



**CITY OF LA PINE, OREGON
CITY COUNCIL REGULAR MEETING
MEETING**

**Wednesday, February 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/82142816661>

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

ESTABLISHMENT OF 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.

- 1. 12.14.2022 Regular City Council Meeting Minutes.....3.
- 2. 01.11.2023 Regular City Council Meeting Minutes.....7.
- 3. Financial Reports (December 2022).....12.

PRESENTATIONS:

None.

PUBLIC HEARING:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

- 1. Community Grant Application – La Pine Middle School
 - a. Staff Report.....16.
 - b. Application.....17.
- 2. Policy Proposal – Communities Against Bigger Trucks (CABT)
 - a. Staff Report.....22.
 - b. Draft Letter of Support.....23.
 - c. Oregon Association of Chiefs of Police – Support Letter.....24.
 - d. Oregon Sheriff’s Association – Support Letter.....26.
 - e. Truckload Carriers Association – Support Letter.....33.
 - f. Owner Operator Independent Drivers Association Article.....36.
 - g. CABT - Proposed Configurations -Animation.....37.
- 3. Resolution 2023-01
 - a. Staff Report.....38.
 - b. Intergovernmental Agreement (Deschutes County Road Agency) Draft.....40.
 - c. Resolution 2023-01.....47.

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

ADJOURMENT

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, December 14, at 5:30 PM
La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: <https://us02web.zoom.us/j/84889382585>

MINUTES

1. CALL TO ORDER:

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

2. ESTABLISH A QUORUM:

PRESENT

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

CITY STAFF

City Manager, Geoff Wullschlager
Assistant City Manager, Ashley Ivans
Administrative Assistant, Stacie Skeeters

3. PLEDGE OF ALLEGIANCE: Mayor Richer led the Pledge of Allegiance.

4. PUBLIC COMMENTS:

None

5. ADDED AGENDA ITEMS:

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. 10.26.22 Regular City Council Meeting Minutes

A motion was made by Councilor Ignazzitto to approve the Consent Agenda from October 26, 2022. **Councilor Shields seconded the motion.**

Voting Aye: Councilor Scott, Councilor Shields, Councilor Ignazzitto

Voting Nay: None.

6. PRESENTATIONS:

None

7. PUBLIC HEARING:

None.

8. OLD BUSINESS:

None

9. NEW BUSINESS:

-State of Oregon Department of Administrative Services (DAS) Administrator access

The Oregon State Department of Administrative Services provides revenue to the city for a number of items. These items include, but are not limited to, State Shared Revenues, Grant Dollars, and payments for Utilities from various state agencies. It has recently come to the attention of the Finance Officer that the staff members listed on the account have not adjusted to reflect current appointments.

The city would like to remove the previous designations from the system and add Ashley Ivans as the Administrator. The access does not grant permission to expend dollars on the City's behalf as the city is not set up for this feature. This feature is delegated to State Agencies. It only permits review of remittances for monies directly deposited into the City's account. It is our intention once the account is set up to add City Manager, Geoff Wullschlager on the account as well.

A motion was made by Councilor Scott to approve access to Ashley Ivans, Finance Director, to our Department of Administrative services account for access to their billing portal. **Councilor Shields seconded.**

Voting Aye: Councilor Scott, Councilor Shields, Councilor Ignazzitto

Voting Nay: None.

-Urban Renewal Agency Reappointment

As of June 30, 2022, some terms have expired for our Urban Renewal Agency. These are terms assigned to Vicki Russell, Andrea Hine, and Colleen Scott.

Vicki and Andrea have expressed the desire to serve for another term. Ms. Ivans thanked Colleen for her service with the Urban Renewal Agency. The city will begin recruiting for this vacancy in January.

A motion to re-appoint Vicki Russell and Andrea Hine to the Urban Renewal Agency with a term ending date of June 30, 2026, was made by Councilor Ignazzitto. **Councilor Scott seconded.**

Voting Aye: Councilor Scott, Councilor Shields, Councilor Ignazzitto

Voting Nay: None.

-First Quarter 2022 Financial Reports

Ashley Ivans, Finance Director went over the Quarterly Financial Report for July – September 2022.

10. 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.

11. STAFF COMMENTS:

Finance Director: It has been interesting losing Jake and he will be very missed. She said that she is happy to be here.

