

CITY OF LA PINE, OREGON REGULAR CITY COUNCIL MEETING

Wednesday, June 22, 2022 at 5:30 PM La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: https://us02web.zoom.us/j/84684579939

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.

AGENDA

CALL TO ORDER

ESTABLISH A QUORUM

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Three (3) minutes per person; when asked to the podium, please state your name and whether you live within La Pine city limits.

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

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.

PUBLIC HEARING

1. Budget Hearing on the FY 2022-2023 Budget

- A. Open Public Hearing
- B. Staff Report
- C. Public Testimony
- D. Close Hearing
- E. Deliberation

LEGISLATIVE ACTION

1. Resolution No. 2022-03 A Resolution Declaring the City's Election to Receive State Revenues

......7.

OLD BUSINESS:

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

NEW BUSINESS:

None

PUBLIC COMMENTS

Three (3) minutes per person; when asked to the podium, please state your name and whether you live within La Pine city limits.

STAFF COMMENTS

MAYOR & COUNCIL COMMENTS

ADJOURNMENT

EXECUTIVE SESSION

EXECUTIVE SESSION

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.

CITY OF LA PINE, OREGON REGULAR CITY COUNCIL MEETING

Wednesday, June 8, 2022, at 5:30 PM La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: https://us02web.zoom.us/j/85101934156

MINUTES

1. CALL TO ORDER:

Meeting was called to order at 5:30 p.m.

2. ESTABLISH A QUORUM:

PRESENT

Councilor Colleen Scott Councilor Mike Shields Councilor Courtney Ignazzitto Mayor Daniel Richer

<u>ABSENT</u> Councilor Cathi Van Damme

STAFF

City Manager, Geoffrey Wullschlager City Planner, Alexa Repko Public Works Director, Jake Obrist

3. PLEDGE OF ALLEGIANCE:

4. PUBLIC COMMENTS:

Three (3) minutes per person; when asked to the podium, please state your name and whether you live within La Pine city limits.

None.

5. 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.

None.

6. CONSENT AGENDA:

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is 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.

1. 04.27.2022 Regular City Council Meeting Minutes

2. 05.04.2022 Special Meeting Minutes

Mike Shields points out spelling error in April 27, 2022 meeting minutes. Under Old Business, "grating process" should say "grading process".

Motion by Councilor Shields to approve the Meeting Minutes from April 27, 2022 with corrections and Meeting Minutes from May 4, 2022 as presented. Councilor Ignazzitto seconded the motion.

Voting Yea: Councilor Scott, Councilor Shields, Councilor Ignazzitto. Voting Nay: None.

7. PRESENTATIONS:

None.

8. OLD BUSINES:

1. Ongoing Projects:

a. Transit Center

Geoff Wullschlager reported that the City has received the initial billing for the Transit Center and will submit for reimbursement to ODOT. The standstills with electrical and septic have been addressed. The amount of landscaping, including curbing, is still being determined. The project won't be done by June as originally anticipated, but ODOT will deem it substantially complete and we will be able to bill them for all upcoming expensed through the end of June. The design has been changed to include chain link fencing instead of wooden fencing. Geoff Wullschlager stated that the Transit Center will be functional by end of summer (August) including temporary restrooms.

b. Water/Wastewater Expansion

Jake Obrist reported that the City looked at alternative options for piping on project due to availability. Alternative options proved to be more cost effective and more readily available. All parties involved accepted and approved of the changes in materials. Jake Obrist anticipates that construction team will break ground in 6-8 weeks. Geoff Wullschlager spoke with DEQ about interim financing and will be submitting an audit document to the subject bank.

c. Hwy 97 Pathway

Geoff Wullschlager reported that bids will be opened tomorrow by ODOT.

9. NEW BUSINESS:

1. Huntington Rd. Speed Study Update (Discussion)

Geoff Wullschlager explained that the study took place 0.10 miles from Caldwell Drive. The study found that 50% of drivers were going 45.6 mph, and 85% of drivers were going 50.1 mph. Because of these findings, the area does not qualify for a speed reduction per ODOT standards. Deschutes County is discussing with ODOT an extension of the 30 mph zone to Caldwell Drive. Geoff will pass along this information to the interested parties.

2. La Pine Parks and Recreation Dept. Community Grant App

Geoff Wullschlager explained that Parks and Rec holds an annual event called Music in the Pines. Parks and rec are asking the City for \$2,500, which is what they typically ask for. Courtney Ignazzitto made a motion, Mike Shields seconded it, and it was approved by unanimous vote.

