposed by a Local Government.

(i) “Ordinance” means the ordinance adopted by the governing body of City and approved by the voters of City on [MM/DD/YYYY], a copy of which is attached hereto as Exhibit B and by this reference incorporated herein.

(2) General Administration. The Department shall be responsible for all aspects of Local Tax administration, including, but not limited to, adopting administrative rules; auditing returns; assessing deficiencies and collecting the Local Tax and penalties and interest under applicable statutes, including but not limited to ORS 305.265, ORS 305.220, and ORS 314.400; making refunds; holding conferences with Local Taxpayers; handling appeals to the Oregon Tax Court; issuing warrants for the collection of unpaid taxes; determining the minimum amount of Local Tax economically collectible; and taking any other action necessary to administer and collect the Local Taxes. The Department has adopted rules addressing the requirements for paying taxes with currency and other matters related to the taxation of marijuana under ORS chapter 475B. City understands and agrees that such rules will be applied to Local Taxpayers.

(3) Level of Service. In performing its duties, the Department may in its sole discretion determine what action shall be taken to enforce provisions of the law and to collect the Local Tax. In exercising its discretion, the Department shall provide a level of services that are comparable to the level of services it provides in the administration of the State of Oregon marijuana tax laws and the collection of such taxes owed to the State of Oregon. If the Department deems it necessary to vary substantially from this standard, the Department shall first notify City of the need and obtain City's consent. The Department shall provide all forms necessary for implementation of the Local Tax, including forms for Marijuana Tax returns, exemptions and refunds.

(4) Transfer of Taxes to City. Beginning at the end of the first full quarter after execution of this Agreement, the Department shall remit to City the amount of Local Taxes collected in the preceding quarter less amounts withheld to pay the Department's Fees and other costs as described in this Agreement within 60 days of the return due date for the quarter. The Department shall notify City if, because of inability to move funds electronically or otherwise through the banking system, a force majeure event described in Section 26 of this Agreement or other exigent circumstance, the Department is unable to transfer the Local Tax collected to City as provided in this Section. In that event, the Department shall provide an estimate, if possible, of when it expects to be able to transfer the Local Taxes collected to City. The Department may enter into an agreement with another state government agency to fulfill the requirements of this Section 4, provided that said government agency can comply with the requirements of this section.

(5) Costs. In order to recover its costs to collect and transfer the Local Tax as provided in this Agreement the Department shall be paid the following three fees:

(a) "Administrative Services Fee": Pays for the establishment and maintenance of financial systems needed to administer and distribute Local Taxes. The fee shall be calculated annually as a percentage of the equivalent of 60 hours of work conducted for the Department of Revenue by the Department of Administrative Services, divided among the Local Governments in proportion to the number of Marijuana Taxpayers in each Local Government.

(b) "Business Fee": Pays for the Local Tax administration activities set forth in this Agreement. The fee shall be calculated as a percentage of the Department's Business Division

annual expenses for the administration of all marijuana taxes, with the total fee increasing in direct proportion to the number of Local Taxpayers. The total amount per Local Taxpayer billed to City under the Business Fee shall not exceed 0.05 percent of the Department's Business Division expenses for the administration of all marijuana taxes;

(c) "Core Systems Replacement fee": Charged only one time after execution of this Agreement and calculated as a flat fee per Local Government. The total Core Systems Replacement Fee shall not exceed two hundred dollars (\$200.00) per Local Government in the first full quarter following execution of this Agreement.

FOR EXAMPLE, in a hypothetical with the following assumptions:

250 Marijuana Taxpayers

50 Local Taxpayers in the City of Mainville

2 Local Taxpayers in the City of Middletown

Business Division's Marijuana Expenses: \$500,000 per year

Hourly DAS rate: \$99/hour

The fees would be calculated as follows:

Administrative Services Fee = $(\$99/\text{hour} * 60 \text{ hours}) / 250 \text{ Marijuana Taxpayer} = \$23.76 \text{ per Local Taxpayer per year}$

Business Fee = $\$500,000 \text{ in marijuana expenses per year} * 0.05\% = \$250 \text{ per Local Taxpayer per year}$

Core Systems Replacement Fee = \$200 per Local Government, one time

City of Mainville, year 1: $((\$23.76 \text{ Administrative Services Fee} + \$250 \text{ Business Fee}) * 50 \text{ Local Taxpayers}) + \$200 \text{ Core Systems Replacement Fee} = \$13,888 \text{ in costs}$

City of Mainville, subsequent years: $(\$23.76 \text{ Administrative Services Fee} + \$250 \text{ Business Fee}) * 50 \text{ Local Taxpayers} = \$13,688 \text{ in costs}$

City of Middletown, year 1: $((\$23.76 \text{ Administrative Services Fee} + \$250 \text{ Business Fee}) * 2 \text{ Local Taxpayers}) + \$200 \text{ Core Systems Replacement Fee} = \747.52 in costs

City of Middletown, subsequent years: $(\$23.76 \text{ Administrative Services Fee} + \$250 \text{ Business Fee}) * 2 \text{ Local Taxpayers} = \547.52 in costs

(e) In addition to the Fees described above, the Department may withhold or invoice City for the Department's costs to administer extraordinary services not described in this Agreement related to the Local Tax; such extraordinary costs may include, without limitation, requests for audits from City that exceed the scope of the Department's normal audit procedures, requests for

research or advice from the Department or the Oregon Department of Justice attorneys, or specially appointed counsel, regarding the Local Tax.

(f) If the Department determines that its costs cannot be covered by the maximum fees outlined in this Section 5, the Department will notify City of the amount by which the Department has determined the Fees must increase. If the Department and City do not agree upon a Fee increase and related amendment to this Agreement, then this Agreement may be terminated by either party in accordance with Section 16 of this Agreement.

(g) The Department shall not collect more in fees than its costs to administer the Local Tax, per ORS 305.620(5). It is using the above formula in the interests of producing its best estimate of costs.

(6) Withholding for Fees and Rebate. The Department shall withhold from the Local Taxes collected and each transfer to City an amount equal to four percent (4%) of the Local Taxes collected. In the first quarter of each calendar year the Department will reconcile the amounts withheld in the previous year with the total fees assessed, and provide such reconciliation in the Department's annual report described in Section 9 of this Agreement. If the amount withheld in a calendar year exceeds the amount of the Department's Fees, the Department will rebate the balance of the Local Taxes withheld to City by the end of the first quarter following the year of withholding. If the amount withheld does not cover the Department's Fees for the preceding year, the amount of the shortfall will be withheld from subsequent transfers of Local Taxes collected until the Department's Fees are fully paid, or in its discretion the Department may invoice City for the unpaid amount of the Department's Fees.

(7) Recovery of Overpayments. If the amount of Local Taxes paid to City under this Agreement, exceed the amount to which City is entitled, the Department may, after notifying City in writing, withhold from later payments due City under this Agreement, such amounts, over such periods of time, as are necessary to recover the amount of the overpayment.

(8) Department Quarterly Reports. Beginning with the first full calendar quarter after the execution of this Agreement and continuing each calendar quarter thereafter, within sixty (60) days after the due date for quarterly Local Tax returns, the Department shall provide City with a report indicating the amount of Local Taxes collected, any extraordinary costs assessed, the amount withheld under Section 6 of this Agreement and the cumulative amount of delinquent Local Taxes for each Marijuana Retailer in City's jurisdiction. The information in this report must be treated as potentially revealing Confidential Information, and shall be protected as described in Section 15. City should make all efforts to prevent Confidential Information from being released. The Department and City shall disclose any non-confidential information in a report when required to do so by law, including the Oregon Public Records Law, ORS 192.410 to 192.505.

(9) Department Annual Reports. In the first calendar quarter of each year, the Department shall make a written annual report of the preceding calendar year to City showing the total amount of Local Taxes collected, refunds paid, the expenses of administering and

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collecting the Local Tax, and other pertinent information. The report shall show the total amount withheld by the Department under Section 6 of this Agreement, and shall show the Department's expenses by its Fee categories. In such report, the Department shall also make recommendations concerning changes in Local Tax Ordinances, procedures, policies, Local Tax administration and related matters, as the Department deems necessary and appropriate. The information in this report must be treated as potentially Confidential Information, and shall be protected as described in Section 15. City should make all efforts to prevent Confidential Information from being released. The Department and City shall disclose any non-confidential information in the report when required to do so by law, including the Oregon Public Records Law, ORS 192.410 to 192.505.

(10) City Reports. Within sixty (60) days of the effective date of this Agreement, City shall provide the Department with a list of Local Taxpayers in its jurisdiction and a list of zip code areas that are within its jurisdiction for purposes of imposing the Local Tax. City shall provide an updated list of Local Taxpayers to the Department each calendar quarter thereafter. City shall review all reports and reconciliations provided by the Department and promptly notify the Department of any perceived errors or omission in such reports.

(11) Records Maintenance and Access. Each party shall maintain its records relevant to this Agreement, the Local Taxes and Local Taxpayers for the period of time specified and in the manner required under the document retention and archiving requirements applicable to it that are established under ORS 192.005 to 192.170. Upon written request, each party may examine the records of the other party at a time and location that is convenient and without extra cost to the holder to the records; provided, however, any requests for records made in connection with litigation or other efforts to collect the Local Tax shall be immediately provided in the time and manner requested.

(12) Ordinance and Notification of Changes. Contemporaneous with the execution of this Agreement, City shall provide a copy of the Ordinance to Department for incorporation into this Agreement as Exhibit B. In order to insure consistency in administration of the Local Tax, each party shall notify the other of any change in the Ordinance and any state or local regulations or rulings interpreting the Local Tax or the Ordinance, any changes in rates or changes in the City's boundary at least ninety (90) days prior to the effective change, unless it is not legally possible to provide ninety (90) days' notice or both parties mutually agree to effect such changes in less than ninety (90) days. Each party shall notify the other of any change in administration of the Local Tax under this Agreement. The parties shall cooperate in amending the Ordinance or in seeking amendments to ORS 475B.345 or ORS 305.620 which they deem necessary.

(13) Information. The parties will cooperate in the exchange of information and making public announcements to facilitate effective administration of the Local Tax and maintain consistency in public announcements and information. Policy announcements, announcement of changes in the Ordinance, and all correspondence relating to public relations will be handled by City. The Department shall promptly notify City of any matter arising in the administration of the Marijuana Tax that would require any legislative change or affect City's policy, including

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any policy that relates to the amount of Local Tax collected. Nothing in this section shall prohibit the Department from conducting its own outreach activities to increase awareness and knowledge of local tax obligations.

(14) Limits and Conditions. To the extent limited by applicable provisions of Article XI of the Oregon Constitution or other governing law, and within the limits of the Oregon Tort Claims Act applicable respectively to the Department and City, each party shall indemnify the other for damage to life or property arising from their respective duties and obligations under this Agreement, provided neither party shall be required to indemnify the other for any such liability arising out of a party's own negligent or wrongful acts.

(15) Confidentiality.

(a) Confidential Information may be disclosed only to City as principal, by the Department as its agency, for purposes of carrying out the administration of the Local Tax imposed by City. Requests for Confidential Information shall be made by City by giving not less than ten (10) days' notice to the Department, stating the information desired, the purposes of the request, and the use to be made of such information. If the compilation of information is not feasible, the Department shall so advise City.

(b) ORS 314.840(3) requires that employees and representatives of City who receive Confidential Information must be advised in writing of the provisions of ORS 314.835 and 314.991(3), relating to the penalties for unlawful disclosure. Prior to being given access to Confidential Information, all City employees involved in the performance of this Agreement must review the DOR Secrecy Clause and sign the DOR Secrecy Laws Certificate (substantially in the form of Exhibit A, attached hereto and by this reference incorporated herein) certifying the employee understands the confidentiality laws and the penalties for violating them. Annually thereafter, (on or before a date specified by the Department), or upon request by the Department, such City employees must review and sign the latest versions of the Secrecy Clause and the Secrecy Laws Certificate. All signed Secrecy Laws Certificates must be immediately emailed to both the designated Department Authorized Representative (indicated below) and the Department's Disclosure Office (disclosure.office@oregon.gov). When the employee terminates employment with City, City will forward the certificate to the Department's Disclosure Officer indicating the employee is no longer employed by City. A listing of every person authorized to request and receive Confidential Information identified in this Agreement will be sent to the following designated representative:

John Galvin, Marijuana Tax Program Manager, marijuanatax.DOR@oregon.gov

(c) Upon request and pursuant to the instructions of DOR, City shall return or destroy all copies of Confidential Information provided by DOR to City, and City shall certify in writing the return or destruction of all such Confidential Information.

(d) The administrative rules implementing ORS 314.835 and ORS 314.840 as amended from time to time during the term of this Agreement, shall apply to this Agreement.

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(16) Term. The term of this Agreement shall be from the date it is executed by all parties and until it is terminated by operation of law or by either party at its discretion upon at least ninety (90) days prior written notice. Prior to the termination date specified in written notice provided under this section or Section 17 below, City and the Department will continue to perform their respective duties and obligations of under this Agreement. After the termination date, the Department will cease all collection and other activities under this Agreement, unless prior to the termination date the Department and City agree in writing that the Department may continue actions that are pending before the Oregon Tax Court or the Oregon Supreme Court, or are being collected after judgment or stipulation. In addition, after the termination date the Department will continue to remit to City any Local Taxes received by the Department, after deduction of the Department's actual costs, until all matters pending on the date of termination have been resolved or collected. The Department will administer the Local Tax for City for each calendar quarter commencing after this Agreement is executed; provided, however, if this Agreement is fully executed on or before the 15th day of the calendar quarter, the Department will administer the Local Tax for the quarter in which this Agreement is executed.

(17) Default and Remedies. A party shall be in default under this Agreement if it fails to perform any of its duties and obligations under this Agreement, and fails to cure such nonperformance within ninety (90) days after the other party provides written notice specifying the nature of the nonperformance. If the nonperforming party does not cure its nonperformance, or provide a satisfactory explanation to the other party of its performance under this Agreement, the other party may terminate this Agreement immediately or at a later date specified in written notice provided to the nonperforming party. In addition to termination of this Agreement, in the event of default by a nonperforming party, the other party may pursue any remedies available in law or equity, including an action for specific performance.

(18) Notices. All notices, documents, and information shall be sent as follows:

Contact

Yachats

Street Address

City, OR Zip

Oregon Department of Revenue

Marijuana Tax Program

PO Box 14630

Salem, OR 97309

(19) Amendments. The provisions of this Agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by both parties.

(20) Successors and Assigns. This Agreement shall be binding and inure to the benefit of the parties, their assigns, and successors.

(21) Severability. If any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

(22) Representations. Each party represents to the other that the making and performance of this Agreement: (a) have been duly authorized by its governing body or official,

(b) does not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board or other administrative agency or any provision of any applicable local charter or other organizational document, and (c) do not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which the party is bound.

(23) Governing Law, Consent to Jurisdiction. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively “Claim”) between the Department and City regarding the enforcement or interpretation of this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon. The parties understand and agree that any action brought to determine the amount of Local Tax owed by a Local Taxpayer, whether brought solely by the Department or in conjunction with City shall be brought solely in the Oregon Tax Court.

(24) Nonappropriation. The obligation of each party to perform its duties under this Agreement is conditioned upon the party receiving funding, appropriations, limitation, allotment, or other expenditure authority sufficient to allow the party, in the exercise of its reasonable administrative discretion, to meet its obligations under this Agreement. Nothing in this Agreement may be construed as permitting any violation of Article XI, sections 7 or 10 of the Oregon Constitution or any other law limiting the activities, liabilities or monetary obligations of each party.

(25) Survival. All rights and obligations of the parties under this Agreement will cease upon termination of the Agreement, other than the rights and obligations arising under Sections 14, 16 and 17, and those rights and obligations that by their express terms survive termination of this Agreement; provided, however, that termination of this Agreement will not prejudice any rights or obligations accruing to a party prior to termination.

(26) Force Majeure. Neither party is responsible for any failure to perform or any delay in performance of an obligation under this Agreement caused by fire, civil unrest, labor unrest, natural causes, or war, which is beyond that party’s reasonable control. Each party shall, however, make all reasonable efforts to remove or eliminate such cause of failure to perform or delay in performance and shall, upon the cessation of the cause, diligently pursue performance of its obligation under this Agreement.

(27) Counterparts. This Agreement may be executed in counterparts, all of which when taken together shall constitute one agreement, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Agreement so executed constitutes an original.

(28) Merger. This Agreement and any exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements or presentations, oral or written, not specified herein regarding this Agreement.

Each party represents that this Agreement, when fully executed and delivered will constitute a legal, valid and binding obligation of the party in accordance with its terms, and that

the person signing below is the authorized representative of the party with full power and authority to bind his/her principal to this Agreement.

Oregon Department of Revenue

Name/Title:

Signature:

Date signed:

City:

Name/Title:

Signature:

Date signed:

EXHIBIT A

DOR

SECURITY CLAUSE

and

SECURITY LAWS CERTIFICATE

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SECURITY CLAUSE

Taxpayer information is confidential and protected by Oregon law. Only authorized persons may have access to taxpayer information, or to secure buildings where taxpayer information is handled. Oregon law requires that you sign a Secrecy Certificate before being allowed access to this confidential information or secure areas. By signing the certificate, you certify that you understand the confidentiality laws and the penalties for violating them.

This applies to everyone with access to taxpayer information, including:

- Department of Revenue employees
- Employees of other government agencies
- Vendors and contractors
- Business partners

Penalties for unauthorized disclosure of state tax information

- **Income tax***—Class C felony; up to \$125,000 fine; up to five years imprisonment; dismissal from state employment; no public office for five years. [ORS 314.991(2)]
- **Inheritance tax**—Class C felony; up to \$125,000 fine; up to five years imprisonment; dismissal from state employment; no public office for five years. [ORS 118.990(3)]
- **Industrial property tax**—Up to \$10,000 fine; up to one year imprisonment. [ORS 308.990(5)]
- **Timber tax**—Up to \$5,000 fine; dismissal from state employment. (ORS 321.686)
- **Employment Department**—May result in dismissal from state employment, or other discipline. [ORS 657.665(6)]

* These provisions also apply to transient lodging tax (ORS 320.330), cigarette tax (ORS 323.403), tobacco products tax (ORS 323.595), emergency communications tax (ORS 403.230), oil and gas production tax (ORS 324.170), hazardous substances tax (ORS 453.410), and petroleum products tax (ORS 465.124).

Penalties for unauthorized disclosure of federal tax information

- **IRC Sect. 7213**—Felony; up to \$5,000 fine; imprisonment of up to five years; cost of prosecution, damages**.
- **IRC Sect. 7213A**—Up to \$1,000 fine; imprisonment of up to one year; cost of prosecution, damages**.