City Manager: We have hired a new Administrative Assistant joining us January 3rd and Branden Bren has accepted the position of Utility Lead. We have had a number of candidates for the Public Works Manager, so far none of them have the collective required certifications

The water and sewer project will have water line testing on the main line running from Finley Butte to Drafter. The lagoons have been excavated, but they cannot finish at this time due to freezing temperatures. The sewer line has been engineered and installed, but not tested.

Midstate had a realignment on Reed Rd. for our pivots that will work better for where their power lines are.

Economic development has engaged with a private contract economist to create a formative report that yields where are our opportunities, threats, and emerging markets

are in the local economy and what we have in terms of work force inventory, in addition to industry growth and retraction in south county.

Councilor Scott will be leaving the Council. There is a write in candidate from the November election that has decided to decline the seat. There will be applications submitted by interested parties in January.

There is an ongoing issue with the houselessness around BLM and Forest Service land. The BLM district in Prineville hired two law enforcement ranger officers. The individual that has been assigned to our area recently did a sweep East of Drafter Road and issued forty citations for destruction of natural resources, driving off designated roads and camping overages. City Manager Wullschlager has asked them to contact the city to keep us informed as to agency efforts in our community.

11. MAYOR & COUNCIL COMMENTS:

Councilor Scott: Expressed her thanks to the staff for being so good through the transitions and changes throughout the last few months.

Councilor Shields: Thanked Colleen for her service.

Councilor Ignazzitto: Thanked Colleen for her service.

Mayor Richer: Thanked Colleen for her service and staff for ongoing efforts on behalf of the city.

12. ADJOURNMENT: Mayor Richer recessed the regular session at 6:00 p.m.

Daniel Richer, Mayor

Attest

Geoff Wullschlager, City Manager



CITY OF LA PINE, OREGON

CITY COUNCIL REGULAR MEETING

Wednesday, January 11, 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/88182888006>

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.

MINUTES

PREAMBLE: This is a social holiday City gathering of the City Council, Planning Commission, and City staff that due to quorum(s) being present, constitutes a public meeting thus must be noticed per public meeting law (Sunshine Laws). There is no old or new business scheduled and all business of the Regular City Council Meeting will commence after conclusion of the gathering and subsequent initiation of regular meeting scheduled for 5:30 p.m.

CALL TO ORDER

Mayor Richer called the meeting to order at 5:32pm

ESTABLISHMENT OF QUORUM

Councilors Present:

Mayor Richer

Councilor Van Damme

Councilor Shields

Councilor Ignazzitto

Staff Present:

Geoff Wullschlager, City Manager

Ashley Ivans, Assistant City Manager

Alexa Repko, Principal Planner

Amanda Metcalf, Administrative Assistant

PLEDGE OF ALLEGIANCE

Mayor Richer led the 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.

There were no public comments.

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

Mrs. Ivans added an agenda item for the opening of a bank account with LGIP which will be discussed under item 5.

CONSENT AGENDA:

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- 1. 12.14.2022 Regular City Council Meeting Minutes.....3.

No motion made or seconded, however all councilors were in favor of approving the Consent Agenda

PRESENTATIONS:

None.

PUBLIC HEARING:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

- 1. City Council sub-committee appointments (discussion)

Mr. Wullschlager sub-committee appointments for the upcoming twelve-month period. The following appointments were made.

- Central Oregon Area Commission on Transportation (COACT): Councilor Van Damme
- Central Oregon Intergovernmental Council (COIC): Councilor Van Damme/ Councilor Ignazzitto (second)
- Central Oregon Cities Organization (COCO): Mayor Richer and Mr. Wullschlager
- Sunriver/La Pine Economic Development (SLED):
- League of Oregon Cities – Small Cities Network: Councilor Shields
- Deschutes River Basin Water Study Group:

- Urban Renewal Agency: Councilor Ignazzitto
- Regional Solutions Center:
- Regional Housing Council: It was decided to wait until the State Government meets. This issue will be discussed further at the next meeting.
- Regional Homelessness action: Mayor Daniel Richer

2. Proclamation 2023-01 -Year of the Volunteer

City Administration was approached by Ms. Kenna Sneed with a request for the formal recognition of 2023 as Year of the Volunteer. Ms. Sneed is a community advocate and volunteer coordinator who had previously held a city sanctioned volunteer appreciation event during 2022. She ventures to boost community engagement through volunteer efforts in 2023 and is hoping that the City will approve the proclamation.