3. La Pine Lions Club Community Grant. App

Geoff explained that Cathi Van Damme offered her support for these grant applications. The grant would support the retrofitting of the Lions Club trailer which will cost \$6,000 to \$10,000 in total. They expect to be fully funded by 2025, but are asking the City to be the first contribution in order to show investors. They are asking for \$750 from the City. Colleen Scott made a motion, Mike Shields seconded it and it was approved by unanimous vote.

4. La Pine Lions Club Tourism Grant App

Geoff Wullschlager explained that Tourism funds are separate from Community funds. Geoff explained the proposed event, Oktoberfest, which would take place in the fall and bring in an estimated 500 people. He stated that Tourism funds are reserved for proposals that would bring people into the City. Courtney Ignazzitto made a motion, Mike Shields seconded it and it was approved by unanimous vote.

PUBLIC COMMENTS

Three (3) minutes per person; when asked to the podium, please state your name and whether you live within La Pine city limits.

None.

10. STAFF COMMENTS:

- 1. Planners Report Council members had no questions on pending land use applications.
- 2. Public Works Jake Obrist reported that the contract was awarded for the water/wastewater project and USDA funding has been secured. Construction will now begin.

3. City Manager Report – Geoff Wullschlager reiterated that the City was granted 13 million in total for water/wastewater project. Geoff also asked the Council to go down to one meeting a month due to Staff shortages. Courtney supported this, Colleen supported this for the months of July and August, Shields supports this, and Mayor Richer supported as well. The City Council will go down to one meeting a month taking place on the fourth Wednesday of the month for the months of July of August. Council and Staff will then reassess the availability for two meetings a month. Geoff mentioned the budget meeting to adopt the approved budget as well as the upcoming open recruitments.

11. MAYOR & COUNCIL COMMENTS:

Councilor Scott – Thanked Staff. She also mentioned that the City is moving in a positive direction on ongoing projects including the water and wastewater project.

Councilor Shields – Thanked Staff.

Councilor Van Damme – Absent.

Councilor Ignazzitto – Thanked Staff.

Mayor Richer – Asked questions about streetlights along Railroad Street. He also thanked Staff.

12. ADJOURMENT: Meeting was adjourned at 5:58 pm

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.



STAFF REPORT

Meeting Date:			June 22, 2022			
TO:			La Pine City Council, Budget Committee			
FROM:			Staff			
SUBJECT:			State Shared Revenue			
TYPE OF ACTION REQUESTED (Check one):		STED (Check one):				
	[X]	Resolut	ion	[]	Ordinance	
	[]	No Acti	on – Report Only	[]	Public Hearing	
	[]	Formal	Motion	[]	Other/Direction: Discussion	

City Council.

Public Comments Regarding State Shared Revenues:

The Budget Committee customarily has approved the receipt of state shared revenues through budget approval. The shared revenues consist of Gas, Cigarettes, liquor, and Marijuana. The Public is invited to comment on the State Shared revenues proposed in the General Fund. Once public comments have been heard a Resolution is drafted and presented to the City Council during the budget adoption.

Budget Approval:

Suggested Motion: Mayor may call for a roll call vote;

I move the La Pine City Council adopt RESOLUTION 2022-03 and elect to receive state revenues for fiscal year 2022-2023.

RESOLUTION NO. 2022-03

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 2022-2023.

APPROVED and ADOPTED by the La Pine City Council on June 22, 2022

Daniel Richer, Mayor

Attest:

Geoff Wullschlager, City Manager

I certify that a public hearing was held before the Budget Committee and Council on May 18, 2022, providing citizens an opportunity to comment on use of State Revenue Sharing.

Stacie Skeeters, City Administrative Assistant



STAFF REPORT

Meeting Date:			June 22, 2022		
TO:			La Pine City Council, Budget Committee		
FROM:			Staff		
SUBJECT: Tax.			Budget Adoption, Appropriation of Funds, and Imposition and Categorization of		
TYPE OI		N REQUE	ESTED (Check one):		
	[X]	Resolut	ion	[]	Ordinance
	[]	No Acti	on – Report Only	[]	Public Hearing

[] Formal Motion [] Other/Direction: Discussion

City Council:

Prior to the beginning of each fiscal year, the City Council must consider the adoption of the approved budget. Through this process the Council considers comprehensive adoption, the appropriation of funds as proposed by the City Manager and approved by the Budget Committee, and the imposition and categorization of tax.