** Damages may include \$1,000 per act, actual damages, punitive damages, cost of legal action, attorney fees. See Section 7431.

Instructions

Please read the following laws. They explain the types of information that are confidential. If you have questions during your employment or performance of duties, ask your supervisor or a Disclosure officer before accessing or disclosing information.

After reading this information, fill out the last page and return it to the Department of Revenue. Keep the other pages for your records.

Oregon Income Tax Laws

ORS 314.835

(1) Except as otherwise specifically provided in rules adopted under ORS 305.193 or in other law, it shall be unlawful for the Department of Revenue or any officer or employee of the department to divulge or make known in any manner the amount of income, expense, deduction, exclusion or credit or any particulars set forth or disclosed in any report or return required in the administration of ORS 310.630 to 310.706, required in the administration of any local tax pursuant to ORS 305.620, or required under a law imposing a tax upon or measured by net income. It shall be unlawful for any person or entity to whom information is disclosed or given by the department pursuant to ORS 314.840 (2) or any other provision of state law to divulge or use such information for any purpose other than that specified in the provisions of law authorizing the use or disclosure. No subpoena or judicial order shall be issued compelling the department or any of its officers or employees, or any person who has acquired information pursuant to ORS 314.840 (2) or any other provision of state law to divulge or make known the amount of income, expense, deduction, exclusion or credit or any particulars set forth or disclosed in any report or return except where the taxpayer's liability for income tax is to be adjudicated by the court from which such process issues.

(2) As used in this section:

(a) "Officer," "employee" or "person" includes an authorized representative of the officer, employee or person, or any former officer, employee or person, or an authorized representative of such former officer, employee or person.

(b) "Particulars" includes, but is not limited to, a taxpayer's name, address, telephone number, Social Security number, employer identification number or other taxpayer identification number and the amount of refund claimed by or granted to a taxpayer.

ORS 314.991

(2) Violation of ORS 314.835 is a Class C felony. If the offender is an officer or employee of the state the offender shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

Applicability to other tax programs

The above provisions of ORS 314, concerning the confidentiality of returns and penalties, also apply to:

150-800-033 (Rev. 2-11)

• Transient lodging tax	ORS 320.330
• Cigarette tax	ORS 323.403
• Tobacco products tax	ORS 323.595
• Emergency communications tax	ORS 403.230
• Oil and gas production tax	ORS 324.170
• Hazardous substances tax	ORS 453.410
• Petroleum products tax	ORS 465.124

Oregon Inheritance Tax Laws

ORS 118.525

(1) It shall be unlawful for the Department of Revenue or any of its officers or employees to divulge or make known in any manner any particulars disclosed in any return or supporting data required under this chapter. Except for executors or beneficiaries and their authorized representatives, it shall be unlawful for any person or entity who has acquired information pursuant to subsections (3) and (4) of this section to divulge or make known such information for any purpose other than that specified in the provisions of law authorizing the use or disclosure. No subpoena or judicial order shall be issued compelling the department, or its officers or employees, or persons described in subsections (3) and (4) of this section, to divulge or make known any particulars disclosed in any such return or supporting data except where the liability for inheritance taxes is to be adjudicated by the Oregon Tax Court. Nothing in this section shall prohibit the publication of statistics so classified as to prevent the identification of particulars in any return or supporting data covered by this section.

(2) As used in this section:

(a) "Officer," "employee" or "person" includes an authorized representative of the officer, employee or person, or former officer, employee or person, or an authorized representative of such former officer, employee or person.

(b) "Particulars" includes, but is not limited to, a taxpayer's name, address, telephone number, Social Security number and the amount of refund claimed by or granted to a taxpayer.

ORS 118.990

(3) Violation of ORS 118.525 is a Class C felony. If the offender is an officer or employee of the state the offender shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

Oregon Property Tax Laws

ORS 308.290

(11)(a) All returns filed under the provisions of this section and ORS 308.525 and 308.810 are confidential records of the Department of Revenue or the county assessor's office in which the returns are filed or of the office to which the returns are forwarded under paragraph (b) of this subsection.

2

ORS 308.413

(1) Any information furnished to the county assessor or to the Department of Revenue under ORS 308.411 which is obtained upon the condition that it be kept confidential shall be confidential records of the office in which the information is kept, except as follows:

(a) All information furnished to the county assessor shall be available to the department and all information furnished to the department shall be available to the county assessor.

(b) All information furnished to the county assessor or department shall be available to any reviewing authority in any subsequent appeal.

(c) The department may publish statistics based on the information furnished if the statistics are so classified as to prevent the identification of the particular industrial plant.

(2) The Department of Revenue shall make rules governing the confidentiality of information under this section.

(3) Each officer or employee of the Department of Revenue or the office of the county assessor to whom disclosure or access of the information made confidential under subsection (1) of this section is given, prior to beginning employment or the performance of duties involving such disclosure, shall be advised in writing of the provisions of this section and ORS 308.990 (5) relating to penalties for the violation of this section, and shall as a condition of employment or performance of duties execute a certificate for the department or the assessor in a form prescribed by the department, stating in substance that the person has read this section and ORS 308.990 (5), that these sections have been explained to the person and that the person is aware of the penalties for violation of this section.

ORS 308.990

(5) Subject to ORS 153.022, any willful violation of ORS 308.413 or of any rules adopted under ORS 308.413 is punishable, upon conviction, by a fine not exceeding \$10,000, or by imprisonment in the county jail for not more than one year, or by both.

Forestland Tax Laws

ORS 321.682

(1) Except as otherwise specifically provided by law, it shall be unlawful for the Department of Revenue or any officer or employee of the department to divulge or make known in any manner the amount of the tax or any particulars set forth or disclosed in any report or return required to be filed under ORS 321.045 or 321.741 or any appraisal data collected to make determinations of specially assessed value of forestland pursuant to ORS 321.201 to 321.222. It shall be unlawful for any person or entity to whom information is disclosed or given by the department pursuant to ORS 321.684 (2) or any other provision of state law to divulge or use such information for any purpose other than that specified in the provisions of law authorizing the use or disclosure. No subpoena

or judicial order shall be issued compelling the department or any of its officers or employees, or any person who has acquired information pursuant to ORS 321.684 (2) or any other provision of state law, to divulge or make known the amount of tax or any particulars set forth or disclosed in any report or return except where the taxpayer's liability for timber tax is to be adjudicated by the court from which such process issues.

(2) As used in this section, "officer," "employee" or "person" includes an authorized representative of the officer, employee or person, or any former officer, employee or person, or an authorized representative of such former officer, employee or person.

ORS 321.686

Violation of ORS 321.682 is subject to a fine not exceeding \$5,000 or, if committed by an officer or employee of the state, dismissal or removal from office or employment, or both fine and dismissal or removal from office or employment.

Oregon Employment Department Laws

ORS 657.665

(4)The Employment Department may: ... (i) Disclose information to the Department of Revenue for the purpose of performing its duties under ORS 293.250 or under the revenue and tax laws of this state. The information disclosed may include the names and addresses of employers and employees and payroll data of employers and employees. The information disclosed is confidential and may not be disclosed by the Department of Revenue in any manner that would identify an employing unit or employee except to the extent necessary to carry out the department's duties under ORS 293.250 or in auditing or reviewing any report or return required or permitted to be filed under the revenue and tax laws administered by the department. The Department of Revenue may not disclose any information received to any private collection agency or for any other purpose. If the information disclosed under this paragraph is not prepared for the use of the Employment Department, the costs of disclosing the information shall be paid by the Department of Revenue.

(6) Any person or any officer or employee of an entity to whom information is disclosed by the Employment Department under this section who divulges or uses the information for any purpose other than that specified in the provision of law or agreement authorizing the use or disclosure may be disqualified from performing any service under contract or disqualified from holding any appointment or employment with the state agency that engaged or employed that person, officer or employee. The Employment Department may immediately cancel or modify any information sharing agreement with an entity when a person or an officer or employee of that entity discloses confidential information, other than as specified in law or agreement.



SECRECY LAWS CERTIFICATE

Required by ORS 314.840(3), ORS 118.525(6),
ORS 308.413(3), ORS 321.684

I have read the laws prohibiting disclosure of confidential information for the tax programs below.
 The laws have been explained to me.
 I have been furnished with a copy of the laws.
 I understand Oregon's disclosure laws and the penalties for violating them.

Income tax	ORS 314.835; ORS 314.991(2)
Inheritance tax	ORS 118.525(1); ORS 118.990(3)
Industrial property tax	ORS 308.290(11); ORS 308.413; ORS 308.990(5)
Forestland tax	ORS 321.682; ORS 321.686
Employment Department tax	ORS 657.665(4)(i) and (6)
Transient lodging tax	ORS 320.330
Cigarette tax	ORS 323.403
Tobacco products tax	ORS 323.595
Emergency communications tax	ORS 403.230
Oil and gas production tax	ORS 324.170
Hazardous substances tax	ORS 453.410
Petroleum products tax	ORS 465.124
Federal tax laws	IRC Sections 7213, 7213A, 7431

VENDORS, CONTRACTORS, BUSINESS PARTNERS

PRINT your full name	Business telephone number
Print full name of business or organization for which you are acting in an official capacity	
Address of business or organization	SSN (Collection agency employees only)
What is the nature of your business?	Duration of contract or visit
Revenue contact	Area where you'll be working
Signature X	Date

REVENUE EMPLOYEES

PRINT your full name	Date
Signature X	

AGENCY USE

In Compliance
 Not in Compliance

{14323368-01077121;1}

7777588-v1

{14323368-01077121;1}

7777588-v1

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE OREGON DEPARTMENT OF REVENUE TO ADMINISTER AND COLLECT THE THREE PERCENT MARIJUANA RETAILER TAX IMPOSED UNDER CITY OF LA PINE ORDINANCE NO. 2016-02.

WHEREAS, on April 13, 2016, City of La Pine adopted Ordinance No. 2016-02 (the "Ordinance") to impose a three percent (3%) tax on the sale of marijuana items by a marijuana retailer (the "Marijuana Tax"); and

WHEREAS, the La Pine City Council (the "Council") referred the Marijuana Tax to the voters at the general election held on November 8, 2016, which Marijuana Tax the voters approved by a vote of _____ to _____;

WHEREAS, pursuant to the Ordinance, the city manager (or his or her designee) is designated as the "tax administrator" and, as such, is responsible for administration of the Marijuana Tax; and

WHEREAS, pursuant to ORS 305.620, the Oregon Department of Revenue ("Department") is authorized to enter into an agreement for the collection, enforcement, administration, and distribution of local taxes; and

WHEREAS, the city manager desires to (a) designate Department as the "tax administrator" under the Ordinance, and (b) enter into an agreement with Department for the collection, enforcement, administration, and distribution of the Marijuana Tax; and

WHEREAS, the Council desires to approve the city administrator's designation and authorize the city administrator or mayor to enter into a certain marijuana tax collection agreement with Department for and on behalf of City.

NOW, THEREFORE, the City of La Pine resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. _____ (this "Resolution") are hereby adopted.
2. Tax Administrator – Delegation. Council approves the city manager's designation of Department as the "tax administrator" under the Ordinance for purposes of the MTC Agreement (as defined below). All powers and duties provided or assigned to the "tax administrator" under the Ordinance may be exercised or performed by Department for purposes of the MTC Agreement.
3. Marijuana Tax Collection Agreement. For and on behalf of City, the mayor or city manager is authorized to execute and deliver that certain Marijuana Tax Collection Agreement dated _____ between City and Department substantially in the form attached hereto as Exhibit A (the "MTC Agreement"), pursuant to which Department will (a) collect, enforce, administer, and distribute the Marijuana Tax, and (b) be authorized to act on behalf of City and take such further action as is necessary to administer the Marijuana Tax. If a conflict between the provisions of the Ordinance and MTC Agreement occurs, the provisions of the MTC Agreement will govern; provided, however, City may exercise any rights and/or remedies permitted under the Ordinance to enforce the

Ordinance and/or collect any unpaid taxes, penalties, and/or interest which Department is unwilling and/or unpermitted to exercise.

4. Severability; Effective Date. The provisions of this Resolution are 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 will be in full force and effect from and after its approval and adoption.

APPROVED and ADOPTED by the Council and signed by the mayor this ____ day of June 2019.

Daniel Richer, Mayor

ATTEST:

_____, City Recorder



CITY OF LA PINE

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Melissa Bethel, Staff
SUBJECT: Transfer of Jurisdiction of Old Main Court from Deschutes County

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

Old Main Court is a street within the City limits of La Pine but is jurisdictionally held under Deschutes County. From time to time the occasion arises where a developer would like to request the City vacate a road in order to foster good development and in some cases alter traffic circulation patterns. In this case, discussions with a developer has reached a point where the City finds it is in the best interest to pursue the jurisdictional transfer of the road from the County. This is only a beginning step. Talks will continue and any development and vacation of ROW request will come before the Council in a Public Hearing and formal application.

The necessary steps for transfer of jurisdiction are:

1. The City approves the attached Resolution
2. The City of La Pine submits the approved resolution and IGA to the County for approval
3. County and City sign the IGA.

Historically the County has been receptive and favorable to these transfers.

RESOLUTION NO. 2019-10

A RESOLUTION REQUESTING DESCHUTES COUNTY SURRENDER JURISDICTION OVER OLD MAIN COURT.

WHEREAS, Deschutes County ("County") presently holds jurisdiction over Old Main Court as generally depicted on Exhibit A attached hereto and incorporated herein by this reference Old Main Court, which is located within the City of La Pine ("City") city limits; and

WHEREAS, ORS 373.270 permits counties to initiate the transfer of jurisdiction over county roads within a city to such city upon the request of the governing body of such city; and

WHEREAS, the City and County have discussed terms and conditions of the transfer of jurisdiction over the Transfer of Roads to the City, including that the County will continue to maintain the Transfer Roads, which are to be memorialized in an intergovernmental agreement between the City and County; and

WHEREAS, the La Pine City Council ("City Council") desires for the County to surrender jurisdiction and initiate the process to transfer jurisdiction of Old Main Court to the City.

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

1. The above-stated findings contained in this Resolution are hereby adopted.
2. Surrender Request. The City Council hereby requests the County surrender jurisdiction over Old Main Court and initiate the process to transfer jurisdiction of Old Main Court to the City.
3. Severability; Effective Date. The provisions of this Resolution are 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 will be in full force and effect from and after its approval and adoption.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the La Pine City Council on June 12, 2019.

Daniel Richer, Mayor

ATTEST:

Melissa Bethel, City Manager

INTERGOVERNMENTAL AGREEMENT

OLD MAIN COURT

This Intergovernmental Agreement (this "Agreement") is made and entered into on _____, 2019 (the "Effective Date"), by and between Deschutes County ("County"), a political subdivision of the State of Oregon, and the City of La Pine ("City"), a municipal corporation of the State of Oregon.

RECITALS

1. By the authority granted in ORS 190.010, a unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that any party to the agreement, its officers or agencies have the authority to perform.
2. The City and County presently operate under that certain Intergovernmental Agreement for Performance of Road Services #2009-709 (the "2009 IGA").
3. Old Main Court which is depicted in the attached Exhibit "A", are part of the County road system under jurisdiction and control of County.
4. The Subject Road is within the incorporated limits of City.
5. The City desires to vacate the right-of-way for the Subject Road to accommodate redevelopment of adjacent property within the jurisdictional limits of the City.
6. ORS 368.326 prohibits the County from vacating public road right-of-way within a city.
7. Jurisdictional transfer of the Subject Roads from the County to the City, as authorized by ORS 373.270 will allow the City to subsequently vacate the vacation as authorized by ORS 271.080 -271.170.
8. Subject to the terms and conditions of this Agreement, the parties desire to transfer jurisdiction of the Subject Road from the County to the City to allow for the City to vacate the Subject Roads.

NOW THEREFORE, in consideration of the mutual promises and obligations contained herein, the receipt and sufficiency of which is hereby acknowledged, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Jurisdiction over Subject Roads shall be transferred to City pursuant to ORS 373.270.
2. Upon completion of jurisdictional transfer, County shall continue to maintain the Subject Roads per the terms of the 2009 IGA until City vacates Subject Road.

CITY OBLIGATIONS

1. City shall request that the County surrender jurisdiction over the Subject Roads by passing appropriate municipal legislation in accordance with ORS 373.270(6)(a).
2. Upon completion of jurisdictional transfer, City shall notify County's Road Department of any change of status of Subject Roads. Change of status shall include, but not be limited to, vacation or improvement
3. To the extent allowed by the Oregon Constitution, and within the limits of the Oregon Tort Claims Act, City shall defend, indemnify, and save County, its officers, agents and employees harmless from any and all claims, actions, costs, judgments, damages and other expenses resulting from injury to any person (including injury resulting in death) or damage to property (including loss or destruction), of whatsoever nature, proximately caused by the negligence or other wrongful acts or omissions of City, its officers, agents and employees, arising from or related to any obligation of City under this Agreement or any other activity within the Subject Roads.

COUNTY OBLIGATIONS

1. Upon City fulfilling its obligation under City Obligations, Paragraph 1 of this Agreement, County shall notice and conduct a public hearing in accordance with ORS 373.270(2) through (4) and shall surrender jurisdiction over Subject Roads to City pursuant to ORS 373.270(6)(b).
2. Upon completion of jurisdictional transfer, County shall continue to maintain the Subject Road to County standards.
3. To the extent allowed by the Oregon Constitution, and within the limits of the Oregon Tort Claims Act, County shall defend, indemnify, and save City, its officers, agents and employees harmless from any and all claims, actions, costs, judgments, damages and other expenses resulting from injury to any person (including injury resulting in death) or damage to property (including loss or destruction), of whatsoever nature, proximately caused by the negligence or other wrongful acts or omissions of County, its officers, agents and employees, arising from or related to any obligation of County under this Agreement or any other activity within the Subject Roads.

GENERAL PROVISIONS

1. The indemnification provisions of this Agreement are intended to allocate risk between County and City. Nothing herein is intended to confer any right to indemnity on any independent contractor retained by County to perform any County obligation under this Agreement, or to waive any right of indemnity against a contractor under the terms of any contract between County and its contractor or otherwise.
2. This Agreement will be governed by and construed in accordance with laws of the State of Oregon. Each party shall perform its obligations under this Agreement in accordance with all applicable statutes, ordinances, rules and regulations.