City Administration was approached by Ms. Kenna Sneed with a request for the formal recognition of 2023 as Year of the Volunteer. Ms. Sneed is a community advocate and volunteer coordinator who had previously held a city sanctioned volunteer appreciation event during 2022. She ventures to boost community engagement through volunteer efforts in 2023 and is hoping that the City will approve the proclamation.

Mayor Richer read the Proclamation in full.

Councilor Van Damme called Ms. Sneed to comment about the financial implications and the responsibilities of the city. Sneed replied that the city will only need to post the proclamation and the Community would be responsible for the researching of the volunteers. In addition, Ms. Sneed said that that there will likely be requests for grants regarding awards and their distributions. Mayor Richer clarified that currently there is no financial commitment with the passing of the Proclamation.

Councilor Ignazzitto made a motion to approve Proclamation 2023-01 – Year of the Volunteer. Seconded by Councilor Shields. Councilor Shields and Councilor Ignazzitto were in favor. Councilor VanDamme was opposed. Motion passed.

3. Financial Reports – October-November 2022

Mrs. Ivans gave a brief report on the Financials. She said that from this point on, these reports will be added to the Consent Agenda. The Council had no comments or questions.

4. City Council Vacancy

Mr. Wullschlager presented applicant Jeffrey Brian Poteet for the vacant city council seat. Councilor Van Damme and Councilor Ignazzitto complemented the applicant's credentials, and Mayor Richer noted the diversity of his experience. Mr. Wullschlager presented the options available due to Mr. Poteet not being a resident within City Limits for 12 months the options were: a) To accept his application and no decision will be made b) wait for more applicants until April 2023 c) make him councilor elect. Councilor Van Damme wanted to make councilor elect, Councilor Shields said to keep options open until April and wait to see if anyone else applies. Councilor Ignazzitto agreed with Councilor Shields and would like to wait for more applicants. Councilor Ignazzitto recommended waiting until March 2023 and then if no other applications making Mr. Poteet councilor elect. Mayor

Richer recommended to Mr. Poteet that he should sit on another committee if interested. Mr. Poteet expressed interest in SLED.

It was decided that the position should stay open until more applications are received.

5. Opening of LGIP (Local Government Investment Pool) Account

Mrs. Ivans is recommending that the City open an account with LGIP and transfer 5 million dollars from the City's current Money Market Account with Washington Federal. She gave a brief overview of the LGIP's banking system and noted the increased interest rates. She said that the auditors had recommended this account for that reason.

After a brief discussion, **Councilor Van Damme made a motion to approve Opening of LGIP Account. Seconded by Councilor Ignazzitto. Motion approved.**

Roll Call Vote as follows:

Councilor Van Damme – Aye

Councilor Shields – Aye

Councilor Ignazzitto – Aye

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.

There were no public comments.

STAFF COMMENTS

Amanda Metcalf: Excited to be at here at her first Council Meeting.

Alexa Repko: Ms. Repko had a quick update; she has had a few applications and is working on a 60-unit affordable housing on Memorial and Huntington. The Planning Committee will have a hearing for a subdivision, in addition to the Flood Plain Ordinance which she is waiting on FEMA. Ms. Repko is currently updating maps, gearing to update the long-range plans, and updating the platform Accela.

Geoff Wullschlager: The Wastewater/Water project is 3-6 months ahead of schedule. The road to the plant was constructed over with the new lagoon. The new road is closed because the weather has damaged it. The Engineers are working on a solution, including a solution for septage dumpers. One solution is having them sign a waiver of liability with conditions and the road can only be at times below when the weather is below 40 degrees. A large portion of the testing is underway for the new water mainline, including a chlorine test, a pressure test, and bacT test.

Mr. Wullschlager reported that the transition of Power for the seat of Governor changed this week, and Governor Kotek has signed three executive orders regarding homelessness which will have unknown impacts and city mandates.

