

LA PINE CITY COUNCIL SPECIAL MEETING AGENDA

Special Session & Joint Meeting with the

Water & Sewer Districts – 4 pm

Work Session – 5 pm

Wednesday, June 27th

16345 Sixth Street

La Pine, Or 97739

A Special Session & Joint Meeting with Water and Sewer Districts – 4 pm

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Master Transition and Withdrawal Agreement
- Rick Allen
5. Adjourn

B. Work Session – 5 pm

1. Call to Order
2. Roll Call
3. Stable funding for Cascades East Transit
4. Code Enforcement/Event Plans/Transient Vendor Permits
5. League of Oregon Cities 2013 Legislative Agenda
6. Other Matters
7. Public Comments
8. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meetings. This notice does not limit the ability of the City Council to consider or discuss additional subjects. These meetings are subject to cancellation without notice. These meetings are open to the public and interested citizens are invited to attend. 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 Patti Morgan at (541) 536-1432

LA PINE CITY COUNCIL SPECIAL MEETING MINUTES
Special Session & Joint Meeting with the
Water & Sewer Districts – 4 pm
Work Session – 5 pm
Wednesday, June 27th
16345 Sixth Street
La Pine, Or 97739

A Special Session & Joint Meeting with Water and Sewer Districts – 4 pm

1. Call to Order

Mayor Mullenex opened the meeting for the City Council. Vice-Chair/Commissioner Earls opened the meeting for the Water and Sewer Districts.

2. Roll Call

City Manager Steve Hasson
Interim Public Works Director Rick Allen
Mayor Ken Mullenex
Councilor Stu Martinez
Councilor Dan Varcoe
Councilor Don Greiner
Councilor Kathy Agan – absent by prior arrangement
City Recorder/Finance Officer Lori Martin
Admin Ass't Patricia Morgan

Quorum established.

Also present were City Attorney Jeremy Green and Melissa Cobb both from Bryant, Lovlein & Jarvis.

Quorum was established for both districts, the following members were present for La Pine Water District: Vice-President Bill Sawders, Commissioner Brian Earls, and Commissioner David Harms. The following members were present for the La Pine Special Sewer District: Vice-Chair Brian Earls, and Secretary/Treasurer Bill Sawders. Also present was Donna Zigler, Operations Manager and Office Administrator.

3. Pledge of Allegiance

Mayor Mullenex led the Pledge of Allegiance.

Bills to Approve

Vice-President/Secretary/Treasurer Bill Sawders made a motion to accept the bills. Commissioner Harms seconded for Water. Commissioner/Vice-Chair Earls seconded for Sewer. Motion passed unanimously.

4. Master Transition and Withdrawal Agreement
- Rick Allen

Director Allen stated that the attorneys have been working on the agreement. He then introduced Attorney Ken Jones from the Districts law firm. City Attorney Green then went through the agreement. He said the differences between the Water Agreement and the Sewer Agreement are very small. City Attorney Green said that the City will handle all of the Districts functions as of July 1, 2012. He said as of today the Water District's bond has not been changed over to the City by the USDA (United States Department of Agriculture). City Attorney Green stated that the City is assuming any and all obligations of the District with the exception of the one's identified in section 6 of the agreement. He said they are excluding from their assumption obligations any collective bargaining obligations and/or agreements which the Districts may be a party.

City Attorney Green stated that there is a mechanism for a reserve account so the Districts have funds to cover any drafts that have been written prior to the withdrawal date. He said once the drafts have gone through the accounts the balance in the accounts will be transferred to the City. City Attorney Green stated that the District has no liabilities of any kind other than what is incurred doing normal business or which the City assumes under the contracts. Attorney Jones stated that once the City acts, the withdrawal will happen. He said once the property is withdrawn from the District and into the City then the only property left in the District is the 2.6 acres and it is uninhabited. Attorney Jones stated that the District Boards will be adopting Resolutions to dissolve the Boards. He said then it goes to the County by statute and there is a procedure they go through for the dissolution.