Approval:

Suggested Motion: Mayor may call for a roll call vote.

I move the La Pine City Council adopt RESOLUTION 2022-04 and adopt the FY 22-23 budget, the appropriation of Funds, and the Imposition and Categorization of tax.

RESOLUTION NO. 2022-04

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 2022-23 in the total amount of \$58,060,469.00, as outlined in **Addendum A.** 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 in **Addendum A** are hereby appropriated for the fiscal year beginning July 1, 2022, for the outlined purposes.

RESOLUTION IMPOSING AND CATEGORIZING THE TAX

BE IT RESOLVED that ad valorem taxes are hereby imposed upon the assessed value of all taxable property within the district for tax year 2022-23 at the rate of \$1.98 per \$1,000 of assessed value for permanent rate tax. These taxes are herby categorized for purposes of Article XI section 11b as subject to and with the General Government limitation.

The above resolution statements were approved and decaled adopted on June 22, 2022.

Daniel Richer, Mayor

Attested by:

Geoff Wullschlager, City Manager

ADDENDUM A

General Fund	(10)	Cemetery Fund (2	0)	
General Program	\$1,147,277	Cemetery Program	\$19,610	
Not Allocated to Organizational	-	Not Allocated to Organizational Unit or P	rogram:	
	\$ 1,460,581		22,570	
Debt Service	\$ 40,926	Contingency	\$7,300	
Transfers Out	\$507,500	Total	\$49,480	
Contingency	\$322,000	_		
Total	\$3,478,284	Tourism Fund (22	2)	
		Tourism Program	\$153,000	
Streets Fund	(21)	Not Allocated to Organizational Unit or P	rogram:	
Streets Program	\$989,702		\$258,156	
Not Allocated to Organizational	Unit or Program:	Contingency	\$0	
	\$1,027,669			
Contingency	\$150,000	Total	\$411,156	
Total	\$2,167,371			
		Community Development	Fund (23)	
Water Fund	(50)	Community Development Program	\$3,255,298	
Water Utility Services Program	\$16,732,924	Not Allocated to Organizational Unit or	\$499,110	
, 3		Program	. ,	
		Contingency \$60,000)	
Not Allocated to Organizational	Unit or Program:	Total	\$3,814,408	
-	\$1,314,493			
Debt Service	\$193,068			
Transfers Out \$0		SDC Fund (41)		
Contingency	\$205,000	SDC Program \$5	5,013,576	
Total	\$18,445,485	Not Allocated to Organizational Unit or P	rogram:	
		\$:	1,343,285	
		Contingency \$	0	
		Transfers Out\$	0	
51475		Total \$6	5,356,861	
Sewer Fund	(52)			
Sewer Utility Services Program	\$19,550,950	Industrial/Economic Developn	nent Fund (40)	
Not Allocated to Organizational	Unit or Program: \$238,035	Economic Development Program \$	138,500,	
Special Payments	\$471,813	Not Allocated to Organizational Unit or P	rogram:	
		0	101,423	
Transfers Out	\$0		25,000	
Contingency	\$300,000		264,923	
Total	\$20,560,798			
		Reserve Fund Water/Waste	ewater (26)	
		Reserve Fund Program \$2	2,318,200	
		Not Allocated to Organizational Unit or P		

Total

\$0

\$2,318,200

ADDENDUM A

Debt Reserve Fund (31)				
Reserve Fund Program \$0				
Not Allocated to Organizational Unit or Program:				
\$193,503				
Total	\$193,503			

Total Appropriations, All Funds	\$51,601,446
Total Unappropriated and Reserve Amounts, All Funds	\$6,459,023
Total Adopted Budget	\$58,060,469



STAFF REPORT

Meetin	g Date:	June 22, 2022			
TO:		City Council			
FROM:		Geoff Wullschlager, Cit	Geoff Wullschlager, City Manager		
SUBJECT:		Intergovernmental Agro	Intergovernmental Agreement – Coordinated Houseless Response Office		
Pilot					
TYPE O	F ACTIO	NREQUESTED (Check one):			
	[]	Resolution	[]	Ordinance	
	[]	No Action – Report Only	[]	Public Hearing	

[X] Formal Motion [] Other/Direction:

Councilmembers:

Staff recommends approval of the IGA, which is in alignment with the housing strategy discussed under HB 4123 with Council. The program will invest in programs and partnerships that result in collaborative, concrete actions toward ending houselessness in La Pine, and in greater Deschutes County.