Councilor Van Damme mentioned that Skidgel Road is also damaged. Mr. Wullschlager reported that once the road thaws the city will be diligent about blading the road. Mr. Wullschlager offered to put out a public notice regarding the roads. Mayor Richer would like a sign at the beginning of all the roads in that subdivision that do not have an outlet. Staff said that they would work on with the Contractor on this endeavor.

MAYOR & COUNCIL COMMENTS

Mayor Richer: Thanked Amanda Metcalf for coming onto the staff.

Councilor Van Damme: Comments addressed in previous section.

Councilor Shields: No Comment

Councilor Ignazzitto: no comment

ADJOURMENT

Mayor Richer adjourned the meeting at 6:13

EXECUTIVE SESSION:

EXECUTIVE SESSION

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There was no Executive Session.



FINANCIAL SUMMARY December 31, 2022

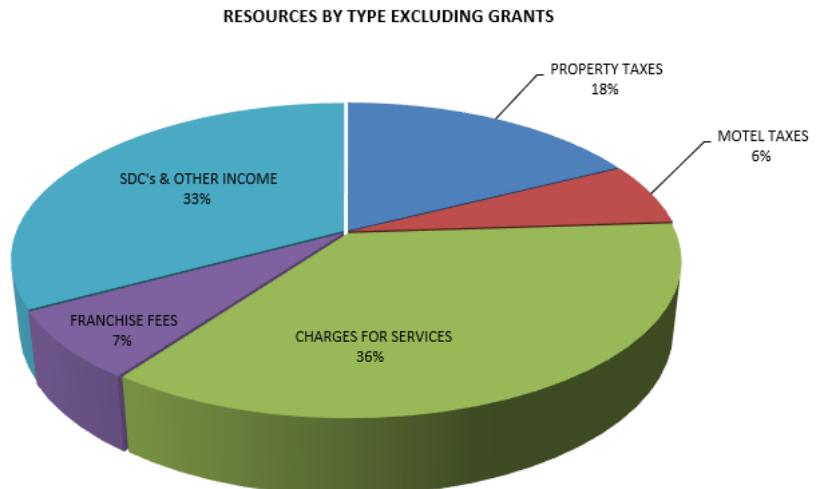
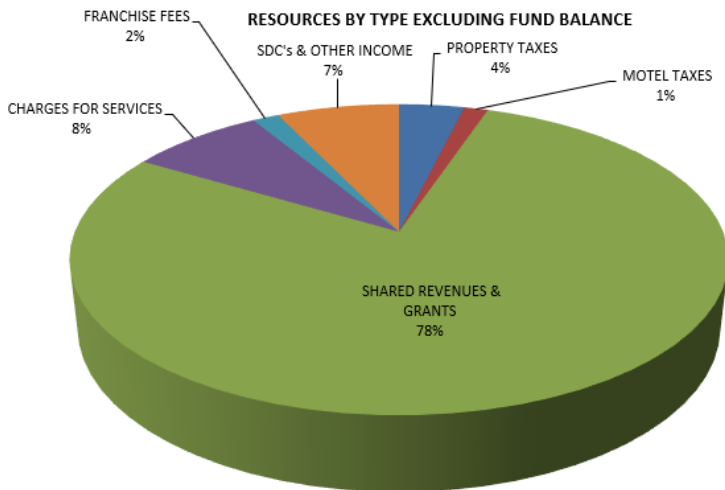
TOTAL RESOURCES - BUDGET TO ACTUAL

AS OF DECEMBER 31, 2022,

	Year To Date	FY 2022-23 Budget	Budget Remaining	(50% lapsed) % Earned
BEGINNING FUND BALANCE	14,605,238	14,605,238	-	100.0%
PROPERTY TAXES	395,552	407,368	11,816	97.1%
MOTEL TAXES	144,249	162,380	18,131	88.8%
SHARED REVENUES & GRANTS	8,117,380	34,944,243	26,826,863	23.2%
CHARGES FOR SERVICES	812,331	1,666,452	854,121	48.7%
FRANCHISE FEES	159,618	249,900	90,282	63.9%
SDC's & OTHER INCOME	741,124	3,029,688	2,288,564	24.5%
	24,975,492	55,065,269	30,089,777	45.4%

FINANCIAL HIGHLIGHTS - RESOURCES:

- Grant Revenue has increased due to the Water and Wastewater Capital Improvement projects
- Charges for services include Water & Sewer Service, Business Licenses, Cemetery Plots, Land Use Planning Fees, and Industrial Park Leases & Sales.
- A large portion of property taxes were received in November, making up for 14% of revenue (grants excluded).