Commissioner/Vice-Chair Earls made a motion to adopt the Master withdrawal and transfer agreement and authorize Brian Earls to sign related documents including deeds, bills of sale, and title transfers on behalf of each District. Vice-President/Secretary/Treasurer Sawders seconded for Sewer and Commissioner Harms seconded for Water. Motion passed unanimously.

Councilor Varcoe made a motion to adopt the Master Withdrawal Agreement for Water and Sewer. Councilor Greiner seconded the motion. Motion passed unanimously.

Councilor Martinez made a motion to adjourn. Councilor Greiner seconded the motion. Motion passed unanimously. The City meeting was adjourned at 4:23 pm.

Closing of Bank Accounts

A motion was made by Commissioner/Vice-Chair Earls to approve Resolution No. 2012-7 closing and transferring Water District bank accounts to the City of La Pine. Commissioner David Harms seconded. Motion passed unanimously.

A motion was made by Commissioner/Vice-Chair Earls to approve Resolution No. 12-6 closing and transferring Sewer District bank accounts to the City of La Pine. Vice-President/Secretary/Treasurer Sawders seconded the motion. Motion passed unanimously.

Dissolution of the Districts

A motion was made by Commission Harms to approve Resolution 2012-8 dissolving the La Pine Water District effective June 30, 2012. Vice-President/Secretary/Treasurer Sawders seconded the motion. Motion passed unanimously.

A motion was made by Commissioner/Vice-Chair Earls to approve Resolution 12-7 dissolving the

La Pine Special Sewer District effective June 30, 2012. Vice-President/Secretary/Treasurer Sawders seconded the motion. Motion passed unanimously.

Performance Reviews for Utility Workers

This item was tabled until a Special Meeting on July 3rd at 3:00 pm at City Hall.

Payout of Staff's Accrued Vacation Leave/Comp Time

This item was previously approved at an earlier meeting.

5. Adjourn

Vice-President/Secretary/Treasurer Sawders made a motion to adjourn for Sewer, Commissioner Harms made a motion to adjourn for Water, Commissioner/Vice-Chair Earls seconded both motions. Motion passed unanimously.

B. **Work Session – 5 pm**

1. Call to Order

Mayor Mulenex called the meeting to order

2. Roll Call

City Manager Steve Hasson
Interim Public Works Director Rick Allen
Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Dan Varcoe – left meeting at 6:10 pm
Councilor Don Greiner
Councilor Kathy Agan – absent by prior arrangement
City Recorder/Finance Officer Lori Martin
Admin Ass't Patricia Morgan

Quorum established.

3. Stable funding for Cascades East Transit

City Manager Hasson stated that Councilor Greiner has been asked to get input from the City about funding for the Cascades East Transit. He said COIC (Central Oregon Intergovernmental Council) is looking for a regional solution to the funding problem. City Manager Hasson said that there are any number of local funding methods such as property tax, payroll tax, levy dues, local gas tax, utility fee, local sales tax and increase fares. Councilor Greiner stated that COIC wants everybody tied in to the same type of base. He said the Governor is pushing hard for regional solutions for transportation. City Manager Hasson stated that bonding can create problems especially if the economy is not good. Mayor Mulenex said that he did not favor bonding. He said let the people pay to use the service. Councilor Greiner talked about the many seniors that do not have automobiles and rely on the service. Councilor Varcoe suggested that more emphasis be put on bringing needed services to La Pine so people would not

have to travel into Bend for them. He also questioned how many people in the area really use the service especially for people living outside the City limits. Mayor Mulenex said they need to represent the residents of La Pine since they are the ones that have to pay the taxes. City Manager Hasson said that a transportation system is very expensive. Mayor Mulenex said it would become another social service organization. He said we did not have it before so how did people get to town. Mayor Mulenex said it was created by grant money and stimulus monies. Now there are all these employees who need to be paid. Director Allen stated that someone would need to go out and vet all the different options, first. He said he did not think that COIC had the political muscle to make it happen. Director Allen said the chances of passing anything at the polls on a regional basis is practically zero. Councilor Greiner asked if COIC should come up with a suitable situation and bring it back to the Council. City Manager Hasson suggested the car pool option for those who need to get to Bend and don't have other transportation. Councilor Martinez stated that right now La Pine does not need to be involved with this. He suggested letting COIC come back to the City when they decide on an option. Mayor Mulenex said there are organizations in La Pine, currently in place, that will assist people with getting into doctor's appointments, etc. The suggestion was made to write a letter and state that the City is not interested in this until they receive information as to what COIC wants to do. It was decided to have the Mayor sign the letter. Councilor Martinez also said that more services need to be provided for in La Pine so people would not have to travel to Bend.