Deschutes County and the Cities of Bend, La Pine, Redmond, and Sisters worked together to secure the full support for HB 4123. Together, we were awarded \$1 million in state funding over two years to operationalize a coordinated office to strengthen our community's houseless response.

The draft IGA will also be approved by Deschutes County and the Cities of Bend, Redmond, and Sisters. It will go to the Board of Commissioners and City Councils over the next several weeks with a goal of adoption by all agencies by June 30, 2022.

The IGA is in alignment with HB 4123's requirements. Among other terms, it establishes the Collaborative Office's Governing Board, discusses the role of the Executive Director, sets up the office structure, and establishes an Advisory Panel. Once hired, the Executive Director will work with the Board of Directors to develop a voting structure, membership tiers, and financial contributions, which will be reflected in an amended IGA for years 3-5.

Action:

Following Council discussion, please make a formal motion followed by a second and a roll call vote in support of City Manager action to sign the Intergovernmental Agreement with the other county and municipal partners. 13

INTERGOVERNMENTAL AGREEMENT

COORDINATED OFFICE ON HOUSELESSNESS

**DRAFT: 6-15-22 **

PARTIES

- Deschutes County, a political subdivision of the State of Oregon, ("County")
- City of Bend, an Oregon Municipal Corporation, ("Bend")
- City of La Pine, an Oregon Municipal Corporation, ("La Pine")
- City of Sisters, an Oregon Municipal Corporation, ("Sisters")
- City of Redmond, an Oregon Municipal Corporation, ("Redmond")

RECITALS

A. ORS 190.010 authorizes units of local government to enter into Intergovernmental Agreements ("IGA") for the performance of any or all functions which a Party to the IGA has the authority to perform.

B. The Parties to this IGA agree to support a joint effort to implement <u>HB 4123</u> and establish a countywide County-City Coordinated Houseless Response Office Pilot ("Office").

C. The Office will operate under the general direction of the Deschutes County Administrator ("CA") and subject to oversight and policy direction by the Oversight Board of Directors ("Board").

D. The Board will be comprised of one (1) elected official from each Party to this IGA. Initial Board members have the opportunity to make important, foundational decisions at inception including ensuring sound governance and input to the County Administrator on the hiring of the Executive Director ("ED"). The Board will approve the Office Strategic Plan and will provide policy direction to the Office.

E. The Deschutes County Counsel office will act as legal advisor to the Executive Director, the CA, and the Board for matters related to the Office or the purpose of this IGA. Nothing in this IGA is intended to abrogate, waive, or diminish the attorney-client privilege or other confidentiality provisions applicable between City elected officials and City employees and legal counsel for their respective cities.

F. Parties to this IGA shall appoint a staff liaison to attend Board meetings and work/coordinate with the Office.

G. Board members shall serve as a liaison between their elected body and the Office.

H. As an entity authorized by statute and formed by an IGA with the authority to make decision on policy and administration, the Board is considered a public body for the purposes of the public meetings law, will hold noticed meetings open to the public, and otherwise act in accordance with Oregon Public Meetings Law.

I. The Office will include an Advisory Panel ("Panel") comprised of houselessness experts drawn from the community, to include representatives with knowledge and experience in the areas of youth services, lived experiences, DEI, accessibility, housing, houselessness, land use, public education, health, education, philanthropy.

J. The Office will coordinate with and develop partnerships with local and regional stakeholders as specified in House Bill 4123.

K. The Office will be managed by an ED who will report to and be supervised by the CA or designee. The ED will be charged with general operation of the Office as more fully described in the Job Description attached hereto as Exhibit 1.

L. For the first two fiscal years, the Office will be funded with pilot funding of \$1,000,000 provided by the State of Oregon.

TERMS OF AGREEMENT

- 1. Effective Date/Duration. This IGA shall be effective when signed by two or more Parties. Unless extended or earlier terminated in a writing signed by a majority of the Parties, this IGA terminates on June 30, 2027.
- 2. Commitment to Support. Parties to this IGA commit to support the Office for a total of not less than five fiscal years. The Parties understand that this IGA will need to be amended as the funding and commitments for years 3-5 are further defined and clarified by the Parties.
- **3. Strategic Plan**. Within one year of receiving the funding from the State of Oregon, the Board will adopt a five-year strategic plan that identifies and sets goals as set forth in HB 4123.