3. Any notice required to be given under this Agreement must be in writing and must be given by personal delivery or mail, except that any notice required by law must be given in the manner specified by such law.
4. There will be a default under this Agreement if either party materially fails to comply with any provision of this Agreement within the time(s) herein, and fails to cure such noncompliance within thirty days after the other party gives notice specifying the breach. In the event of a default, before either party may bring an action in any court concerning this Agreement, such party must first endeavor in good faith to resolve the issue through negotiation or mediation. If a default occurs and it is not resolved under through negotiation or mediation, the party injured by the default may elect to pursue any equitable or legal rights and remedies available under Oregon law.
5. If any provision of this Agreement is determined to be invalid in any respect by any court with jurisdiction over this Agreement, such invalidity will not affect any other provision of this Agreement. Unless the invalid provision is essential to the purpose or performance of this Agreement, this Agreement will be construed to give maximum effect to the provision in any other respect and to the remainder of the Agreement.
6. No condition or breach of this Agreement will be deemed waived unless such waiver is in writing and signed by the party waiving its rights. Any waiver of a condition or a breach by either party will not constitute waiver of any other different or subsequent breach.
7. The foregoing constitutes the final and complete Agreement of the parties concerning the subject matter of this Agreement and supersedes all prior and existing written or oral understandings except as otherwise continued in effect by the terms of this Agreement.
8. No modification of this Agreement will be valid unless it is in writing and signed by the parties.

(SIGNATURE PAGE TO FOLLOW)

CITY OF LA PINE

By _____
City Manager

Date _____

Attest: _____
City Recorder

Date _____

REVIEWED AS TO FORM

By _____
City Legal Counsel

Date _____

DESCHUTES COUNTY

By _____
Chair

Date _____

By _____
Commissioner

Date _____

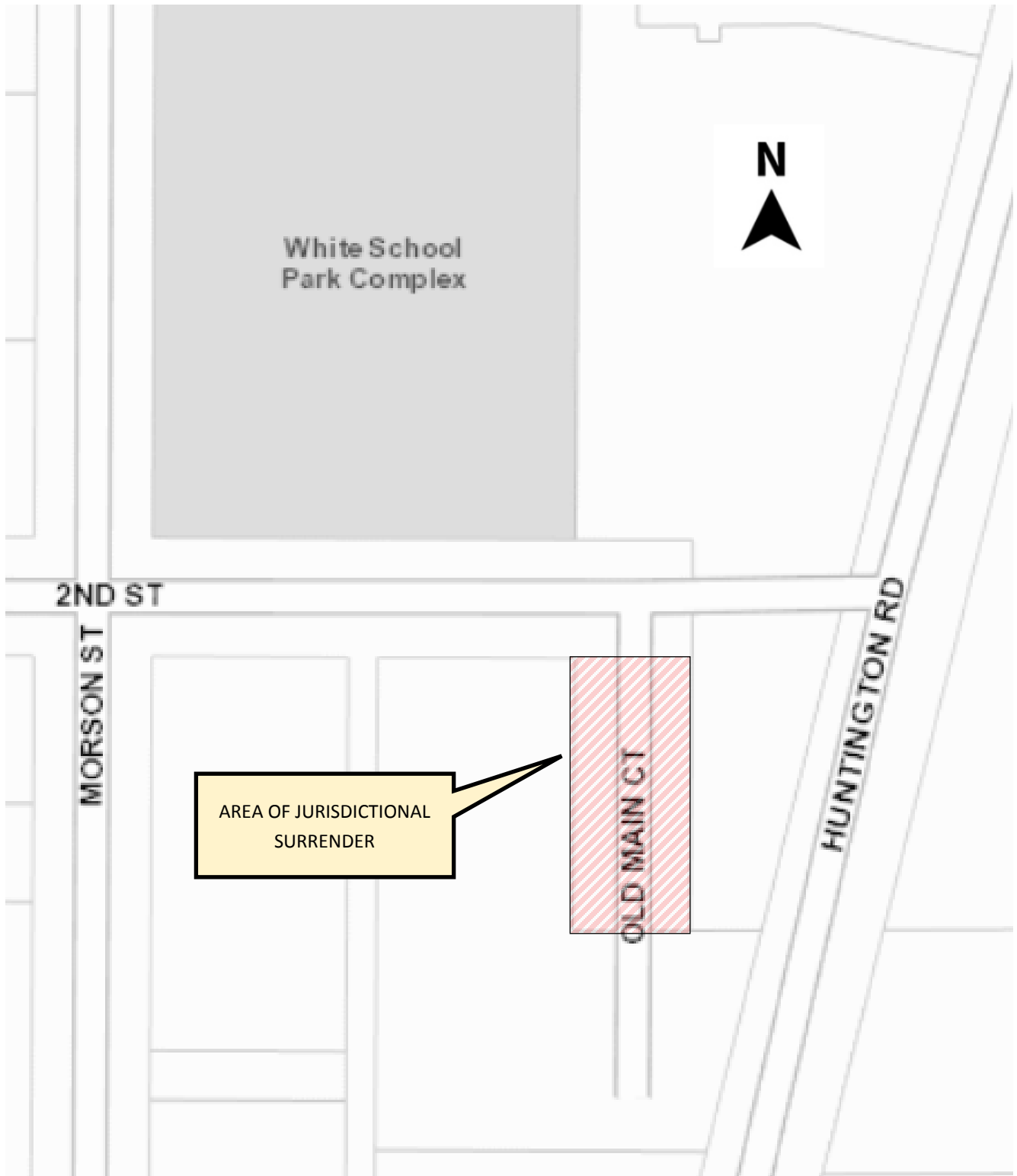
By _____
Commissioner

Date _____

REVIEWED AS TO FORM

By _____
County Legal Counsel

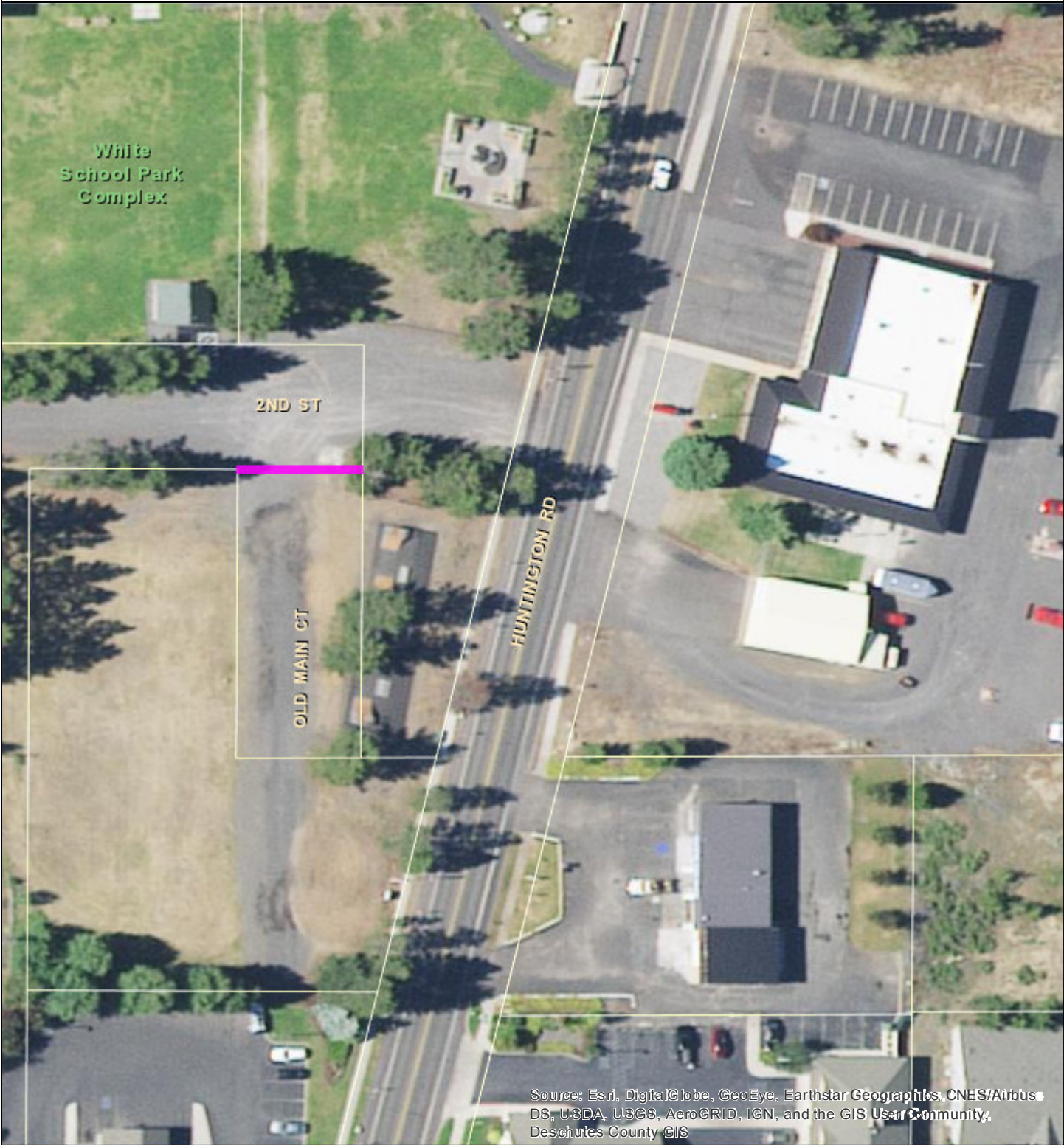
Date _____



**ROAD
DEPARTMENT**

**CITY OF LA PINE
JURISDICTIONAL SURRENDER
OLD MAIN CT**

Old Main Ct. Vacation





CITY OF LA PINE BUDGET COMMITTEE MEETING MINUTES

Monday, May 1, 2019

5:30 pm Regular Budget Committee Meeting

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

Regular Meeting – 5:30 pm

1. Call to Order

Mayor Richer called the meeting to order at 5:30

2. Establish Quorum

Members Present: Mayor Richer, Councilor Briese, Don Greiner, Councilor Shields, Student Councilor Miller, John Cameron, Colleen Scott, Russ Smith

Members Absent by Prior Arrangement: Michael Harper

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

3. Pledge of Allegiance

4. Orientation

Melissa provided a brief overview of the budget process, emphasizing the importance of discussion only within a Budget Meeting with an established quorum.

5. Election of Chairperson

Mayor Richer asked requested member interest in serving as chairperson. Councilor Briese offered to serve in that capacity. All in favor. No opposition. Unanimously approved.

6. FY 2019-2020 Budget Message and Review

Melissa provided an update on the revised Community Funding Request process. Requests will be considered after adoption of the budget. She reviewed COLA changes in the Personnel Services line as well as funds budgeted for a job classification consultant. She also reviewed changes to the Economic Development Fund, including the impact of BioGreen's withdrawal of their project. She asked that everyone give consideration to the Streets Fund. There has been a large amount of growth and subsequent demands on those resources; previously the General Fund has supplemented the majority of the funding. She asked everyone to consider other funding mechanisms. Jake stated there will be considerable amounts budgeted in the Streets and Water funds due to interim financing. The goal is to begin construction on those projects in FY 2019-20.

Melissa discussed the formatting changes to the budget document. She also let everyone know the City is the lead contender for the STIF grant.

General Fund: Melissa reviewed the two part-time student positions added and explained the changes to how Motel Tax Revenue will be documented to make the fund lines more realistic and transparent. As a result, the Tourism Fund is made up of restricted dollars exclusively.

Meetings and travel funds have been increased due to increased Council participation in events. Capital Outlay was reviewed to advise committee members of potential purchases including land acquisition.

Cemetery Fund: Jake reviewed this fund. Enhancements will include adding an informational kiosk. A master plan will be compiled for further cemetery projects and enhancements.

Mayor Richer asked about Light Speed Networks franchise fees, we will look into that to see what that is.

Streets Fund: Jake expanded on the Streets Fund. Changes include funding methodology, increase to grading and dust abatement funding. Hwy 97 landscaping was increased. Capital funds include most of the money for the skid-steer or similar piece of equipment being allocated to this fund. The student worker will likely work mostly on streets projects. Also planned are additional chip sealing projects.

Tourism Fund: Melissa continued review of this fund. The unrestricted community fund has been moved to the General Fund. Chamber and Visitor Center funding has been increased. She also stated that the Chamber will be required report on how those funds are spent. Fourth of July marketing, including the rodeo, has been increased. The restricted TRT fund has been increased to meet the needs of qualifying organizations. She explained the beautification project proposed funds as well as Capital Outlay. There was discussion regarding the requirements of restricted funds. The concept of a public arts fund was brought up as a future possibility.

Community Development: Reviewed by Melissa, this fund continues to show increased revenues. The contracted services line is still high due to Retia Consult continuing planning projects. Contingency and General Fund transfer in were reviewed.

Water and Sewer Reserve Fund: Jake provided a review. Sewer design is funded exclusively by grants, whereas water design will need to be funded.

Debt Reserve: Melissa reviewed, no changes to this fund.

Economic Development: Melissa spoke about the BioGreen project not moving forward, as well as an increased funding demand for a SLED employee.

SDC Fund: Jake reviewed new development and that we have budgeted conservatively; as well as the transfer out to the Water Fund. There was discussion regarding a potential SDC for streets infrastructure, and agreement that this is a topic for future consideration.

Water Fund: Jake reviewed. The water design is finishing this year, construction could possibly begin toward the end of FY 2019-20. Additional expenditures include new water meters. Contingency is slightly less. He also reviewed completed projects.

Sewer Fund: Jake reviewed funds budgeted for construction. Other fund items are in line with previous years, with the exception of additional Personnel Services expenditure resulting from an additional staff member. He reviewed completed projects.

Don Greiner was excused at 6:18 p.m.

There was discussion regarding snow plow funds and what the new contract will potentially include and also the possibility of breaking the work into separate, smaller contracts. There was also additional discussion on restricted v. unrestricted community funding.

7. Public Comments and Questions

Kitty Shields stated she is impressed with the proposed budget. She really appreciates the changes in how TRT funds are documented.

8. Adjourn

Meeting adjourned at 6:27 p.m.

Tracy Read, City Recorder



CITY OF LA PINE BUDGET COMMITTEE MEETING MINUTES

Tuesday, May 22, 2019

5:30 pm Regular Budget Committee Meeting

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

Regular Meeting – 5:30 pm

1. Call to Order

Meeting called to order at 5:30 p.m. by Chairperson Briese.

2. Establish Quorum

Members Present: Chairperson and Councilor Connie Briese, John Cameron, Mayor Daniel Richer, Councilor Don Greiner, Councilor Michael Harper, Councilor Mike Shields, Colleen Scott, Russ Smith, Student Councilor Max Miller.

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

3. Pledge of Allegiance

Led by Don Greiner.

4. The Budget Committee will continue to review the budget and take appropriate actions to conclude its review process.

5. Hearing on receiving state shared revenues in anticipation of City Council Adoption of Budget on June 12, 2019

a. Open Public Hearing

b. Staff Report

Melissa reviewed one budget update, which is funding for Dial A Ride in the amount of \$5,000.

c. Public Comments

Unanimous comment and agreement that shared revenue should be accepted.

Colleen Scott made a motion that the City of La Pine receive the allotted State Shared Revenues for FY 2019/20. Councilor Greiner seconded. No objections. Unanimously approved.

d. Deliberations

e. Close Public Hearing

Closed at 5:34 p.m.

6. Budget Approval

Russ Smith made a motion that the City of La Pine Budget Committee forward the proposed FY 2019/20 budget document with the proposed property tax rate of 1.98 to the La Pine City Council for Public Hearing on June 12, 2019. Seconded by Mayor Richer.

Roll Call Vote:

Roll Call Vote:

Don Greiner, Aye

Daniel Richer, Aye

Colleen Scott, Aye

Mike Shields, Aye

Michael Harper, Aye

Russ Smith, Aye

John Cameron, Aye

Connie Briese, Aye

Unanimously approved.

7. Adjourn

Meeting adjourned at 5:37 p.m.

Tracy Read, City Recorder



CITY OF LA PINE CITY COUNCIL – WORK AND REGULAR SESSION MEETING MINUTES
Wednesday, March 22, 2019
La Pine City Hall
16345 Sixth Street, La Pine, Oregon 97739

A. Work Session – Immediately Following Budget Committee Meeting.

1. Call to Order

Work Session called to order at 5:47 p.m. by Mayor Richer

2. Establish Quorum

Members present: Mayor Daniel Richer, Councilor Don Greiner, Councilor Connie Briese, Councilor Michael Harper, Councilor Mike Shields; Student Councilor Max Miller.

Staff Present: City Manager Melissa Bethel, Public Works Manager Jake Obrist, and Administrative Assistant Kelly Notary

1. Ordinance 2019-02 Amending Ordinance Nos. 2015-02, 2016-10, and 2017-09, Which Ordinances Concern Recreational Marijuana Businesses and Medical Marijuana Dispensaries – Discussion

Councilor Harper recused himself from the discussion on this item

Melissa explained that the one change that would be amended would be to allow the dispensaries to be open on Sunday, which they are not currently allowed to do.

All council agreed they have enough information to move forward with a decision in regular session.

Mayor Richer asked if anyone had anything specific to mention regarding the ordinance before moving on to the next item:

Connie expressed her continued disagreement with extending it to Sunday and does not feel it keeps up the small town feel of La Pine. She mentioned the core values she was asked to protect when she was elected and marijuana dispensaries are not in line with those principles – in her opinion.

The rest of the council did not see a correlation between adding another day and the degradation of our small-town feel.

Discussion around the taxes that are taken in and what effect this has on illegal use of marijuana, including a rise in teen use took place before council moved on to the next topic.

2. Backflow Testing Services Agreement – Discussion

Jake Obrist explained the process and the bid that he received. He also explained the need for this contract.

3. Adjourn Meeting

6:04pm Work Session Adjourned

B. Regular Session – immediately following Work Session

1. Call to Order

Regular Session called to order at 6:10pm by Mayor Richer

2. Establish Quorum

Same as above

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

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. Approval of Council Minutes

- i. Approval of April 24, 2019 Joint Meeting with BOCC Minutes
- ii. Approval of April 24, 2019 Regular Session Meeting Minutes

b. Reimbursements

- i. Approval of Council and Staff Reimbursements

Councilor Greiner moved to approve the consent agenda, Councilor Harper seconded, approved with unanimous support by council.

7. Other Matters: Only those matters properly added to this Agenda under line item No. 4

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

Councilor Harper has recused himself from the discussion and the vote.

- i. Staff Report
- ii. Public Comments

Kellie Wright (outside City Limits) would like to see the dispensaries open on Sunday, because people are very busy. She works and has children to care for, as well as their extracurricular activities and Sunday is her day for errands, it would be helpful to have access to the medical marijuana and cbd on Sunday. Her family has found it very effective for ailments and she hopes Council votes yes.