RESOURCES - BUDGET TO ACTUAL BY FUND

AS OF DECEMBER 31, 2022

	Year To Date	FY 2022-23 Budget	Budget Remaining	(50% lapsed) % Earned
GENERAL FUND				
BEGINNING FUND BALANCE	2,096,967	2,096,967	-	100.0%
PROPERTY TAXES	395,552	407,368	11,816	97.1%
SHARED REVENUES & GRANTS	1,426,516	608,073	(818,443)	234.6%
MOTEL TAXES (30%)	43,275	47,380	4,105	91.3%
CHARGES FOR SERVICES	1,308	15,918	14,611	8.2%
FRANCHISE FEES	159,618	249,900	90,282	63.9%
MISCELLANEOUS & OTHER INCOME	85,774	49,678	(36,096)	172.7%
INTERFUND TRANSFERS - IN	-	3,000	3,000	
	<u>4,209,010</u>	<u>3,478,284</u>	<u>(733,726)</u>	<u>121.0%</u>
CEMETERY FUND				
BEGINNING FUND BALANCE	40,480	\$ 40,480	-	100.0%
CHARGES FOR SERVICES	3,453	1,500	(1,953)	230.2%
INTERFUND TRANSFERS - IN	7,500	7,500	-	
	<u>51,433</u>	<u>49,480</u>	<u>(1,953)</u>	<u>103.9%</u>
STREETS FUND				
BEGINNING FUND BALANCE	1,348,701	1,348,701	-	100.0%
SHARED REVENUES & GRANTS	106,015	143,170	37,155	74.0%
MISCELLANEOUS & OTHER INCOME	-	475,500	475,500	0.0%
INTERFUND TRANSFERS - IN	200,000	200,000	-	
	<u>1,654,716</u>	<u>2,167,371</u>	<u>512,655</u>	<u>76.3%</u>
TOURISM FUND				
BEGINNING FUND BALANCE	295,956	295,956	-	100.0%
MOTEL TAXES	100,974	115,000	14,026	87.8%
MISCELLANEOUS & OTHER INCOME	-	500	500	
	<u>396,930</u>	<u>411,456</u>	<u>14,526</u>	<u>96.5%</u>
COMMUNITY DEVELOPMENT FUND				
BEGINNING FUND BALANCE	604,463	604,463	-	100.0%
CHARGES FOR SERVICES	23,513	55,000	31,487	42.8%
ADVANCED PLANNING FEES	36,925	114,945	78,020	32.1%
MISCELLANEOUS & OTHER INCOME	-	300,000	300,000	0.0%
INTERFUND TRANSFERS - IN	40,000	40,000	-	100.0%
	<u>704,901</u>	<u>1,114,408</u>	<u>409,507</u>	<u>63.3%</u>
INDUSTRIAL/ECONOMIC DEVELOPMENT				
BEGINNING FUND BALANCE	129,423	129,423	-	
INDUSTRIAL SITE LEASES / SALES	5,943	43,000	37,057	13.8%
MISCELLANEOUS & OTHER INCOME	4,750	47,500	42,750	10.0%
INTERFUND TRANSFERS - IN	45,000	45,000	-	100.0%
	<u>185,116</u>	<u>264,923</u>	<u>79,807</u>	<u>69.9%</u>
RESERVE FUND - WATER/SEWER				
BEGINNING FUND BALANCE	2,318,200	2,318,200	-	100.0%
	<u>2,318,200</u>	<u>2,318,200</u>	<u>-</u>	<u>100.0%</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	4,639,576	4,639,576	-	100.0%
SYSTEM DEVELOPMENT CHARGES	628,729	1,717,285	1,088,556	36.6%
	<u>5,268,305</u>	<u>6,356,861</u>	<u>1,088,556</u>	<u>82.9%</u>
WATER FUND				
BEGINNING FUND BALANCE	1,681,888	1,681,888	-	100.0%
GRANT REVENUE	6,547,923	15,890,500	9,342,577	41.2%
CHARGES FOR SERVICES	418,550	768,817	350,267	54.4%
MISCELLANEOUS & OTHER INCOME	18,968	104,280	85,312	18.2%
	<u>8,667,329</u>	<u>18,445,485</u>	<u>9,778,156</u>	<u>47.0%</u>
SEWER FUND				
BEGINNING FUND BALANCE	1,256,081	1,256,081	-	100.0%
GRANT REVENUE	-	18,302,500		
CHARGES FOR SERVICES	362,467	782,217	419,750	46.3%
MISCELLANEOUS & OTHER INCOME	-	220,000	220,000	0.0%
INTERFUND TRANSFERS - IN	215,000	215,000	-	100.0%
	<u>1,833,548</u>	<u>20,775,798</u>	<u>639,750</u>	<u>8.8%</u>



