

LA PINE CITY COUNCIL SPECIAL MEETING AGENDA

Monday, March 15, 2010

Special Meeting - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

1. Call to Order
2. Establish Quorum
3. Pledge of Allegiance
4. Selection of Consultant to Create Land Use Ordinances
This matter is a continuation of the City Council's March 10, 2010 work session, during which the City Council reviewed proposals received from consultants for the preparation of the City's urban land use ordinances. The City Council intends to select the land use consultant during this time.
5. 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 meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. The meeting is subject to cancellation without notice. The meeting is 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 Luana K. Damerval at (541) 536-1432.

LA PINE CITY COUNCIL SPECIAL MEETING MINUTES

Monday, March 15, 2010

Special Meeting - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

1. Call to Order

Mayor Shields called the meeting to order at 5:08 pm.

2. Establish Quorum

Roll Call

Present Were:

Mayor Kitty Shields

Councilor Doug Ward

Councilor Barbara Hedges

Councilor Adele McAfee

Councilor Don Greiner

City Attorney Jeremy Green – excused per prior approval

City Recorder Luana Damerval – excused per prior approval

Admin Ass't Patricia Morgan

Quorum established.

3. Pledge of Allegiance

Gloria Fleming led the Pledge of Allegiance.

4. Selection of Consultant to Create Land Use Ordinances

This matter is a continuation of the City Council's March 10, 2010 work session, during which the City Council reviewed proposals received from consultants for the preparation of the City's urban land use ordinances. The City Council intends to select the land use consultant during this time.

Mayor Shields stated that because some Councilors were not prepared to vote on the selection of a consultant at the March 10th meeting, the matter was continued over to this Special Meeting today.

Mayor Shields then explained the voting process for the consultant. She said she will call for a motion for a selection of a consultant. Mayor Shields said if the motion is seconded than a vote will occur. She said the process will continue until a majority vote occurs. Mayor Shields also said once the vote is called for there will be no more discussion.

Councilor Hedges moved to nominate the Siegel Corporation as the Land Use Consultants. She said they have an excellent schedule layout in their proposal. Councilor Hedges said there were no travel fees included in the cost of the work. She also said she liked the presentation and the locations that they have worked in and also the work they have done and their references.

Councilor McAfee stated that she did not select Siegel because they did not include photocopying costs in their bid. Councilor Hedges said most of the other bids did not include photocopying.

Councilor Greiner had no comments. Councilor Ward said he thought all five of the companies were qualified but he did not favor Siegel. Mayor Shields called for a second on the motion. She said since there was no second, the motion died.

Councilor Ward stated he wanted to nominate Deborah McMahon from DMC Consulting, Inc., and James Lewis from Foreterra LLC., to do the Land Use ordinance work. He said they have done good work for the City in the past and their price was comparable to the other bids. Councilor McAfee had no comments.

Councilor Hedges stated that she wanted to see a new outlook at the City and that it would be good to have a fresh eye on this particular work. Councilor Greiner stated that DMC Consulting Inc., and Foreterra LLC., were his choice. Mayor Shields stated that all the companies did a good job with their bids and seemed to relate to La Pine. She said she eliminated the companies that were not in the geographical area. Mayor Shields also felt that there was no need to make a change just to make a change.

Councilor Greiner seconded the motion.

Public Comment

Vicky Jackson stated that she was still unclear about the emergency clause that was put in the ordinance that was passed at the March 10th City Council meeting for the Comprehensive Plan. She also said that with the other four bids they each had a team of experts and the City would probably have more resources with them. Ms. Jackson also said that the other companies supplied a timeline in their bids but DMC/Foreterra did not.

Gloria Fleming, area resident, stated that James Lewis and Deborah McMahon had reached out to the community and have a feeling for what the community needs and wants. She said she thinks that is a real advantage going in to the process.

Karen Ward, area resident, stated that she thought all the companies presented themselves very well. She said her problem with changing is that Deborah McMahon and James Lewis already know the community and the community feels comfortable with them.

A motion was made by Councilor Ward and seconded by Councilor Greiner to select DMC Consulting, Inc., and Foreterra LLC to Create the Land Use Ordinances.

| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
|---------------------------------|------------|------------|
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Doug Ward</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | | <i>X</i> |
| <i>Councilor McAfee</i> | <i>X</i> | |
| <i>Councilor Greiner</i> | <i>X</i> | |

Motion passed 4 to 1.

Mr. Duncan Brown from Otak stated he attended tonight's meeting to hear the reasons for the vote and also learn what he might do better with his proposals in the future. Mayor Shields said there was nothing wrong with his proposal and she thought it was very good.

Councilor Greiner stated that all the proposals were very close on the number of hours needed to do the work. He said he made his selection based on the good relationship that DMC/Foreterra has had in this community.

Mayor Shields stated that staff will notify all consultants of the vote. She said she will notify City Attorney Green. Mayor Shields said that staff and City Attorney Green will initiate the process of putting the contract together.

Public Comments

Vicky Jackson stated there was no scoring sheet included in the public meeting agenda notebook. Councilor Hedges said there was no actual scoring sheet. Ms. Jackson said that she was now concerned about how an outside company can win a bid if they had not worked for the City before.

Councilor Greiner said that if a company had worked for the City and had not done a good job that would also be a factor in a selection. Councilor Hedges stated that what she liked about the other bidders is they included the Council for training and she has not gotten that feeling from Deborah McMahan and James Lewis that they had come to the Council for input in the past. Mayor Shields said that she always felt that they had involved the Council. Councilor McAfee stated the consultant will be working with the Planning Commission during the ordinance creation work.

Councilor Ward stated that he had to rely on past experience with DMC/Foreterra and that they were the best people to work on this project. Mr. Brown, from Otak, stated that the other consultants realized that if DMC/Foreterra had completed the comprehensive plan and done a good job, it would probably be an uphill battle for another consultant to win the bid.

Public Comment

Vicky Jackson, area resident, stated that the Planning Commission did not review the proposals and she felt that would have been a good idea. Mayor Shields said that the Planning Commissioners could have come in and reviewed the proposals at City Hall if they wanted to do so.

Councilor Greiner stated that he thinks other companies can get work in La Pine and that the bidders each had a lot of things they could do for the City. Mr. Michael Magee, from MacKay & Sposito stated that it is just the nature of the business; if someone has done good work for you it does make a difference in the bidding process. He said he knows the City did a fair and open process. Mr. Magee asked if the Council was going to select a second place, he said normally with scoring that is the case. He said this usually gives the City a better negotiating position. Mayor Shields stated, 'without going out on a limb', that the City would probably go through the four remaining proposals again if something happened with the original selection and probably not go out for bid.

Councilor McAfee stated that for the next RFP it will be more organized and the Council will really understand about the criteria they are rating on and also have a score sheet. Mayor Shields said the criteria document prepared by City Attorney Green and provided to the Council was very helpful. Councilor McAfee said she would like to see a scoring sheet used in the future. Councilor Hedges said she would like a scoring sheet for staff hiring so that process could be done differently in the

future. Mayor Shields mentioned that many of the consultants know each other and understand the bid review process.

5. Adjourn

| | | |
|---|------------|------------|
| A motion was made by Councilor Hedges and seconded by Councilor Ward to adjourn the Special Meeting. | | |
| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Doug Ward</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor McAfee</i> | <i>X</i> | |
| <i>Councilor Greiner</i> | <i>X</i> | |
| Motion passed unanimously. | | |

Mayor Shields adjourned the meeting at 5:42 pm.



 Mayor Kitty Shields

Attest:



 City Recorder Luana Damerval