Tim Grey (outside City Limits) He is the manager of Green Knottz and mentioned that there are medical reasons people are on CBD or Marijuana. The pharmacy is open on Sundays and although they are considered alternative medicine he feels like it's only reasonable for people to get all of their medicine on Sundays. Many people have been able to get off opioids due to his product, as well as other medicines that make their lives easier. He only sees benefits for his customers.

- iii. Close Public Hearing
- iv. Deliberations

Don Greiner made a motion that the La Pine City Council 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. Councilor Shields seconded the motion.

ROLL CALL VOTE

Councilor Greiner – yes

Councilor Shields - yes

Councilor Briese – no

Councilor Harper - recused

Student Councilor Representative – yes (vote is unofficial and does not count towards any majority)

City Manager Bethel reminded the room that Pursuant to Section 16 of the City Charter; if the vote is not unanimous, this agenda item will be placed on the next City Council meeting (June 12th) for approval and will not become official until 30 days after a second majority vote.

9. Backflow Testing Services Agreement – Action Item

a. Staff Report

Councilor Harper moved that council approves the agreement, Councilor Briese seconded, agreement was approved with unanimous support by council.

10. Public Comments

Matt Toepfer (Outside City Limits) Owner of HD Botanical concurred that their business is helpful to the public and would like to see Sunday allowed, so people can access their medicinal and recreational products.

11. Staff Comments

Melissa Bethel:

Advised council that the refinement plan meetings kicked off and they would like one member from Council to be a part of the committee. She asked that they select someone at tonight's meeting to keep things moving forward with the committee. After discussion Councilor Harper is the representative and Councilor Briese is the alternate.

COAC – Two items that could potentially come up in Carbon Bill were presented, which if passed would be an increase in Gas Tax & also a speed limit bill that would allow cities to set their own speed limits w/ specific hoops required.

EDCO went out for a full-time position search and expect to have candidates in 30 days.

STIFF Grant – Went to Deschutes and CTE and will now be at the state level (La Pine Station).

Regional Solutions Outreach will be here on May 28th and the agenda went out today.

BPAC Summit – Melissa Sat on a panel about trail work for our area and there is a lot in the works to connect Sunriver and La Pine at some point in the future.

High School Survey results from Career Day show 56% of students think the most important thing the city of La Pine needs is more activities. (i.e. movie theater, arcade, etc.), while 31.5% would like to see more retail and 12.5% are interested in more walking and biking paths.

CET put in money for a transportation grant in the amount of 9.5mil to our area for bus routes, more to come on that as the grant process moves along.

Jake Obrist:

June 21st-22nd Annual Clean Up Days we provide trash bags, ODOT vests. Kick Off will be here at City Hall on Friday morning at 9am with breakfast provided by the city.

High School Senior Class on May 9th came to City Hall to talk about jobs and life after school, including trade jobs and they got to go on a tour of the well site.

12. Mayor and Council Comments

Councilor Greiner – Said he is working to get Crescent Creek clean up and citywide cleanup coordinated for the same time and sent out to the residents from the HOA.

Councilor Harper - Thanked the city staff for the sympathy card and appreciated the council being so kind about letting him go to take care of his family.

Mayor Richer thanked the people who came out for the meeting and encouraged them to make a habit of attending, so that council can be more effective in their work to improve the city.

13. Adjourn Meeting

Adjourned 6:43pm

Attest

Tracy Read

FINANCIAL SUMMARY APRIL 30, 2019

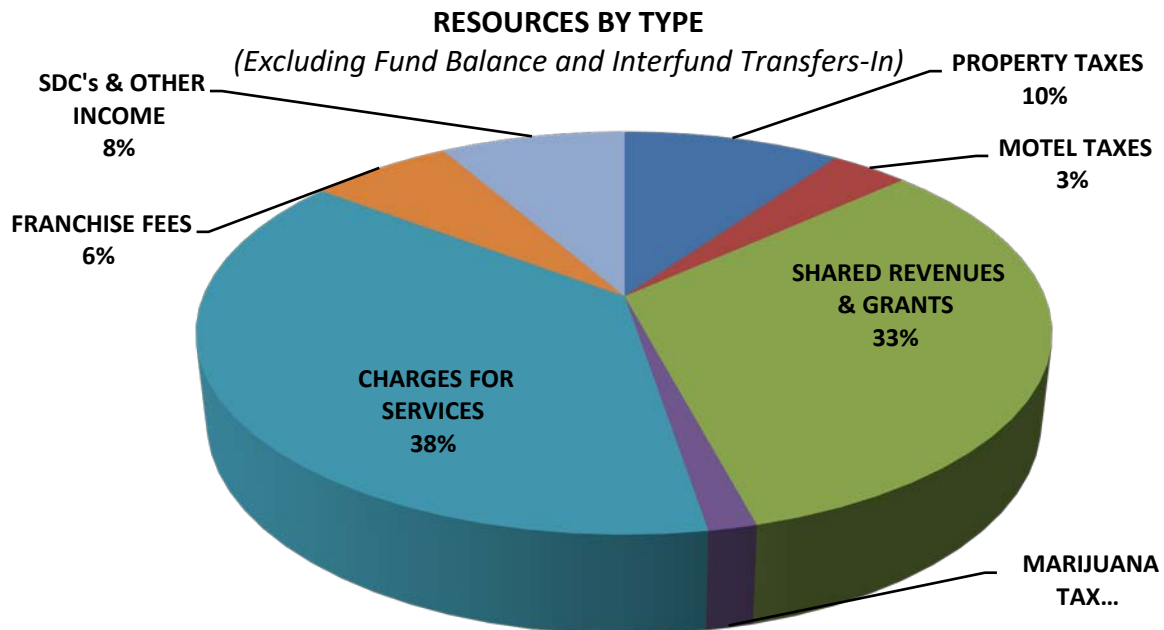
TOTAL RESOURCES - BUDGET TO ACTUAL

AS OF APRIL 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(83% lapsed) % Earned
BEGINNING FUND BALANCE	7,295,571	6,679,299	(616,272)	109.2%
PROPERTY TAXES	296,834	292,000	(4,834)	101.7%
MOTEL TAXES	107,029	140,000	32,971	76.4%
SHARED REVENUES & GRANTS	986,485	1,229,500	243,015	80.2%
MARIJUANA TAX	47,044	30,000	(17,044)	156.8%
CHARGES FOR SERVICES	1,147,999	1,491,600	343,601	77.0%
FRANCHISE FEES	194,668	223,500	28,832	87.1%
SDC's & OTHER INCOME	252,471	282,750	30,279	89.3%
	10,328,101	10,368,649	40,548	99.6%

FINANCIAL HIGHLIGHTS - RESOURCES:

- Beginning fund balances are final audited amounts.
- Five of eight revenue categories exceed the budgetary target of 83%.
- Charges for Services are over or within budget, except for the Economic Development Fund's Industrial Site Leases is at 8.5% of budget.
- Franchise Fees are within the budgetary target except for Century Link is at 53.9%.
- Interfund Transfers-In have been posted to the following funds; General Fund, Cemetery Fund, Economic Development Fund, Streets Fund, Community Development Fund, Industrial/Economic Development Fund and Water Fund.



RESOURCES - BUDGET TO ACTUAL BY FUND

AS OF APRIL 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(83% lapsed) % Earned
GENERAL FUND				
BEGINNING FUND BALANCE	558,446	451,428	(107,018)	123.7%
PROPERTY TAXES	296,834	292,000	(4,834)	101.7%
SHARED REVENUES & GRANTS	76,134	44,000	(32,134)	173.0%
MARIJUANA TAX	47,044	30,000	(17,044)	156.8%
CHARGES FOR SERVICES	13,452	12,600	(852)	106.8%
FRANCHISE FEES	194,668	223,500	28,832	87.1%
MISCELLANEOUS & OTHER INCOME	51,600	100,000	48,400	51.6%
INTERFUND TRANSFERS - IN	30,000	45,000	15,000	66.7%
	<u>1,268,178</u>	<u>1,198,528</u>	<u>(84,650)</u>	<u>105.8%</u>
CEMETERY FUND				
BEGINNING FUND BALANCE	20,796	16,068	(4,728)	129.4%
CHARGES FOR SERVICES	4,545	5,000	455	90.9%
INTERFUND TRANSFERS - IN	5,000	5,000	-	100.0%
	<u>30,341</u>	<u>26,068</u>	<u>(4,273)</u>	<u>116.4%</u>
STREETS FUND				
BEGINNING FUND BALANCE	901,308	801,088	(100,220)	112.5%
SHARED REVENUES & GRANTS	96,625	90,000	(6,625)	107.4%
MISCELLANEOUS & OTHER INCOME	-	250	250	0.0%
INTERFUND TRANSFERS - IN	223,500	223,500	-	100.0%
	<u>1,221,433</u>	<u>1,114,838</u>	<u>(106,595)</u>	<u>109.6%</u>
TOURISM FUND				
BEGINNING FUND BALANCE	161,952	126,107	(35,845)	128.4%
MOTEL TAXES	107,029	140,000	32,971	76.4%
	<u>268,981</u>	<u>266,107</u>	<u>(2,874)</u>	<u>101.1%</u>
COMMUNITY DEVELOPMENT FUND				
BEGINNING FUND BALANCE	104,217	77,357	(26,860)	134.7%
CHARGES FOR SERVICES	54,160	40,000	(14,160)	135.4%
ADVANCED PLANNING FEES	31,289	25,000	(6,289)	125.2%
MISCELLANEOUS & OTHER INCOME	-	-	-	-
INTERFUND TRANSFERS - IN	20,000	20,000	-	100.0%
	<u>209,666</u>	<u>162,357</u>	<u>(47,309)</u>	<u>129.1%</u>
INDUSTRIAL/ECONOMIC DEVELOPMENT				
BEGINNING FUND BALANCE	37,488	21,734	(15,754)	172.5%
INDUSTRIAL SITE LEASES / SALES	13,806	163,000	149,194	8.5%
MISCELLANEOUS & OTHER INCOME	1,100	5,000	3,900	22.0%
INTERFUND TRANSFERS - IN	30,000	30,000	-	100.0%
	<u>82,394</u>	<u>219,734</u>	<u>137,340</u>	<u>37.5%</u>
RESERVE FUND - WATER/SEWER				
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>
DEBT RESERVE FUND				
BEGINNING FUND BALANCE	193,503	193,503	-	100.0%
	<u>193,503</u>	<u>193,503</u>	<u>-</u>	<u>100.0%</u>
SDC FUND				
BEGINNING FUND BALANCE	2,287,045	2,233,991	(53,054)	102.4%
SYSTEM DEVELOPMENT CHARGES	191,559	150,000	(41,559)	127.7%
	<u>2,478,604</u>	<u>2,383,991</u>	<u>(94,613)</u>	<u>104.0%</u>
WATER FUND				
BEGINNING FUND BALANCE	668,409	577,217	(91,192)	115.8%
CHARGES FOR SERVICES	523,092	646,000	122,908	81.0%
MISCELLANEOUS & OTHER INCOME	8,212	500	(7,712)	1642.4%
INTERFUND TRANSFERS - IN	215,000	750,000	535,000	28.7%
	<u>1,414,713</u>	<u>1,973,717</u>	<u>559,004</u>	<u>71.7%</u>
SEWER FUND				
BEGINNING FUND BALANCE	747,407	590,806	(156,601)	126.5%
GRANT REVENUE	782,437	1,095,500	313,063	71.4%
CHARGES FOR SERVICES	538,944	625,000	86,056	86.2%
MISCELLANEOUS & OTHER INCOME	-	2,000	2,000	0.0%
	<u>2,068,788</u>	<u>2,313,306</u>	<u>244,518</u>	<u>89.4%</u>

FINANCIAL SUMMARY MARCH 31, 2019

TOTAL EXPENDITURES - BUDGET TO ACTUAL

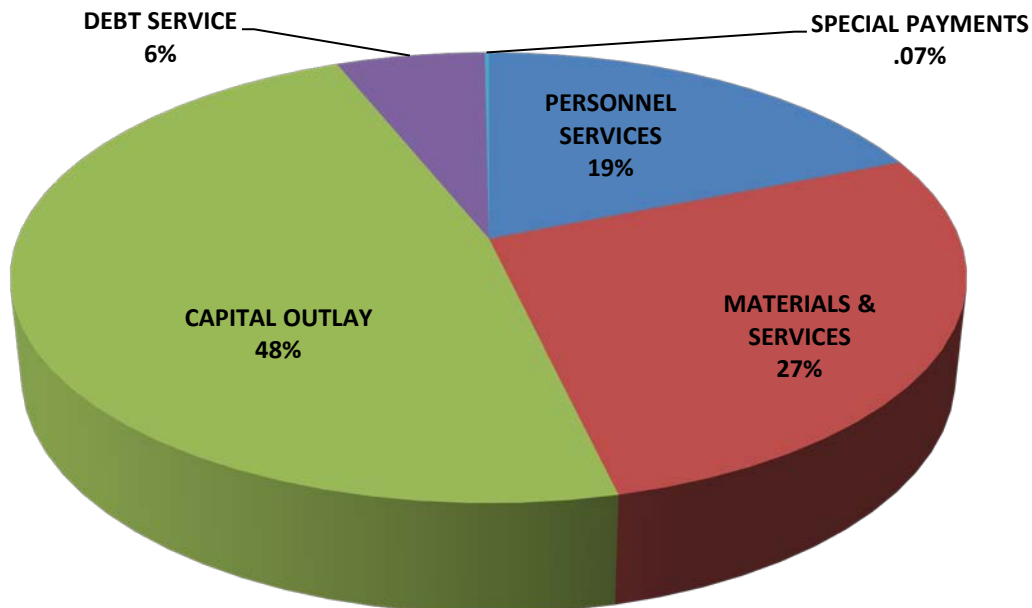
AS OF APRIL 30, 2019

	Year	FY 2018-19	Budget	(83% lapsed)
	To Date	Budget	Remaining	% Expended
PERSONNEL SERVICES	437,420	642,404	204,984	68.1%
MATERIALS & SERVICES	633,161	1,172,751	539,590	54.0%
CAPITAL OUTLAY	1,099,266	2,723,000	1,623,734	40.4%
DEBT SERVICE	137,054	245,000	107,946	55.9%
SPECIAL PAYMENTS	3,868	55,000	51,132	7.0%
INTERFUND TRANSFERS - OUT	523,500	1,593,500	1,070,000	32.9%
	<u>2,834,269</u>	<u>6,431,655</u>	<u>3,597,386</u>	<u>44.1%</u>

FINANCIAL HIGHLIGHTS – EXPENDITURES:

- Personnel, Debt Service and Materials & Services Expenditures are at expected levels which is below budget.
- Capital Outlay spending levels are underspent. The Sewer Fund and Cemetery Fund are projected to be at 92% and 90% of budget by year end, respectively. All other capital projects are projected to end at 1% - 27% of budget.
- Interfund Transfers-Out have been made by the following funds; General Fund, Tourism Fund, Reserve Fund-Water/Sewer and SDC Fund.

EXPENDITURES BY CATEGORY (EXCLUDING INTERFUND TRANSFERS)



EXPENDITURES - BUDGET TO ACTUAL BY FUND

AS OF APRIL 30, 2019

	Year To Date	FY 2018-19 Budget	Budget Remaining	(83% lapsed) % Expended
GENERAL FUND				
PERSONNEL SERVICES	76,404	101,530	25,126	75.3%
MATERIALS & SERVICES	119,130	184,498	65,368	64.6%
CAPITAL OUTLAY	34,139	259,000	224,861	13.2%
DEBT SERVICE	40,520	45,000	4,480	90.0%
INTERFUND TRANSFERS - OUT	278,500	278,500	-	100.0%
	<u>548,693</u>	<u>868,528</u>	<u>319,835</u>	<u>63.2%</u>
CEMETERY FUND				
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>
STREETS FUND				
PERSONNEL SERVICES	30,907	55,541	24,634	55.6%
MATERIALS & SERVICES	58,685	136,297	77,612	43.1%
CAPITAL OUTLAY	75,485	353,000	277,515	21.4%
	<u>165,077</u>	<u>544,838</u>	<u>379,761</u>	<u>30.3%</u>
TOURISM FUND				
MATERIALS & SERVICES	69,412	128,607	59,195	54.0%
CAPITAL OUTLAY	7,016	50,500	43,484	13.9%
INTERFUND TRANSFERS - OUT	30,000	40,000	10,000	75.0%
	<u>106,428</u>	<u>219,107</u>	<u>112,679</u>	<u>48.6%</u>
COMMUNITY DEVELOPMENT FUND				
PERSONNEL SERVICES	35,224	89,703	54,479	39.3%
MATERIALS & SERVICES	54,176	54,654	478	99.1%
	<u>89,400</u>	<u>144,357</u>	<u>54,957</u>	<u>61.9%</u>
INDUSTRIAL/ECONOMIC DEVELOPMENT				
MATERIALS & SERVICES	33,289	118,734	85,445	28.0%
	<u>33,289</u>	<u>118,734</u>	<u>85,445</u>	<u>28.0%</u>
RESERVE FUND - WATER/SEWER				
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>
SDC FUND				
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>
WATER FUND				
PERSONNEL SERVICES	147,254	197,665	50,411	74.5%
MATERIALS & SERVICES	123,254	201,052	77,798	61.3%
CAPITAL OUTLAY	132,781	810,000	677,219	16.4%
DEBT SERVICE	96,534	200,000	103,466	48.3%
SPECIAL PAYMENTS	2,771	40,000	37,229	6.9%
INTERFUND TRANSFERS - OUT		300,000	300,000	0.0%
	<u>502,594</u>	<u>1,748,717</u>	<u>1,246,123</u>	<u>28.7%</u>
SEWER FUND				
PERSONNEL SERVICES	147,631	197,965	50,334	74.6%
MATERIALS & SERVICES	173,561	330,341	156,780	52.5%
CAPITAL OUTLAY	849,845	1,245,000	395,155	68.3%
SPECIAL PAYMENTS	1,097	15,000	13,903	7.3%
INTERFUND TRANSFERS - OUT		225,000	225,000	0.0%
	<u>1,172,134</u>	<u>2,013,306</u>	<u>841,172</u>	<u>58.2%</u>



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received:
<input type="checkbox"/> Brewery 2 nd Location	
<input type="checkbox"/> Brewery 3 rd Location	Name of City or County:
<input type="checkbox"/> Brewery-Public House 1 st location	
<input type="checkbox"/> Brewery-Public House 2 nd location	Recommends this license be:
<input type="checkbox"/> Brewery-Public House 3 rd location	
<input checked="" type="checkbox"/> Distillery	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Commercial	By: _____
<input type="checkbox"/> Full On-Premises, Caterer	Date: _____
<input type="checkbox"/> Full On-Premises, Passenger Carrier	<p align="center">OLCC USE ONLY</p> Date application received: _____ By: _____ Date application accepted as initially complete: <u>5/30/2019</u> By: <u>[Signature]</u> License Action(s): <u>C/LOC</u>
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1 st location	
<input type="checkbox"/> Grower Sales Privilege 2 nd location	
<input type="checkbox"/> Grower Sales Privilege 3 rd location	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
<input type="checkbox"/> Winery 2 nd Location	
<input type="checkbox"/> Winery 3 rd Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

Badlands Artisan Distillery, LLC.