FINANCIAL SUMMARY December 31, 2022

TOTAL EXPENDITURES - BUDGET TO ACTUAL

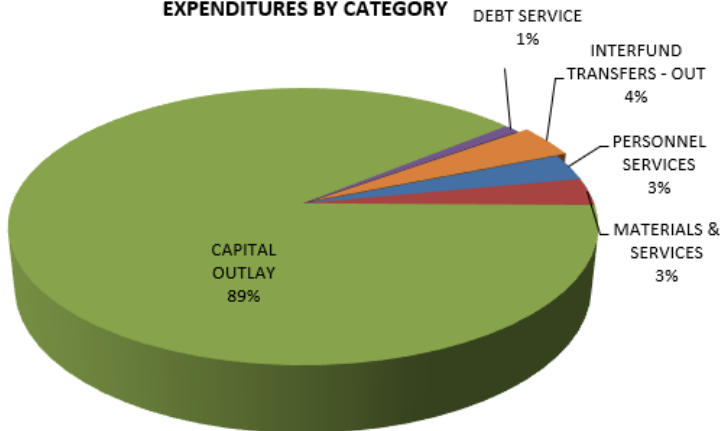
AS OF December 31, 2022

	Year To Date	FY 2022-23 Budget	Budget Remaining	(50% lapsed)
PERSONNEL SERVICES	414,013	1,229,381	815,368	33.7%
MATERIALS & SERVICES	421,449	1,631,377	1,209,928	25.8%
CAPITAL OUTLAY	11,743,768	43,258,276	24,182,732	27.1%
DEBT SERVICE	129,825	233,994	104,169	55.5%
INTERFUND TRANSFERS - OUT	507,500	507,500	-	100.0%
	13,216,555	47,532,341	26,984,010	27.8%

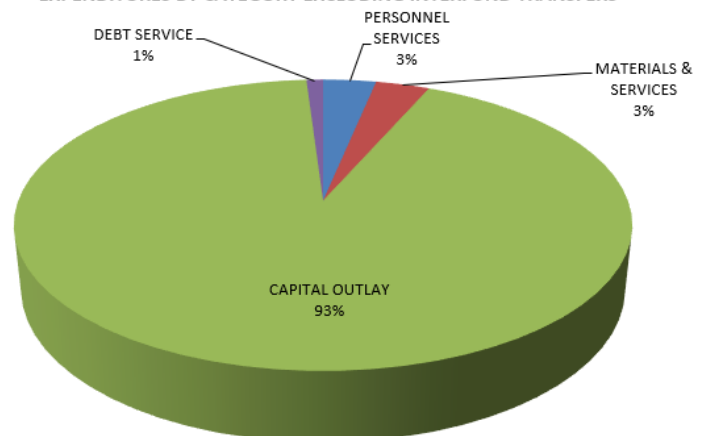
FINANCIAL HIGHLIGHTS – EXPENDITURES:

- Expenditures are in line with staff expectations.
- Capital Outlay is our greatest expense. This is due to the completion of the Transit Center and the onset of the Water and Wastewater Capital Improvement Projects.
- The Water & Sewer materials have leveled out, as staff has expected.