4. Member Obligations.

- a. County will provide direct supervision to the Office and to all employees of the Office, including but not limited to the Executive Director. County will retain oversight of fiscal matters of the Office and will be responsible for all associated salary/wages, tax withholding, benefits, insurance, etc. No employment or contractual relationship of any kind exists or will exist between the Parties to this IGA (other than the County) and the Office/employees in the Office. The Office and the Board will be covered under the Deschutes County insurance.
- b. Bend will provide staff liaison and for two years, office facility for the Executive Director and support staff.

- c. La Pine will provide a staff liaison.
- d. Sisters will provide a staff liaison.
- e. Redmond will provide a staff liaison.

5. General Terms.

a. <u>Assignment.</u> This IGA, and each Party's rights and responsibilities associated with this IGA may not be assigned.

b. <u>Entire Agreement</u>. This IGA sets forth the entire agreement of the parties with respect to the subject matter of the IGA and supersedes any and all prior negotiations, discussions, agreements and understandings of the parties.

c. <u>Recitals</u>. The Recitals are incorporated into and made part of this IGA.

d. <u>Board Meetings</u>. Meetings of the Board shall establish a meeting schedule [that meets quarterly or monthly].

e. <u>Panel Meetings</u>. Meetings of the Panel shall occur monthly on the date established by the ED.

f. <u>Dispute Resolution</u>. The Parties agree to attempt to resolve any disputes related to this IGA first by meeting between the City Managers and County Administrator. In the event dispute resolution is unsuccessful, this IGA will be construed, applied and enforced in accordance with the laws of the State of Oregon. Any action or proceedings arising out of this IGA will be initiated in the Circuit Court of Deschutes County, Oregon.

g. <u>Severability</u>. If any provision of this IGA is held illegal or unenforceable in any respect, the remaining provisions remain in full force and effect to the extent possible.

- h. <u>Access to Records</u>. All parties to the IGA shall maintain fiscal records and all other records pertinent to this IGA.
 - 1. All fiscal records shall be maintained pursuant to generally accepted accounting standards, and other records shall be maintained to the extent necessary to clearly reflect actions taken.
 - 2. All records shall be retained and kept accessible for at least three years, or as otherwise required to be retained by Oregon law.
 - 3. If an audit, litigation or other action involving this IGA is started before the end of the three-year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three-year period, whichever is later.
 - 4. All Parties to this IGA and their authorized representatives shall have the right to direct access to all associated books, documents, and papers.

and records related to this IGA for the purpose of conducting audits and examinations and making copies, excerpts and transcripts.

- 5. In the event of a public records request, the Office is considered the custodian of the public records of the Board. To the extent more than one public body is the custodian of a given public record, when a city or county receives a request it has received from another public body, it may consult with the originating body to determine whether the records may be exempt from disclosure.
- i. <u>Amendment/Extension</u>. This IGA may be amended or extended by mutual written agreement of the Parties.
- j. <u>Indemnification</u>. Subject to the limits of the Oregon Tort Claims Act and the Oregon Constitution, each Party shall defend, indemnify, and hold each other Party, and its officers, agents, employees and volunteers, harmless against all liability, claims, losses, demands, suits, fees and judgments (collectively referred to as "claims") that may be based on, or arise out of, damage or injury (including death) to persons or property caused by or resulting from any act or omission of the Party in connection with the performance of this IGA or by conditions created thereby or based upon violation of any statute, ordinance or regulation. This indemnification shall not apply to claims caused by the sole negligence or willful misconduct of the other Party, its officers, agents, employees and volunteers. The Parties agree that they are not agents of each other and are not entitled to indemnification and defense under ORS 30.285 and ORS 30.287.
- k. Each Party has reviewed this IGA with its own legal counsel.
- I. The persons signing below acknowledge they have read and understood this agreement and certify that they have authorization from their governing bodies to execute this IGA and be bound by its terms.

CITY OF LA BEND

DESCHUTES COUNTY

By:	
Date:	

Nick Lelack, County Administrator

By:_____ Date: _____

CITY OF SISTERS

By:_____ Date: _____

CITY OF REDMOND

By:	
Date:	