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

<p>OLCC USE ONLY</p> <p>RECEIVED</p> <p>MAY 30 2019</p> <p>Oregon Liquor Control Commission Eugene, Oregon</p>	<p>OLCC FINANCIAL SERVICES USE ONLY</p>
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OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

3. Applicant #1 <i>Badlands Artisan Distillery, LLC.</i>		Applicant #2	
Applicant #3		Applicant #4	
4. Trade Name of the Business (Name Customers Will See) <i>Badlands Artisan Distillery</i>			
5. Business Address (Number and Street Address of the Location that will have the liquor license) <i>16868 Finley Butte Road</i>			
City <i>La Pine</i>	County <i>Deschutes</i>	Zip Code <i>97739</i>	
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) <i>16868 Finley Butte Road</i>			
City <i>La Pine</i>	State <i>OR.</i>	Zip Code <i>97739</i>	
9. Phone Number of the Business Location <i>(541) 588-2783</i>		Email Contact for this Application <i>badlands82@yahoo.com</i>	
Contact Person for this Application <i>Trevor Mayfield</i>		Phone Number <i>(541) 588-2783</i>	
Mailing Address <i>60957 S. Hwy 97</i>	City <i>Bend</i>	State <i>OR.</i>	Zip Code <i>97702</i>

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

[Handwritten Signature]

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) <u>Manfield</u> (FIRST) <u>Trevor</u> (MIDDLE) <u>Lee</u>	
2. Other Names Used (Maiden, Etc.):	
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____	
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only; to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
4. Date of Birth (MM/DD/YYYY):	5. Contact Phone: <u>(541) 588-2783</u>
6. Driver License or State ID #:	7. State: <u>OR</u>
8. Residence Address: <u>60957 S. Hwy 97 Bend, OR. 97702</u>	
9. Mailing Address (if different):	
10. E-Mail (optional): <u>badlands82@yahoo.com</u>	
11. Do you have a spouse or domestic partner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list his/her full name:	
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
13. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)	
14. In the past 10 years, have you been <u>convicted</u> ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)	
15. Have you ever been in a drug or alcohol <u>diversion program</u> in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)	

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).

No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?

No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19, 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?

No Yes (Please include explanation below) Unsure (Please include explanation below)

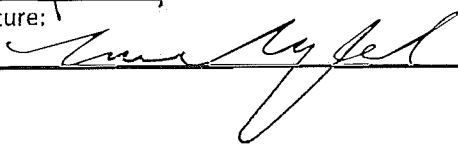
20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?

No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?

No Yes (Please include explanation below) Unsure (Please include explanation below)

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST) Mayfield	(FIRST) Trevor	(MIDDLE) Lee
Signature: 		Date: 5/29/2019



OREGON LIQUOR CONTROL COMMISSION
INDIVIDUAL HISTORY FORM

1. Name: (LAST) <u>Scott</u>		(FIRST) <u>Russell</u>	(MIDDLE)
2. Other Names Used (Maiden, Etc.):			
3. Do you have a Social Security Number (SSN) issued by the U.S. Social Security Administration? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide your SSN: _____			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your voluntary consent to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p> <p>Do you voluntarily consent to the OLCC's use of your SSN as just described? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>			
4. Date of Birth (MM/DD/YYYY):		5. Contact Phone: <u>541-419-3725</u>	
6. Driver License or State ID #:		7. State: <u>OR</u>	
8. Residence Address: <u>21420 Dale Rd., Bend OR, 97701</u>			
9. Mailing Address (if different):			
10. E-Mail (optional): <u>rscott@yrwc.net</u>			
11. Do you have a spouse or domestic partner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list his/her full name:			
12. If yes to #11, will this person be involved in the management of, or have control over the business? <input type="checkbox"/> No <input type="checkbox"/> Yes			
13. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of driving a car with a suspended driver license or driving a car with no insurance? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			
14. In the past 10 years, have you been convicted ("convicted" includes paying a fine) in Oregon or another U.S. state of a FELONY ? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			
15. Have you ever been in a drug or alcohol diversion program in Oregon or another U.S. state? A diversion program is where you are required, usually by the court or another government agency, to complete certain requirements in place of being convicted of a drug or alcohol-related offense. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Please include explanation below) <input type="checkbox"/> Unsure (Please include explanation below)			

16. Do you, or any legal entity that you are a part of, currently hold or have previously held a liquor license or a recreational marijuana license in Oregon or another U.S. state? (Note: alcohol service permits and marijuana worker permits are not liquor licenses).
 No Yes (Please include explanation below) Unsure (Please include explanation below)

17. Have you, or any legal entity that you are a part of, ever had an application for a license, permit, or certificate denied or cancelled by the OLCC or any other governmental agency in the U.S.?
 No Yes (Please include explanation below) Unsure (Please include explanation below)

18. Are you applying for a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?
 No Please skip questions 19 & 20. Go directly to question 21.
 Yes Please answer questions 19; 20, and 21.

19. Do you or will you have any ownership interest in a business that manufactures, wholesales, or distributes alcohol in Oregon or another U.S. state?
 No Yes (Please include explanation below) Unsure (Please include explanation below)

20. Does or will an alcohol manufacturer, wholesaler, or distributor in Oregon or another U.S. state have any ownership interest in your business?
 No Yes (Please include explanation below) Unsure (Please include explanation below)

21. Do you currently have, or will you have, any ownership interest in any business in Oregon with a Full On-Premises, Limited On-Premises, Off-Premises, or Brewery-Public House license?
 No Yes (Please include explanation below) Unsure (Please include explanation below)

You must sign your own form. Another person, like your attorney or a person with power of attorney, may not sign your form. I affirm that my answers are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to, criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name: (LAST) <i>Scott</i>	(FIRST) <i>Russell</i>	(MIDDLE) <i>Donald</i>
Signature: <i>Russell Scott</i>		Date: <i>5-29-19</i>



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Badlands Artisan Distillery, LLC Phone: (541) 588-2783

Trade Name (dba): Badlands Artisan Distillery

Business Location Address: 16868 Finley Butte Rd.

City: La Pine ZIP Code: 97739

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday 9am to 5pm
Friday 9am to 5pm
Saturday 9am to 5pm

Outdoor Area Hours:

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

The outdoor area is used for:

Food service Hours:
Alcohol service Hours:
Enclosed, how

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply:

- Live Music, Recorded Music, DJ Music, Dancing, Nude Entertainers, Karaoke, Coin-operated Games, Video Lottery Machines, Social Gaming, Pool Tables, Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT

Restaurant: Outdoor:
Lounge: Other (explain):
Banquet: Total Seating:

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Date: 5/29/2019



CITY OF LA PINE

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Melissa Bethel, Staff
SUBJECT: Approval to seek grant funding

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

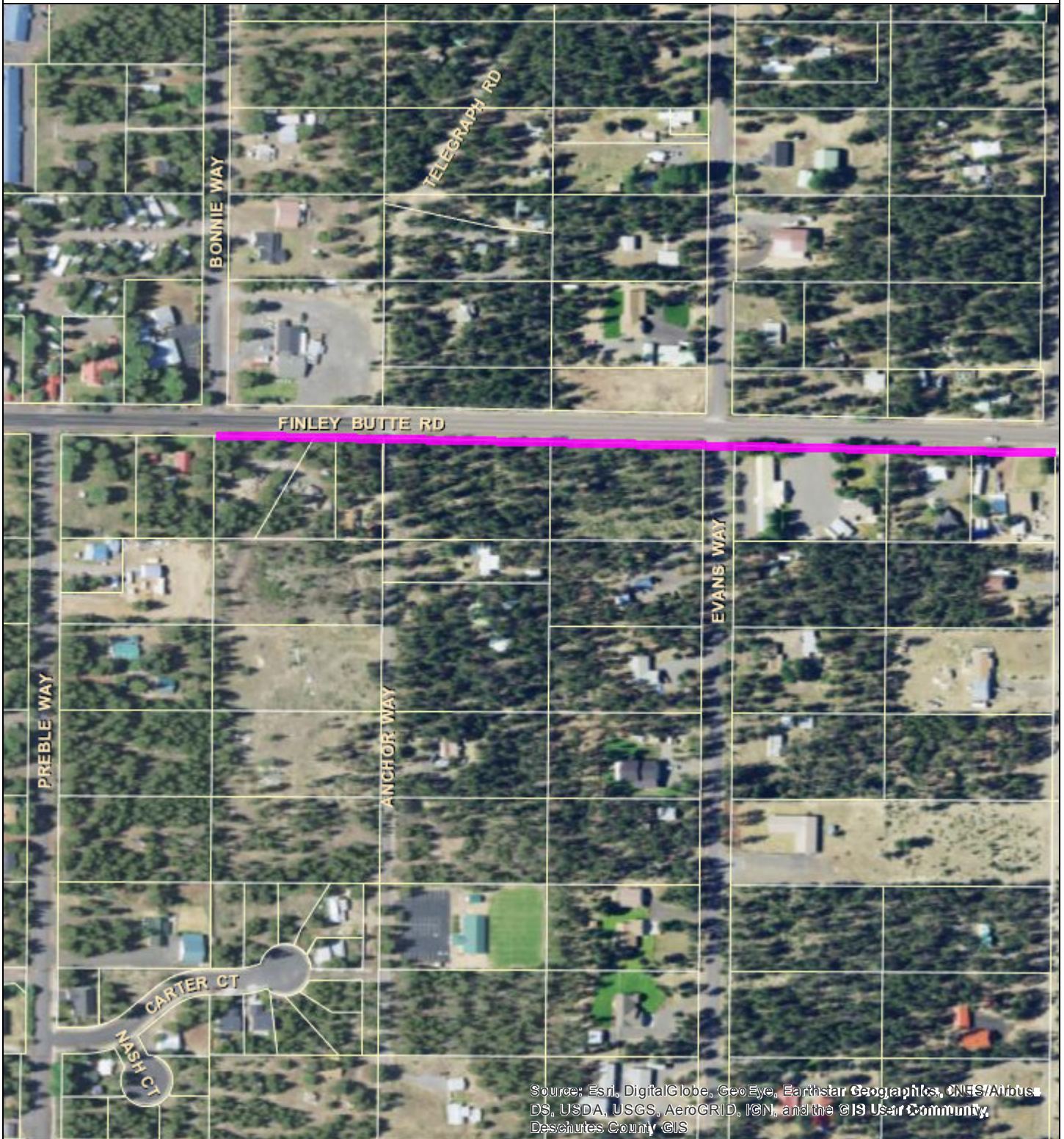
There are two different grants Staff would like approval to seek:

Small City Allotment: The grant is available yearly for cities with populations under 5,000 and funds projects up to 100,000. The grant is due July 31, 2019. Last year the City applied to pave the alley between 4th and 3rd Streets. We were unsuccessful and told the project was not eligible. This year based on talks and concerns by Council and residents, Staff is proposing to apply for sidewalks along the south side of Finley Butte from where Bonnie Way T's in and down to Finley Park. The property owner directly east of Prebble will be installing sidewalks as part of his development and this project would tie in and continue 6' sidewalks to the park. See attached aerial.

Travel Oregon Grant: This grant is available for \$20,000 and will potentially fund the food truck portion of Phase I of the La Pine Station. The grant is due June 19th, which makes it a long shot in trying to get the required information submitted in time, but staff would appreciate approval.

SCA Grant proposal

Sidewalks along Finley Butte



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Deschutes County GIS





CITY OF LA PINE

STAFF REPORT

DATE: June 12, 2019
TO: La Pine City Council
FROM: Tracy Read, Staff
SUBJECT: Community Funding Request

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

There are sufficient funds in the GL account to approve the Community Funding Request submitted by the La Pine Senior Activity Center.

La Pine
Senior Activity Center



Engage at Every Age

16450 Victory Way
P.O. Box 1279
La Pine, OR 97739
Phone: (541) 536-6237
FAX: (541) 536-1665

To It May Concern,

The \$2500 TRT Fund will pay for Advertising to pull tourist from 50 + mile radius as last year 2018 the festival had 2500+ tourists that came through. This year we are renting 6 passenger golf cart is to pick up and drop off to ensure everyone's safety. The festival will have live entertainment throughout the day. We would like to say thank you to City of La Pine for giving us this opportunity to apply for this funding.

Thank you,

Jamie Donahue

A handwritten signature in blue ink that reads "Jamie Donahue". The signature is written in a cursive style and is positioned over the printed name and title.

Executive Director

La Pine Senior Activity Center

541-536-6237

Community / Tourism Grant Application

16345 Sixth St. | PO Box 2460 - La Pine, Or 97739 | ph. (541) 536-1432 | www.lapineoregon.gov



The City of La Pine may provide community assistance grants to non-profits entities and organizations that serve the La Pine community. Community entities and organizations that serve the La Pine community will need to meet at least one of the following criteria to be eligible for a grant and provide the necessary documentation:

- Provides assistance for essential utilities, food, medical needs, clothing or shelter.
- Provides educational or recreational opportunities for children or seniors.
- Generates/supports economic activity in La Pine.

In evaluating requests, the City will consider the following criteria:

- The requesting organization's history of success.
- The organizational and financial stability of the requesting organization.
- The number and types of community members served by the request.
- The ability to measure and track the effectiveness of the project or service.
- Grant funds will not be used for travel, budget deficits or for routine operating expenses.

First, please designate whether this grant will be used to generate or support Tourism. If yes, see pg. 3 for additional steps/information required. We also require a budget sheet for either type of grant submission, see pg. 2.

Tourism Grant TRT Fund

Standard Community Grant Submission

Please type or print clearly:

1. Organization: La Pine Senior Activity Center
2. Non-Profit ID #: 93 - 0921983
3. Mailing Address: P.O. Box 1279
4. Telephone No.: 541-536-6237
5. Email: lapineseniorcenter@gmail.com
6. Contact Person: Jamie Donahue
7. Requested Amount: \$2500
8. Project/Use for Funds: Rhubarb festival
9. Attach a letter explaining how the funds will be used, how the criteria will be met, and any other information relevant to the request.

Return completed applications and letters to:

City of La Pine
Attn: Recorder
16345 Sixth Street
P. O. Box 2460
La Pine, OR 97739

For additional information, please contact City Recorder Tracy Read at 541-536-1432 or tread@lapineoregon.gov



LAPINE

OREGON

Budget Spreadsheet

Name of Event:

Rhubarb festival

Income

	Estimated	Actual
Event Proceeds (entry fees, ticket sales, etc.)		
Vendor fee		2440-
Food Income	4350	
Ple's 900 pies	17100	
TOTALS	21450	2440 + 23890

Expenses

	Estimated	Actual
Site/Decorations (equipment, balloons, food, etc.)		
1 Passenger golf cart		325
face paint		49.63
Food		1204
Drinks + Deposit		23879
TOTALS		18776.42

Extra Sales (auction, raffle, misc. sales)

	Estimated	Actual
5050 Raffle	300?	
TOTALS	300	

Other Expenses

	Estimated	Actual
Ple ingredients		2294.51
live entertainment		1800
T-shirts		525
Advertising		472.40
TOTALS		6909.33

Sponsorships

	Estimated	Actual
Miderness Garbage		250
La Pine Ace		200
Les Schwab		250
Central Tax		100
La Pine Chevron		150
Midestate		100
Drug Mart		100-
TOTALS		

Donations

	Estimated	Actual
La Pine Clinic		500
Bancorp FNS		250
The Corner Store		100
St. Charles		500
Heart-n-home		250
Professional property		50
Chamber		500
TOTALS		3300

Estimated Actual

Overall Budget	
Income	27490
Expenses	6909.33
Net Profit (Loss)	20580.67

CITY OF LA PINE TOURISM GRANT FUNDING CRITERIA

1. Demonstrate how the proposed tourism-related project, event or activity will be focused on tourists (as defined under ORS 320.300(10)).

2. Demonstrate how the organization will use TRT funds for one or more of the following purposes: (i) advertising, publicizing or distributing information for the purpose of attracting and welcoming tourists; (ii) conducting strategic planning and research necessary to stimulate future tourism development; (iii) marketing special events and festivals designed to attract tourists; (iv) operating a tourism promotion agency (as defined under ORS 320.300(8)); and/or (v) developing, constructing or operating a tourism-related facility (as defined under ORS 320.300(9)).

3. Demonstrate how the proposed tourism-related project, event or activity will promote local tourism and describe the beneficial results for the City of La Pine, including, but not limited to, any or all of the elements: (i) increase in tourist dollars spent in the City of La Pine; (ii) increase in overnight stays in hotels, motels, RV parks, inns, Bed and Breakfast establishments and other accommodations subject to the transient room tax and located within the City of La Pine; (iii) increase in tourist visits to business establishments within the City of La Pine; (iv) increase in publicity about the City of La Pine as a tourist destination; and (v) other primary or secondary benefits of increased tourism in the City of La Pine or the surrounding local area.

4. Demonstrate how the applicant organization does or plans to comply with all applicable local, state and federal laws, ordinances and regulations relating to the organization and their proposed project, event, or tourism activities.

CITY OF LA PINE TOURISM / COMMUNITY GRANT APPLICATION INFORMATION

Tourism / Community Grant Applications may be submitted to the City of La Pine by any non-profit organization.

Applications may be mailed or delivered to La Pine City Hall and must be received by the City no later than June 30th, of each year. Postmarks will be accepted.

The City of La Pine City Council will review all applications, schedule proposal presentations, and conduct site visits, as appropriate. The City Council will then discuss the various proposals and based on budgetary restrictions fund the projects it deems most advantageous to the city as a whole. The City of La Pine adopts it's new budget in June of each year and can only award as much as budgeted, which can vary, from year to year.

If you have any questions about the application materials, time lines or application process, please contact the La Pine City Recorder, Tracy Read at 541-536-1432.



We know the way home.