4. Code Enforcement/Event Plans/Transient Vendor Permits

City Manager Hasson stated that from time to time we will be putting in place new forms. He said they tried to follow Deschutes County forms to be in sync with them. City Manager Hasson said that a major event can impact the City and have possible liabilities; this is why the Event Form was created. He said the forms will be brought back for Council approval at the July 11th Regular Council Meeting. Councilor Varcoe stated that he wanted to be sure the event plan would not be needed for some people to get together to do a weed pull, car wash, Church bazaar etc. City Manager Hasson said that those types of activities would not require an event plan. He said it was more geared to the races that come through town with their liability and safety issues. City Manager Hasson said that the event plan would also include an indemnity form to protect the City. Mayor Mulenex said he would like to see a list of things that would require a permit or not. City Manager Hasson said having the named insured be the City for major events is really important. City Manager Hasson said the City wants to be generous where volunteerism is concerned but still protect the City from a major lawsuit.

4. League of Oregon Cities 2013 Legislative Agenda

City Manager Hasson stated that LOC (League of Oregon Cities) has identified any number of legislative topics that they should concentrate on asking Cities what four items they believe LOC should focus on as part of the upcoming legislative agenda. Mayor Mulenex suggested the Council look over the information and send an e-mail to the City Manager about what they see as important issues.

6. Other Matters

City Manager Hasson reviewed the new City of La Pine application forms for Water and Sewer services. He also discussed the nomination Ordinance that has been created as needed by the City Charter. City Manager Hasson said there is a nomination application that has been prepared. He said the nomination Ordinance will be reviewed at the Special Meeting at 10:00 on July 3rd. Councilor Greiner stated that the

way the Ordinance was written is that a seated City Councilor will run for Mayor without having to resign his or her position. He said he objected to the Council making a selection instead of the voters. Mayor Mulenex said that it is normal in Oregon to be this way. City Manager Hasson stated that there are things in the Charter and also with State law that address these matters. Mayor Mulenex said he likes the way the system is set up now; if he runs for Mayor and is not successful he gets to fill the remaining two years of his term.

Mayor Mulenex stated that he would like to receive a recommendation of a name for the utilities from the staff. He said they wanted to hear from the City Manager.

City Manager Hasson stated that the nomination Ordinance has the City Manager be the Elections Officer. It was decided to have the City Recorder be the Elections Officer, as that is more common.

7. Public Comments

None

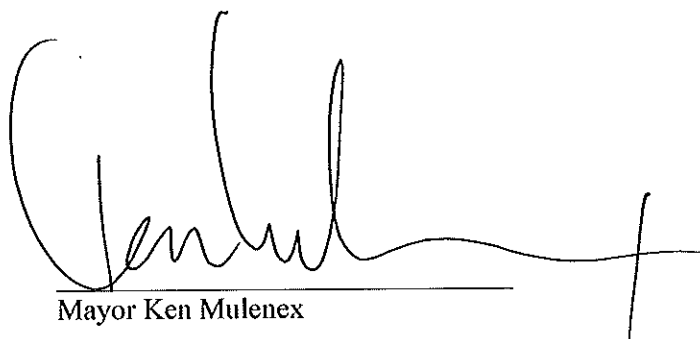
8. Adjourn

A motion was made by Councilor Martinez and seconded by Councilor Greiner to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Kathy Agan</i>	<i>X</i>	

Motion passed unanimously.

Mayor Mulenex adjourned the meeting.



Mayor Ken Mulenex

Attest

Lori Martin, City Recorder/Finance Officer