Presentation to
La Pine City
Council

June 12, 2019



405 SW 6th Street
Redmond, Oregon
(541) 923-1018

Downtown Redmond Office

Who We Are

- Central Oregon Regional Housing Authority (CORHA)- Re-Branded as Housing Works in 2006
- ORS 456 – Public Corporation
- Established in 1977 by Deschutes and Jefferson Counties, Crook County Joined in 2001
- We are one of the largest landlords in the region
- We help house about 2.5% of the households in the region





Our Mission:

Fostering Dignity Through Housing



Mission Driven Local Leadership

Deschutes County



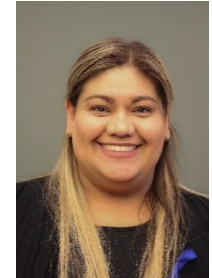
Michael Hinton, Chair
Lending Director, Redmond



Dave Tarbet
Police Chief, Redmond



Wayne Purcell
Developer, Bend



Carolina Afre
Resident Commissioner,
Redmond

Crook County



Laura Craska Cooper, Vice Chair
Attorney, Prineville



Jason Carr
Communications/Economic
Dvmt., Prineville



Barbara Punch
Retired Pastor, Prineville

Jefferson County



Michele Gemelas, 2nd Vice Chair
Retired Pharmacist, Madras



Nick Snead
Community Development
Director, Madras

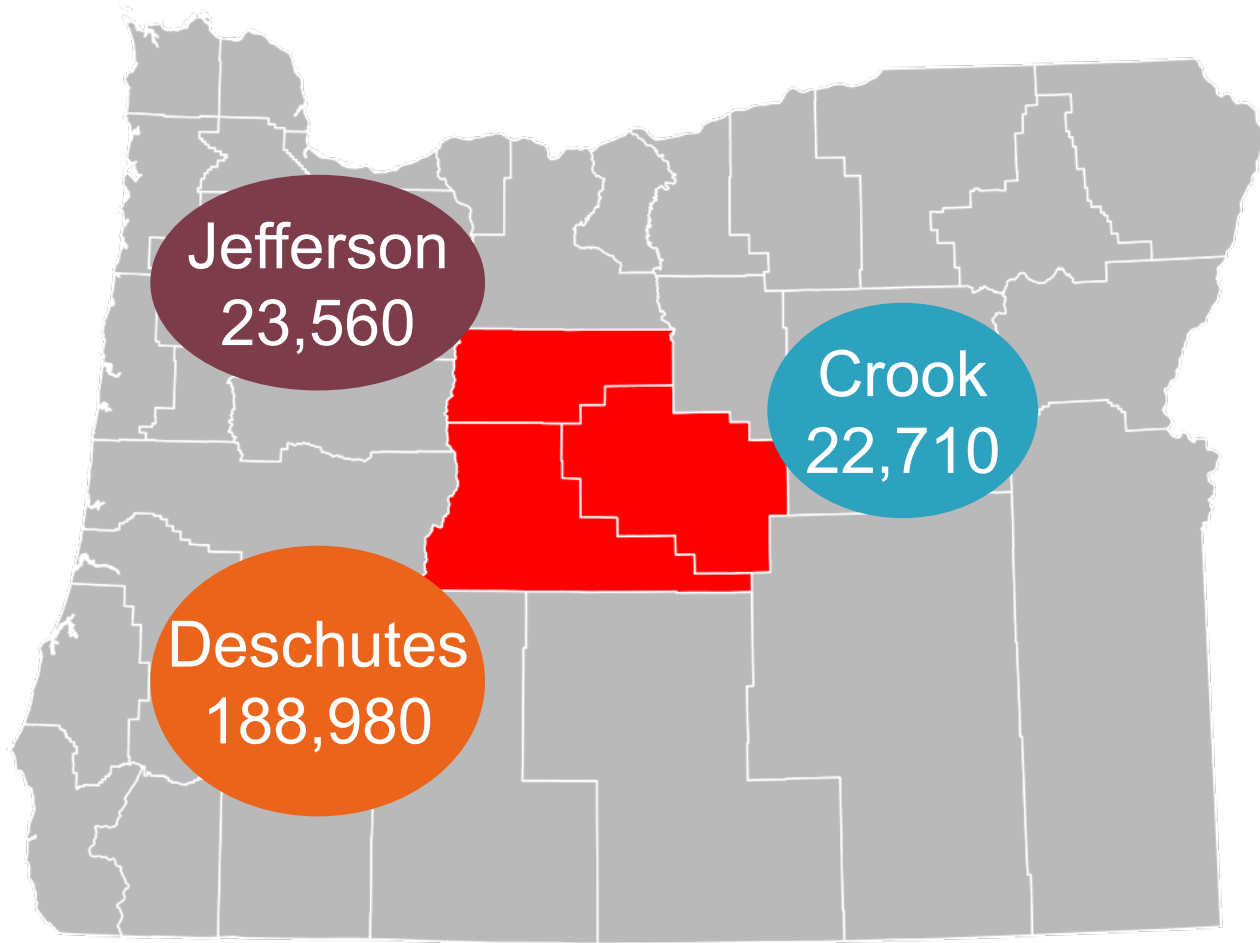


Michael Baker
Health Services Director,
Madras

Housing Works Board of Commissioners



Our Service Jurisdiction





Concepts That Guide Us

**HOUSING and
COMMUNITY
DEVELOPMENT**

Create housing opportunities

**THRIVING
COMMUNITIES**

Connect individuals and resources

STEWARDSHIP

Demonstrate sound and professional
stewardship

ADVOCACY

Advocate for affordable housing



Our Core Program Centers



Housing
Choice
Voucher
Program

1,272
Households
Served
\$7.4 M in
Rental
Assistance

Real Estate
Development

Developed
and own
1,030
Rental units

Portfolio
Management

EPIC
Property
Management
1,030 units

Resident
Programs

Families
Forward
501(c)(3)
Over 2000
people
served

Investing In Our Families

The HomeQuest Program

Helping Families Become Homeowners

157 Total Homeowners since 1996

- **72 PATHWorks Program Participants.**
- **13 HCV Holders**
- **72 Other Programs, VIDA, NSP, Ground Lease**



Making a Difference

Teresa T.
La Pine

- Teresa and her mother Carol had been long time renters in La Pine.
- Teresa is on disability and Carol lives on social security and neither could afford to live independently on their own.
- Teresa joined the PATHWorks program after learning she could convert her rental voucher to a homeownership voucher.
- HCV-Homeownership Assistance
- Using a USDA loan, Teresa and her mom now are homeowners!

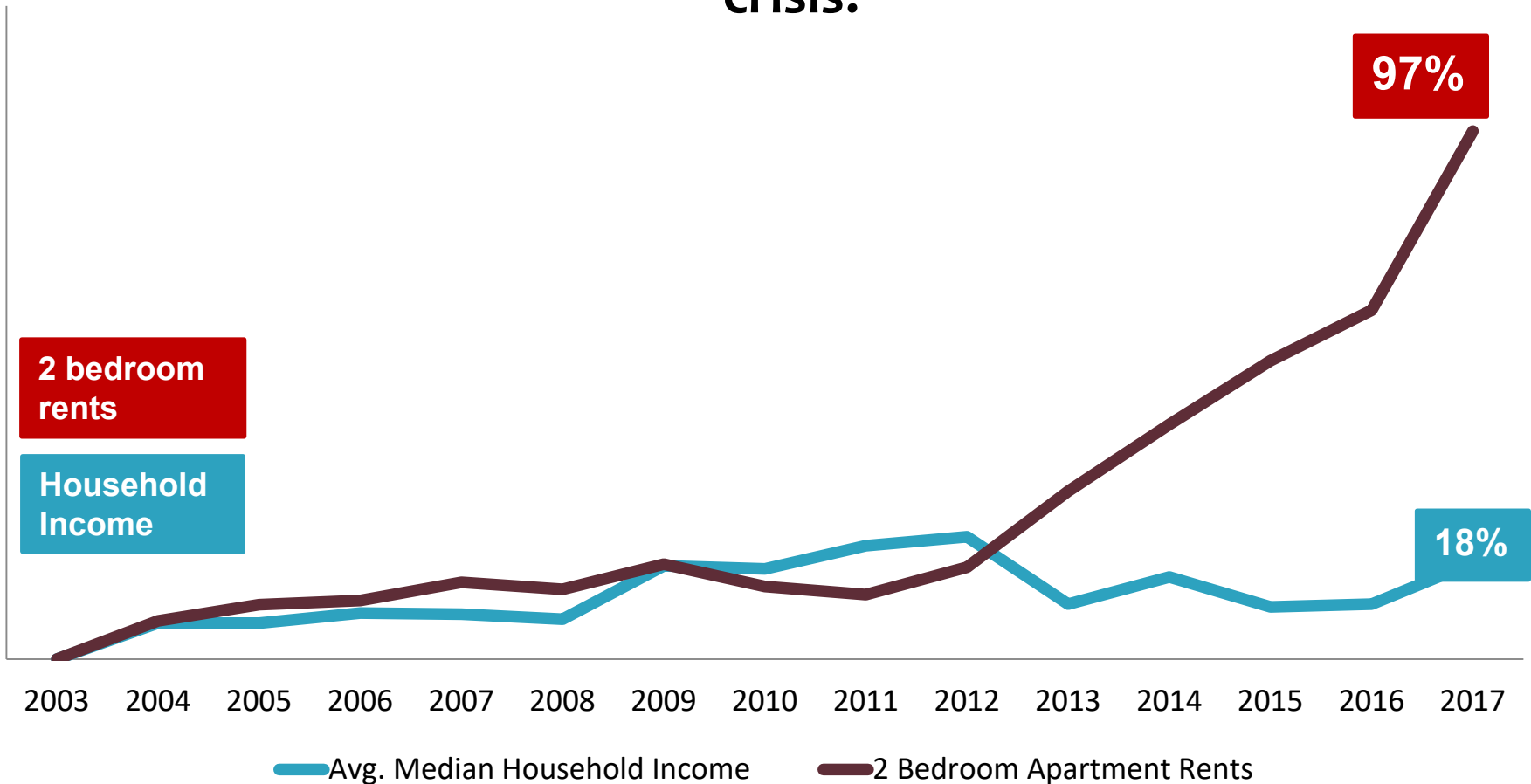
PATHWorks Participant



Teresa and Carol state, "THANK YOU USDA and HOUSING WORKS! It was a long process and took a village to make it happen." They would also like to thank their realtor Terri Buxton, of La Pine Realty, for sharing in their vision and never giving up on the dream!



Why is there an affordable housing crisis?



Source: Income data based on HUD-issued average median household income statistics. Rents based on HCV contract rents.

What is Affordable Housing?

What is an affordable rent?

Test: > 30% of income towards rent = “Rent Burdened”

Working at minimum wage **\$10.75 (\$22,360/yr)** a household could afford **\$559** in rent

Fair Market Rent in Deschutes County is **\$884** for a **1 Bedroom** and **\$1,071** for a **2 Bedroom**

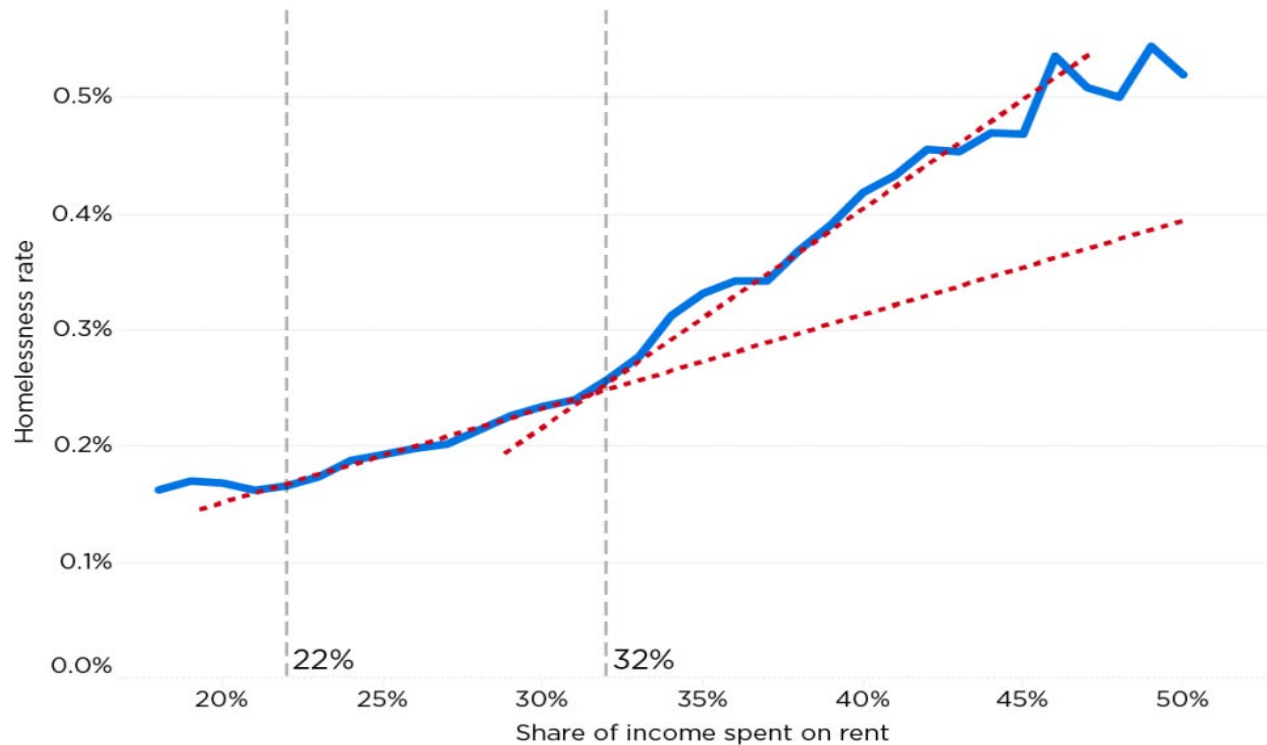
37% of La Pine households make less than \$25,000 per American Community Survey



Why is the 30% of Gross Income threshold important?

Homelessness climbs faster when rent affordability reaches 22% and 32% thresholds

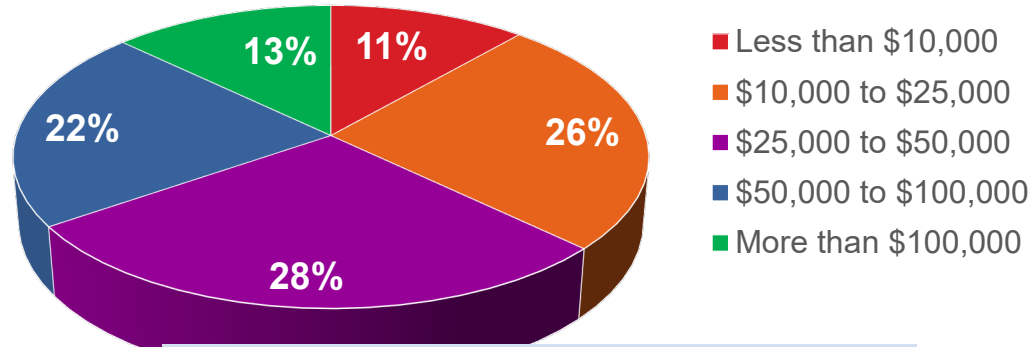
An uptick in rent affordability beyond 22 percent translates into more people experiencing homelessness. Beyond 32 percent means a faster-rising rate of homelessness — which could mean a homelessness crisis, unless there are mitigating factors within a community.



Local HOUSING statistics

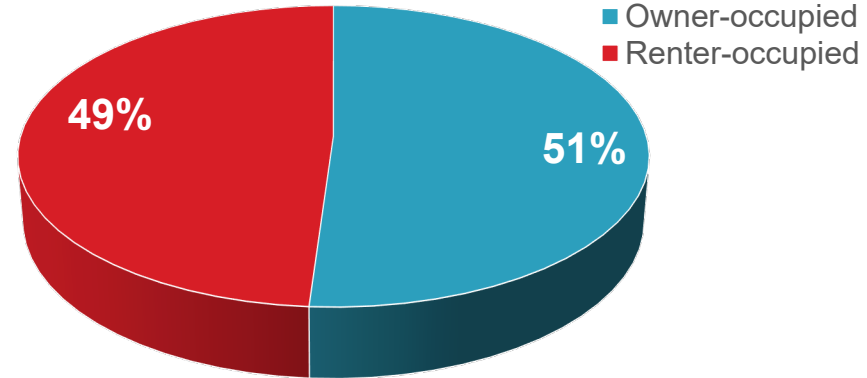
City of La Pine

Household Income

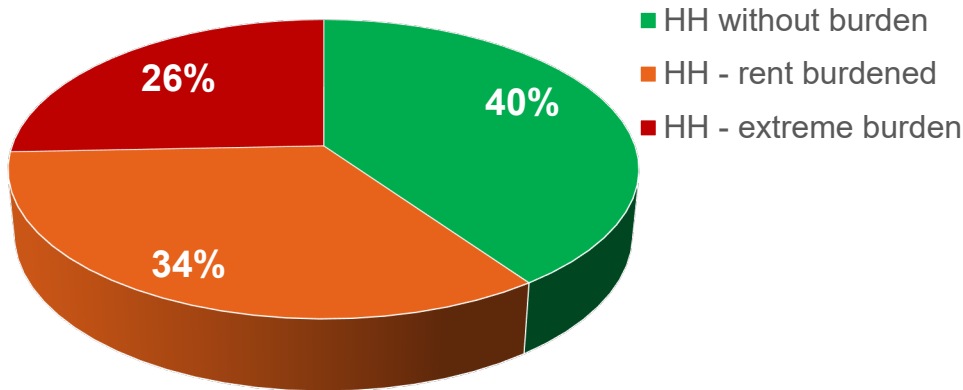


Median Family Income (MFI) in Deschutes Co. = \$78,600
 A LIHTC property limits households to 60% MFI, which in 2019, for a 4-person household, would be \$47,160

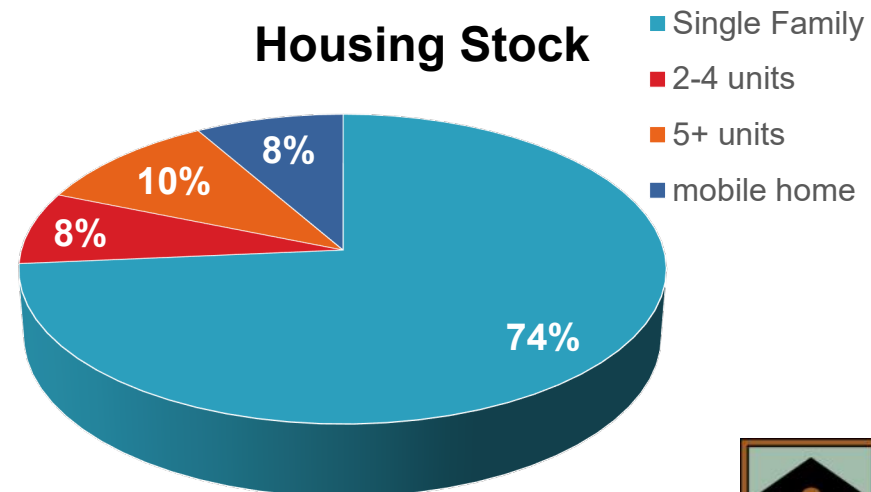
Household Type



Rent Burden



Housing Stock



Rent Burden is over 30% of income is spent on housing costs; Extreme means over 50%



Affordable Housing Need

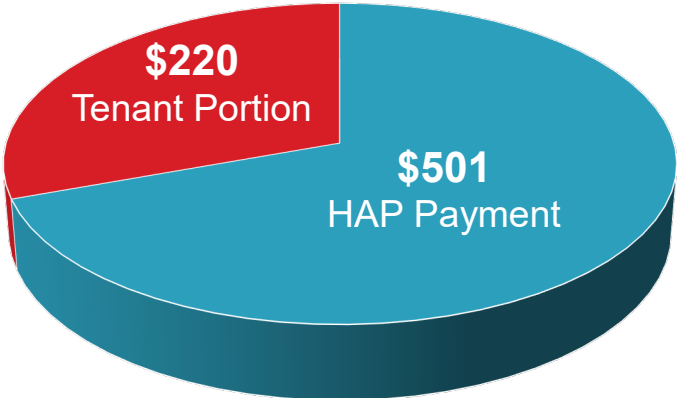
- The La Pine Comprehensive Plan projects that 400 new housing units will be needed by 2029 with 25% being multifamily.
- Given that close to two-thirds of the renters in La Pine are Lower Income and more than a half are Rent Burdened, a significant share of the 100 multifamily units will need to be affordable.

Housing Choice Vouchers

1. A 45 year-old Federal Program administered by the Office of Housing and Urban Development (HUD) through Public Housing Authorities like Housing Works.
2. Generally a “tenant-based” Program, meaning that Voucher Holders are given rent support to rent housing in the private market. Subsidy is given to the landlord, not directly to the tenant, and covers the portion of rent that exceeds 30% of the Voucher Holder’s income.
3. The number of Vouchers allocated to a City or region is set by Congress through HUD’s budget, and the number of Vouchers available to Central Oregon has not significantly increased over the past 10 years.
4. Voucher Holders cannot earn more than 50% of the Area Median Income, although HUD targets that at least 75% of Voucher Holders earn less than 30% of Area Median Income.

Housing Choice Voucher Program Statistics

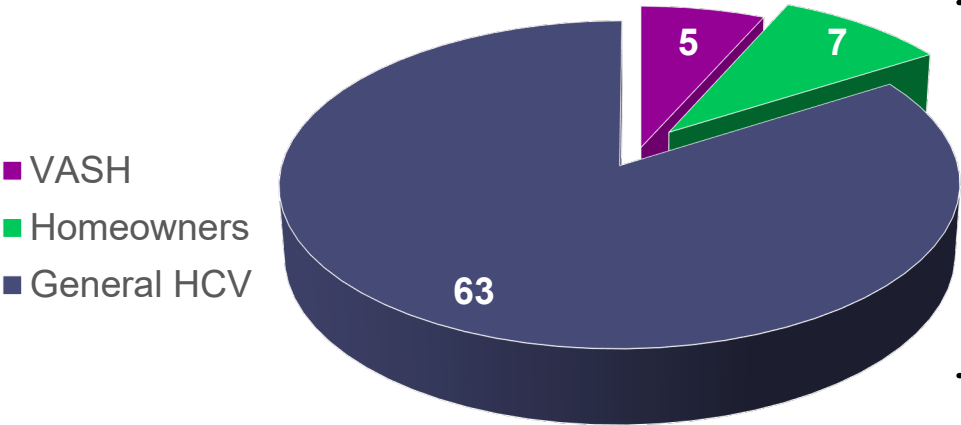
Average Monthly Housing Assistance Payment



Housing Works pays out **\$32,577** in housing assistance payments each month to landlords in La Pine.

Average Annual Income of Voucher Households = \$14,938

Voucher Holder Population



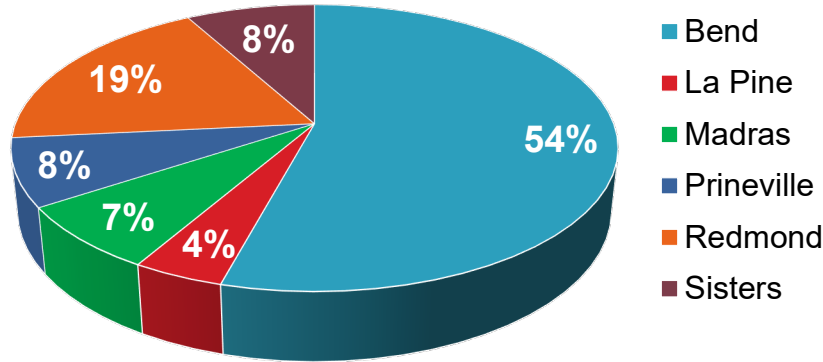
75 Total Vouchers
171 People Served

Average household size is 2.3
60% of all voucher holders are elderly and/or disabled

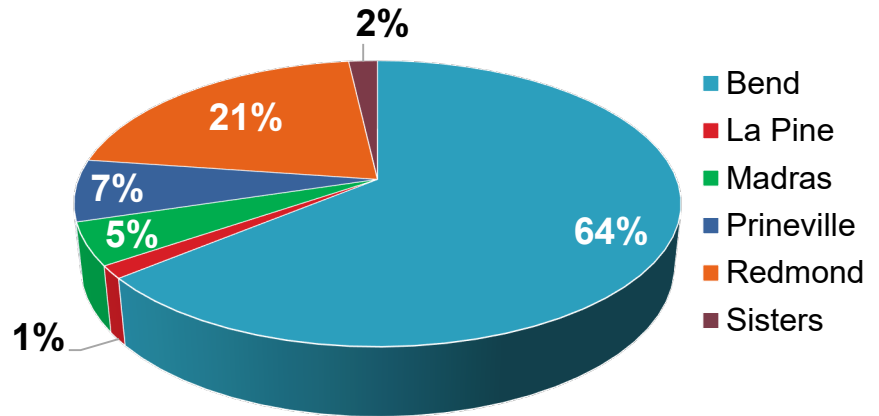


Housing Works Portfolio

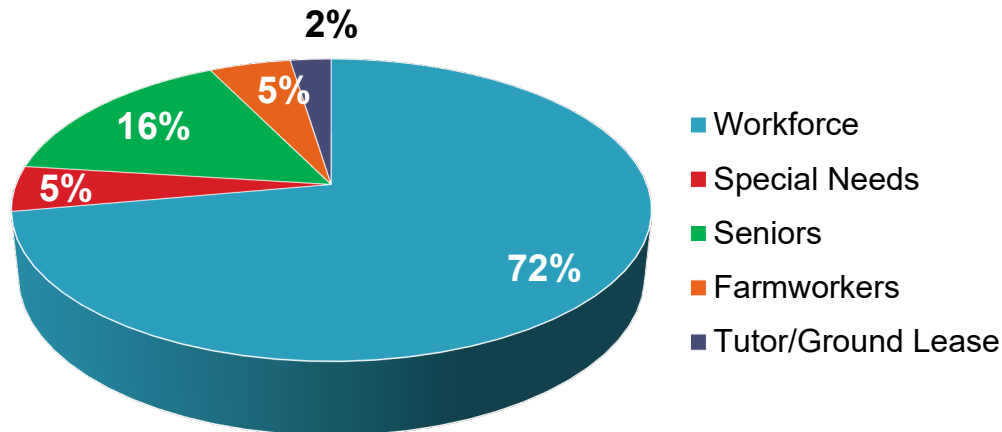
HW Portfolio by Locality



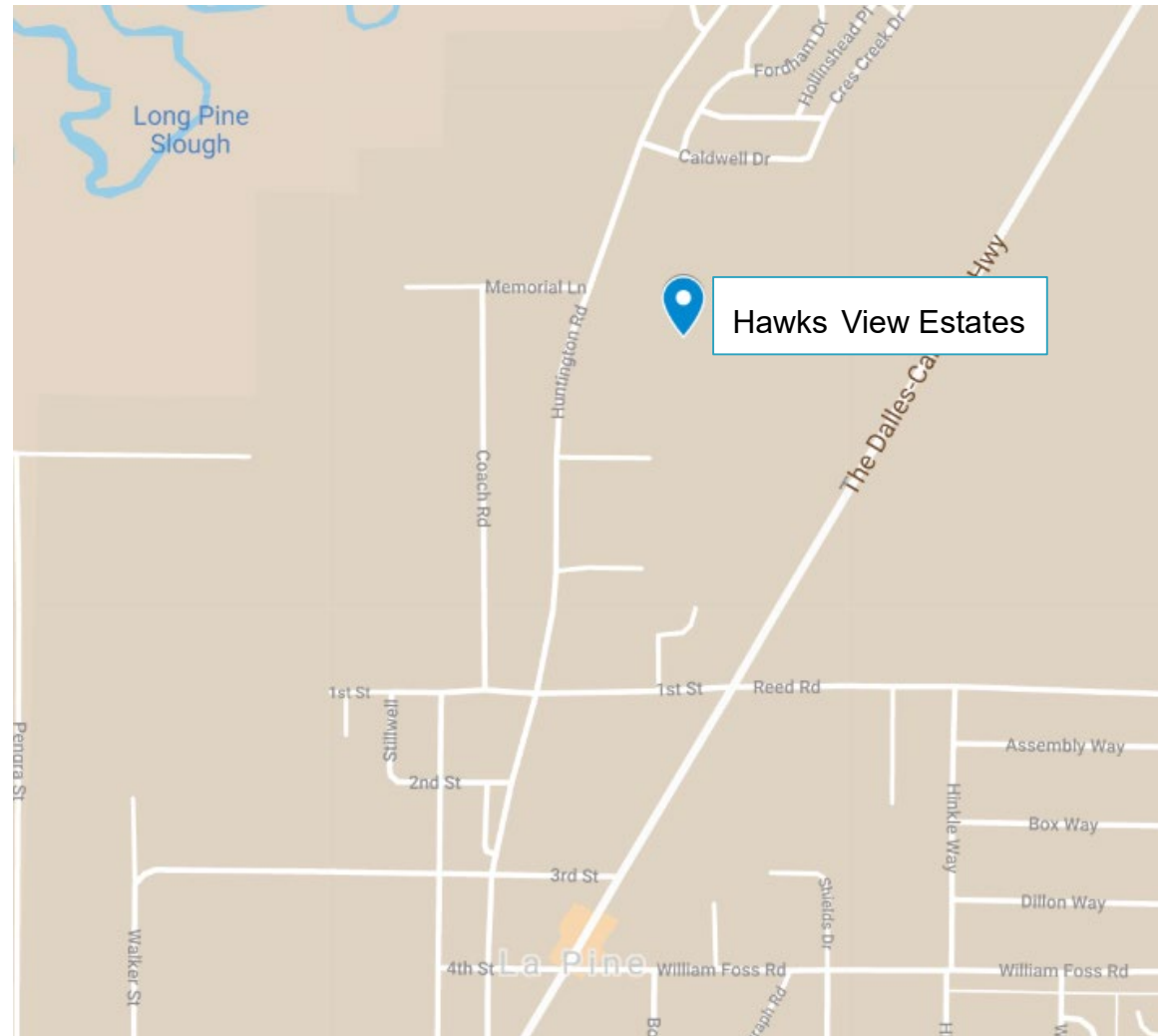
Population by Locality



HW Portfolio by Type



Investing in La Pine



1. Hawks View Estates
(42 Workforce/Family Units)
2. ??? What's Next?



Hawks View Estates

42 units

Workforce Housing

102
Residents

45
Children

24 Senior
and/or
Disabled HHs

What does it take to develop Below Market Rate Housing?



\$11.6 mil
for
62 Apartments

Soft Costs
\$3.0 million
Engineering,
Architects,
SDCs and other fees

Hard Costs
\$8.1 million
Building Construction
Site development

Land \$500,000

**Cash
Investment
of \$2.9 mil**

**Mortgage
75%
=
\$8.7 mil**



**Market
Rate
Rents**

2 br rent =
\$1,250

3 br rent =
\$1,600



\$11.6 mil
for 62
Apartments

Soft Costs
\$3.0 million
Engineering,
Architects,
SDCs and other fees

Hard Costs
\$8.1 million
Building Construction
Site development

Land \$500,000

\$7.2 mil
GAP

Mortgage
38%
=
\$4.4 mil



\$31,000
less per
month

“Affordable
Rents”

2 br rent =
\$780

3 br rent =
\$860



How Do We Make it Work?

1. Government Subsidies

- A) Federal Low Income Housing Tax Credit (9% and 4%)
- B) State Housing Loans
 - 1. GHAP (document recording fee proceeds)
 - 2. LIFT (State Bond Funds)
- C) Local Support
 - 1. CDBG (if Entitlement Jurisdiction)
 - 2. Local Housing Fee Revenues
 - 3. General Fund Grants

2. Cost Reductions

- A) Donated or Discounted Land
- B) Waived or Reduced SDCs and Fees
- C) Economies of Scale (Higher Densities)
- D) Master Plan Inclusionary Requirements

Plus a lot of Creativity!

Things to consider...

- **Make Surplus City Property Available for Affordable Housing at No Cost or at a discount.**
- **Adopt Affordable Housing Targets in Urban Renewal Area.**
- **Exempt Deed Restricted Affordable Housing Development from all or a portion of the City's System Development Charges.**



THANK YOU.

QUESTIONS?





CITY OF LA PINE

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Jake Obrist
SUBJECT: Appointment of Cathi VanDamme to Public Works Advisory Committee

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

The La Pine Public Works Advisory Committee currently has a vacant position due to the resignation of Wayne Barth.

Background: Cathi VanDamme was previously on the Public Works Advisory Committee prior to the reforming and adoption of the new Committee. She had previously applied to be on the new Committee and would like to continue to be a part of this advisory committee. Mrs. VanDamme resides in the Cagle neighborhood and has a vested interest in representing that area as a citizen of the City of La Pine.

Suggested Motion:

I move the City of La Pine appoint Cathi VanDamme to the Public Works Advisory Committee.



City of La Pine

Advisory Committee Application

Which Committee would you like to apply for? Please check as many as are applicable.

- Urban Renewal Agency Board
- Planning Commission
- Public Works Committee
- City of La Pine Budget Committee (must be a City Resident)
- Urban Renewal District Budget Committee (must be a City Resident)

General Information

Name: Catherine (Cathi) Vandamme

Address: 52724 Elm Drive

City: LaPine State: OR Zip Code: 97739 Phone Number: 348-4869 (503)

Email Address: scvandamme@gmail.com

Do you reside within the city limits of La Pine? Yes

Statement indicating reason you would like to serve on this voluntary board, committee, or commission: _____

Please see attached -

Special skills, interest, and/or hobbies that you believe would bring value to your ability to serve on this board, committee, or commission: _____

Please see attached -

Current Occupation: Retired - Education

Volunteer History

Other volunteer committee, board, or commission experience: _____

Please see attached -

When: _____ Organization: _____

Type of Organization: _____

Address: _____ Phone Number: _____

Role: _____

Describe activities and achievements: _____

When: _____ Organization: _____

Type of Organization: _____

Address: _____ Phone Number: _____

Role: _____

Describe activities and achievements: _____

When: _____ Organization: _____

Type of Organization: _____

Address: _____ Phone Number: _____

Role: _____

Describe activities and achievements: _____

Other information/References

How did you hear about this position? Please see attached -

Do you have any neighbors, friends, or relatives presently working for the City of La Pine? Yes No. If yes, please list: _____

References: Name: Cheryl Burke Number: 541-610-2151
Name: Scott Jones Number: 541-350-6485
Name: Ron Hitchcock Number: 503-477-0330

My signature affirms that the information contained in this application is true to the best of my knowledge. I understand and agree that any misrepresentation and/or omission of facts are cause for my removal from the board, committee, or commission to which I am appointed to. I further understand and agree that City policy requires disclosure of actual or potential conflicts of interest by persons appointed by the City Council to any committee. All information and/or documentation related to service on this board, committee or commission is subject to public records law disclosure, except as otherwise provided under applicable law.

Signature: Cathi VanDamme Date: 1-9-2019

Printed Name: CATHI VANDAMME

Catherine (Cathi) VanDamme

52724 Elm Drive/ PO Box 382, La Pine, OR| 503-348-4869 | scvandamme@gmail.com

Statement indicating reason to serve on the Public Works Committee

I am currently a member of the Public Works Committee as we work together to ensure the needs of the city and its residents are being met and improved upon in an efficient and cost-effective way.

What talents, skills, or abilities would you bring to the Public Works Committee?

I am a proactive personality who considers the varying aspects of the issues facing a need and/or decision while keeping the human impact a high priority. I am organized and research details before making decisions that have big impacts on all involved. I have experience working with public utility agencies as well as with various branches of those working in the public service spectrum.

Volunteer History

Caufield Assn. of Neighbors, Oregon City, OR, (2000 – 2004)

- Directed monthly meetings, attended City Council Meetings and was a liaison between the City and the citizens to ensure information sharing was done in a friendly setting which helped citizen complaints be kept to a minimum
- Planned and provided a National Night Out meeting for the Oregon City Police and Fire Bureau to meet citizens and build a rapport with one another
- Held a Forum for those running for electoral offices in Oregon City, Clackamas County and the State of Oregon

Safety Committee, Portland Dept. of Transportation, Portland, OR, (2003 -2004)

- As Safety/Training Supervisor of Student Transportation, Portland Public Schools, I was appointed to the Portland Dept. of Transportation School Safety Committee to assist in the planning of the student safety for biking/walking to school

North Central assn. of neighbors, Gresham, OR, (2006 – 2008)

- Held monthly meetings, worked as liaison between the City of Gresham and the citizens to resolve issues and bring understanding to city decisions that may not have been liked by the citizens affected. Worked with the Planning Department and gave input to approve/disapprove new construction/contractors and businesses that required permits within the City of Gresham

Appointed Board Director, Rockwood Water PUD, Gresham, OR, (2008)

- Attended monthly meetings to hear, discuss, vote to approve/disapprove items and budgets brought to the Board by the General Manager to allow the PUD to run smoothly without breaking laws while providing the most efficient and cost affective utility services to the citizens within the PUD District boundaries
- Attended and took part in conferences and meetings of the National Water Works Association to ensure the PUD was operating under the highest standards

Cathi VanDamme (cont.)

- Discussed matters relating to employee/employment issues
- Hired and/or Removed District General Manager
- Provided leadership and oversight for the PUD operations
- Represented the PUD in meetings and on committees as needed

Multnomah County, Elected Board Director, Chair and officers as needed, Rockwood Water PUD, Gresham, OR 12,000-15,000 services, (2008 – 2012)

- See above

Multnomah County, Elected Board Director, Chair and officers as needed, Rockwood Water PUD (2012 – 2016) (Resigned in Oct. 2015 due to moving to La Pine, OR.)

- See above

How did I hear about this position?

I have served as an appointed Public Works Committee Member since the middle of 2018 and enjoy being a member of this committee. I enjoy working with the other members as we discuss items and bring ideas that serve the Council Members in an advisory manner as the Council builds upon the City of La Pine's growth and services to its residents.



CITY OF LA PINE

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Melissa Bethel, Staff
SUBJECT: Ordinance No. 2019-02 regarding Marijuana Retailers days of operation

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

Ordinance No. 2019-02 for approval reflects a change in the days of operation for Marijuana Dispensaries. Currently, dispensaries are allowed to operate 7:00 a.m. to 10:00 p.m. Monday through Saturday. The Council is considering changing the days of operation to allow for Sundays. If approved, marijuana dispensaries would be allowed to operate 7:00 a.m. to 10:00 p.m. Monday through Sunday (7 days a week). This item was first presented at the March 27th meeting for discussion and subsequently brought before Council in a public hearing for adoption where the decision was not unanimous. Pursuant to Section 16 of the City Charter; If the vote is not unanimous, the agenda item is placed on the next City Council meeting (June 12) for a majority approval and will not become official until 30 days after a second majority vote. For reference this staff report includes Council minutes from March 27, 2019, (Council minutes from the May 22, 2019 meeting are available under the consent agenda) and the Ordinance for adoption.

Suggested Motion: (Roll Call is not necessary – but may be imposed if desired)

I move the La Pine City Council 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.



CITY OF LA PINE CITY COUNCIL – MEETING MINUTES

Wednesday, March 27, 2019

5:30 p.m. Regular Session

La Pine City Hall

16345 Sixth Street, La Pine, Oregon 97739

1. Call to Order

Mayor Richer called the Council meeting to order at 5:34 p.m.

2. Establish Quorum

Members Present: Mayor Richer, Councilor Briese, Councilor Greiner, Councilor Harper, Councilor Shields, Student Councilor Trentyn Tenant

Staff Present: City Manager Melissa Bethel, Public Works Manager Jake Obrist, Administrative Assistant Tracy Read

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

Melissa requested discussion be added regarding the City sponsoring a table at the annual La Pine Chamber of Commerce Awards Banquet.

5. Public Comments

Tammy Baney: Resident of Bend, Oregon. She met today with Councilor Briese regarding Central Oregon Intergovernmental Council (COIC), Tammy is the new executive director of COIC and is looking forward to working with everyone. She explained the role of COIC and the assistance they can provide including collaborating on the transit center, grant opportunities, etc.

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. Approval of Council Minutes

i. March 13, 2019 Meeting Minutes

b. Reimbursements

i. Approval of Council and Staff Reimbursements

Councilor Greiner made a motion to accept the Consent Agenda, seconded by Councilor Shields. No objections. Unanimously approved.

7. Community Funding Requests

a. La Pine Performing Arts

Wendy Spring, teacher at La Pine High School, spoke in support of the funding request and outlined the costs associated with the project. The following students also spoke in support of the request:

Cheyenne Covell talked about how the program helps with academic success.

Cynthia Sander discussed how theater has helped her succeed and become an Honor Roll student.

Cynthia Stewart shared how theater helped her to become more outgoing.

Alexander Best talked about how theater has helped him fit in.

There was council discussion regarding how the program might obtain the other needed funding and whether students are involved in other fundraising. Ticket sales contribute the majority of the costs of the program. Councilor Briese made a motion to award \$200, Councilor Greiner seconded. No objections. Unanimously approved.

8. Appointment of Budget Committee Officer and Committee Members

No discussion. Mayor Richer made a motion to appoint members. No objections. Unanimously approved.

9. Local Government Investment Pool Account Approval– Action Item

There was discussion regarding the risk involved with this type of fund and that there is an administrative fee involved. Melissa stated we are still in the process of exploring options. Motion: I move the City Council approve the opening of an LGIP account to better utilize the resources of the City.

Roll Call Vote:

Councilor Briese - Nay

Councilor Shields – Aye

Councilor Harper – Aye

Councilor Greiner - Aye

Motion approved.

10. Discussion Regarding Potential Change in City Ordinance Regarding Marijuana Dispensaries Days of Operation

This topic was addressed and voted on by City Council last year and placed on the agenda at the request of Mayor Richer. It was determined during previous discussion that businesses were to be closed on Sundays partly to protect the small-town feel. Discussion followed stating these are legitimate, legal businesses voted on by the citizens of La Pine and that as long as the businesses comply with OLCC there is no need for further intervention on hours of operation by the City. La Pine is one of the only cities which prohibits Sunday sales. The sales tax benefit to the City should be considered as well. Councilor Harper abstained from discussion. Mayor Richer asked for input on a public hearing.

Roll Call Vote:

Councilor Briese - Nay
Councilor Shields – Aye
Councilor Harper – n/a
Councilor Greiner - Aye

Approval to hold a public hearing to be scheduled at an upcoming meeting.

11. Discussion Regarding SDCs for Accessory Dwelling Units

Jake reviewed ADUs and how to accurately and fairly capture additional demands on our water and sewer systems.

Concern was expressed that there is already an affordable housing shortage in the area, and additional fees could exacerbate this. Jake responded that the City has one of the lowest SDC rate schedules in the area. Also, many of the lots in the Cagle area, currently set for water/sewer expansion, are large enough to accommodate an ADU. The homes impacted by the expansion in this area are exempt from SDC fees. Additional discussion was had regarding roads in the Cagle area and how they would be maintained. This topic will be addressed in the future.

It was decided more information be provided on monetary impact, additional demands on the water/sewer system, and a proposed ordinance. A draft ordinance will be presented in April along with the information requested by Council.

12. Other Matters: Only those matters properly added to this Agenda under line item No. 4

Discussion regarding the City purchasing a table at the annual La Pine Chamber of Commerce Awards Banquet to be held on May 18. Melissa provided information on the event. The City would have eight tickets to the banquet for a total cost is \$310, plus the expense of decorating the table. Council expressed unanimous support. Unanimously approved.

13. Public Comments

None.

14. Staff Comments

Melissa: ODOT Multi use path is on hold until we get the easement from Deschutes County. Joint Board of County Commissioners meeting will likely be rescheduled as a result of ongoing discussions regarding the current Newberry Neighborhood loan. A high school student has been hired to work about 10 hours per week to assist with scanning documents into an electronic records management system, codification, and other administrative tasks. Melissa asked Council to consider whether the City should purchase a table at the May 30 Sunriver/La Pine Rotary Dinner and Auction. The cost is \$845 for a table of eight.

Jake: Will speak to the high school's career class next week. Development is moving forward.

Tracy: Reminded everyone of their responsibility to complete the Oregon Government Ethics Commission annual update, if anyone needs assistance please let us know. Administrative staff are not able to complete this for Council members.

15. Mayor and Council Comments

Councilor Briese: She missed the COIC meeting due to a family emergency.

Councilor Shields: Nothing further.

Councilor Greiner: Spoke about replacing Student Councilor Tenant – Melissa advised that is in the planning stages.

Councilor Harper: Attended Small Cities last week, good event. Stated the sign at Wickiup Junction needs work.

Student Councilor Tenant: Has been absent due to wrestling, the team won the State Championship. He spent time at the University of Wyoming at Laramie and is considering attending there.

Mayor Richer: Glad to see everyone working together and making progress.

16. Adjourn Meeting

Meeting adjourned at 6:59 p.m.

Attest



Tracy Read

**CITY OF LA PINE
ORDINANCE NO. 2019-02**

AN ORDINANCE OF THE CITY OF LA PINE AMENDING ORDINANCE NOS. 2015-02, 2016-10, AND 2017-09, WHICH ORDINANCES CONCERN RECREATIONAL MARIJUANA BUSINESSES AND MEDICAL MARIJUANA DISPENSARIES.

WHEREAS, the City of La Pine ("City") has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, on April 8, 2015, City adopted Ordinance No. 2015-02 (including all amendments thereto, the "Medical TPM Ordinance") to establish, among other things, certain time, place, and manner regulations concerning medical marijuana dispensaries; and

WHEREAS, on October 12, 2016, City adopted Ordinance No. 2016-10 (including all amendments thereto, the "Recreational TPM Ordinance") to establish, among other things, certain time, place, and manner regulations concerning recreational marijuana wholesalers and retailers; and

WHEREAS, on September 13, 2017, the City adopted Ordinance No. 2017-09 to amend, among other things, the hours of operation for recreational marijuana wholesalers and retailers; and

WHEREAS, the Council desires to amend the Medical TPM Ordinance and further amend the Recreational TPM Ordinance to, among other things, expand the operating hours of medical dispensaries and recreational marijuana retailers and wholesalers.

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

1. Findings. The above-stated findings contained in this Ordinance No. 2019-02 (this "Ordinance") are hereby adopted.
2. Purpose. This purpose of this Ordinance is to expand the operating hours of medical dispensaries and recreational marijuana retailers and wholesalers.
3. Amendment No. 1. Section 5.1 of the Medical TPM Ordinance is amended to read in its entirety as follows:
 - 5.1 Compliance with Applicable Laws. The dispensary must at all times be operated in strict compliance with ORS 475.300 to 475.346; OAR Chapter 333, Division 8; this Ordinance; all land use/development, building, and fire codes; and all other federal, state, and local laws, regulations, and ordinances, including, without limitation, those directly or indirectly relating to medical marijuana, including the payment of all fines, fees, and taxes owing to City. The dispensary must at all times be registered and in good standing as an Oregon medical marijuana facility under Oregon law. Daily operating hours for the dispensary must be no earlier than 7:00 a.m. or later than 10:00 p.m., Monday through Sunday.

4. Amendment No. 2. Section 6.6 of the Recreational TPM Ordinance is amended to read in its entirety as follows:

6.6 Operating Hours. Daily operating hours for retailers and wholesalers must be no earlier than 7:00 a.m. or later than 10:00 p.m., Monday through Sunday.

5. Miscellaneous. This Ordinance is hereby made part of the Medical TPM Ordinance and the Recreational TPM Ordinance. The provisions of the Medical TPM Ordinance and Recreational TPM 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 Medical TPM Ordinance or the Recreational TPM Ordinance as applicable. 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 Sewer 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



CITY OF LA PINE

STAFF REPORT

Meeting Date: June 12, 2019
TO: La Pine City Council
FROM: Melissa Bethel, Staff
SUBJECT: Adoption of FY2019-20 Budget and supporting Resolutions

TYPE OF ACTION REQUESTED (Check one):

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

Councilors:

This is the final step in adopting our FY2019-20 budget. The Council will first hold a public hearing on the proposed budget. After deliberations the Council will then approve Resolutions 2019-08 and 2019-07. The Resolutions formally adopt the budget and approve receipt of State Shared Revenues.

Suggested motions:

I move the City Council approve Resolution 2019-08 a resolution adopting the FY2019-20 budget and appropriating funds for the City of La Pine.

I move the City Council approve Resolution 2019-07- a resolution declaring the City’s election to receive state revenues.

FORM LB-1

NOTICE OF BUDGET HEARING

A public meeting of the City of La Pine will be held on June 12 2019 at 5:30 pm at La Pine City Hall, 16345 Sixth Street, La Pine, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2019 as approved by the City of La Pine Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at 16345 Sixth Street, La Pine, Oregon between the hours of 8:00 a.m. and 5:00 p.m. or online at www.lapineoregon.gov This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as preceding year.

Contact: City Manager Melissa Bethel

Telephone: 541-536-1432

Email: mbethel@lapineoregon.gov

FINANCIAL SUMMARY - RESOURCES			
TOTAL OF ALL FUNDS	Actual Amount 2017-2018	Adopted Budget This Year 2018-2019	Approved Budget Next Year 2019-2020
Beginning Fund Balance/Net Working Capital	6,071,174	6,679,299	6,775,288
Fees, Licenses, Permits, Fines, Assessments & Other Service Charges	2,163,014	2,035,100	1,961,200
Federal, State & all Other Grants, Gifts, Allocations & Donations	417,149	1,289,500	860,835
Revenue from Bonds and Other Debt	0	-	8,000,000
Interfund Transfers / Internal Service Reimbursements	549,000	1,598,500	1,183,000
All Other Resources Except Current Year Property Taxes	40,787	72,750	43,701
Current Year Property Taxes Estimated to be Received	326,316	292,000	356,000
Total Resources	9,567,440	11,967,149	19,180,024

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION			
Personnel Services	450,548	642,404	676,754
Materials and Services	717,280	1,172,751	1,334,098
Capital Outlay	853,034	2,723,000	9,925,000
Debt Service	234,463	245,000	238,600
Interfund Transfers	549,000	1,593,500	1,183,000
Contingencies	0	498,000	661,800
Special Payments	8,775	55,000	15,000
Unappropriated Ending Balance and Reserved for Future Expenditure	0	5,037,494	5,145,772
Total Requirements	2,813,100	11,967,149	19,180,024

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *			
Name of Organizational Unit or Program FTE for that unit or program			
General/Administrative	1,133,151	1,198,528	1,284,862
FTE	1	1	2.0500
Streets	1,365,711	1,114,838	579,112
FTE	1	1	0.6833
Water	1,802,843	1,973,717	2,013,748
FTE	2	3	2.3833
Sewer	2,366,587	2,313,306	7,568,122
FTE	2	3	2.3833
Community Developmet	125,423	162,357	190,943
FTE	1	1	1.0000
Cemetery	19,363	26,068	23,767
FTE			0.0000
Tourism	234,195	266,107	180,410
FTE			0.0000
Industrial/Economic Development	125,000	219,734	94,888
FTE			0.0000
Not Allocated to Organizational Unit or Program	3,752,849	4,692,494	7,244,172
FTE			0.0000
Total Requirements	10,925,122	11,967,149	19,180,024
Total FTE	7.00	8.00	8.50

PROPERTY TAX LEVIES			
	Rate or Amount Imposed 2017-2018	Rate or Amount Imposed This Year 2018-2019	Rate or Amount Approved Next Year 2019-2020
Permanent Rate Levy (rate limit 1.98 per \$1,000)	1.98	1.98	1.98
Local Option Levy			
Levy For General Obligation Bonds			

STATEMENT OF INDEBTEDNESS		
LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds		\$0
Other Bonds	\$2,377,692	\$0
Other Borrowings	\$804,317	\$0
Total	\$3,182,009	\$0

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

A RESOLUTION DECLARING CITY'S ELECTION TO RECEIVE STATE REVENUES

The City of La Pine resolves as follows:

Section 1. Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2019-2020.

APPROVED and ADOPTED by the La Pine City Council on June 12, 2019.

Daniel Richer, Mayor

Attest:

Melissa Bethel, City Manager

I certify that a public hearing was held before the Budget Committee and Council on May 22, 2019 providing citizens an opportunity to comment on use of State Revenue Sharing.

Melissa Bethel, City Manager

RESOLUTION No. 2019-08

RESOLUTION ADOPTING THE BUDGET

BE IT RESOLVED that the City Council of the City of La Pine, Oregon,
 hereby adopts the budget for fiscal year 2019-20 in the total amount of \$19,180,024. *
 This budget is now on file at La Pine City Hall in La Pine, Oregon.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts shown below are hereby appropriated for the fiscal year beginning
 July 1, 2019, for the following purpose:

General Fund (10)		Cemetery Fund (20)	
General/Administration Program	\$ 1,284,862	Cemetery Program	\$ 23,767
Not Allocated to Organizational Unit or Program:		Not Allocated to Organizational Unit or Program:	
Debt Service	44,600	Contingency.....	7,300
Transfers Out.....	318,000	Total.....	\$ 31,067
Contingency.....	127,500		
Total.....	\$ 1,774,962		
Streets Fund (21)		Tourism Fund (22)	
Streets Program	\$ 579,112	Tourism Program	\$ 180,410
Not Allocated to Organizational Unit or Program:		Not Allocated to Organizational Unit or Program:	
Contingency.....	128,000	Transfers Out.....	-
Total.....	\$ 707,112	Contingency.....	25,000
		Total.....	\$ 205,410
Water Fund (50)		Community Development Fund (23)	
Water Utility Services Program	\$ 2,013,748	Community Development Program	\$ 190,943
Not Allocated to Organizational Unit or Program:		Not Allocated to Organizational Unit or Program:	
Debt Service	194,000	Contingency....	\$ 23,000
Special Payments.....	5,000	Total.....	\$ 213,943
Transfers Out.....	-		
Contingency.....	85,000		
Total.....	\$ 2,297,748		
Sewer Fund (52)		SDC Fund (41)	
Sewer Utility Services Program	\$ 7,568,122	Not Allocated to Organizational Unit or Program:	
Not Allocated to Organizational Unit or Program:		Transfers Out.....	374,000
Special Payments.....	10,000	Total.....	\$ 374,000
Transfers Out.....	315,000		
Contingency.....	250,000		
Total.....	\$ 8,143,122		
		Industrial/Economic Development Fund (40)	
		Economic Development Program	\$ 94,888
		Not Allocated to Organizational Unit or Program:	
		Contingency.....	16,000
		Total.....	\$ 110,888
		Reserve Fund (26)	
		Not Allocated to Organizational Unit or Program:	
		Transfers Out.....	176,000
		Total.....	\$ 176,000

Total APPROPRIATIONS, All Funds . . .	\$ 11,935,852
Total Unappropriated and Reserve Amounts, All Funds . . .	7,244,172
TOTAL ADOPTED BUDGET . . .	\$ 19,180,024 *

RESOLUTION IMPOSING AND CATEGORIZING THE TAX

BE IT RESOLVED that ad valorem property taxes are hereby imposed upon the assessed value of all taxable property within the district for tax year 2018-19 at the rate of \$1.98 per \$1,000 of assessed value for permanent rate tax. These taxes are hereby categorized for purposes of Article XI section 11b as subject to and within the General Government limitation.

The above resolution statements were approved and declared adopted on June 12, 2019.

X _____