EXPENDITURES BY CATEGORY



EXPENDITURES BY CATEGORY EXCLUDING INTERFUND TRANSFERS



EXPENDITURES - BUDGET TO ACTUAL BY FUND

AS OF December 31, 2022

	Year To Date	FY 2022-23 Budget	Budget Remaining	(50% lapsed) % Expended
GENERAL FUND				
PERSONNEL SERVICES	60,023	200,065	140,042	30.0%
MATERIALS & SERVICES	80,854	541,212	460,358	14.9%
CAPITAL OUTLAY	337,588	406,000	68,412	83.1%
DEBT SERVICE	33,291	40,926	7,635	81.3%
INTERFUND TRANSFERS - OUT	507,500	507,500	-	100.0%
	<u>1,019,256</u>	<u>1,695,703</u>	<u>676,447</u>	<u>60.1%</u>
CEMETERY FUND				
MATERIALS & SERVICES	2,392	14,610	12,218	16.4%
CAPITAL OUTLAY	-	5,000	5,000	0.0%
	<u>2,392</u>	<u>19,610</u>	<u>17,218</u>	<u>12.2%</u>
STREETS FUND				
PERSONNEL SERVICES	39,661	112,387	72,726	35.3%
MATERIALS & SERVICES	38,429	184,815	146,387	20.8%
CAPITAL OUTLAY	4,755	692,500	687,745	0.7%
	<u>82,845</u>	<u>989,702</u>	<u>906,857</u>	<u>8.4%</u>
TOURISM FUND				
MATERIALS & SERVICES	18,742	93,000	74,258	20.2%
CAPITAL OUTLAY	44,323	60,000	15,677	73.9%
INTERFUND TRANSFERS - OUT	-	-	-	0.0%
	<u>63,065</u>	<u>153,000</u>	<u>89,935</u>	<u>41.2%</u>
COMMUNITY DEVELOPMENT FUND				
PERSONNEL SERVICES	54,246	176,294	122,048	30.8%
MATERIALS & SERVICES	8,202	79,000	70,798	10.4%
	<u>62,448</u>	<u>255,294</u>	<u>192,846</u>	<u>24.5%</u>
INDUSTRIAL AND ECONOMIC DEVELOPMENT				
MATERIALS & SERVICES	37,758	138,500	100,742	27.3%
	<u>37,758</u>	<u>138,500</u>	<u>100,742</u>	<u>27.3%</u>
SDC FUND				
CAPITAL OUTLAY		5,013,576	5,013,576	0.0%
	<u>-</u>	<u>5,013,576</u>	<u>-</u>	<u>0.0%</u>
WATER AND SEWER RESERVE FUND				
CAPITAL OUTLAY		2,318,200	2,318,200	0.0%
	<u>-</u>	<u>2,318,200</u>	<u>-</u>	<u>0.0%</u>
WATER FUND				
PERSONNEL SERVICES	130,030	370,810	240,780	35.1%
MATERIALS & SERVICES	107,087	271,615	164,528	39.4%
CAPITAL OUTLAY	7,098,686	15,890,500	8,791,814	44.7%
DEBT SERVICE	96,534	193,068	96,534	50.0%
SPECIAL PAYMENTS	-	200,000	200,000	0.0%
INTERFUND TRANSFERS - OUT	-	-	-	0.0%
	<u>7,432,336</u>	<u>16,925,993</u>	<u>9,493,657</u>	<u>43.9%</u>
SEWER FUND				
PERSONNEL SERVICES	130,053	369,825	239,772	35.2%
MATERIALS & SERVICES	127,987	308,625	180,638	41.5%
CAPITAL OUTLAY	4,258,417	18,872,500	14,614,083	22.6%
SPECIAL PAYMENTS	-	471,813	471,813	0.0%
INTERFUND TRANSFERS - OUT	-	-	-	0.0%
	<u>4,516,457</u>	<u>20,022,763</u>	<u>15,506,306</u>	<u>22.6%</u>



CITY OF LA PINE

STAFF REPORT

Meeting Date: February 8, 2023
TO: City Council
FROM: Ashley Ivans, Finance Director *Ashley Ivans*
SUBJECT: Funding Request – La Pine Middle School

- | | | | |
|--------------------------|-------------------------|-------------------------------------|-----------------------------------|
| <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: Please see below |
-

Councilmembers:

Attached to this memorandum is a funding request from the La Pine Middle School for \$2,000. The funding is requested to support students in learning skills related to social awareness, relationship skills, and responsible decision-making – amongst other things. There is a one-page pamphlet related to this program contained in the funding request. While I am supportive of the cause related to this program, I believe that the application is incomplete. Some of the questions I am posed with include:

- How much funding for this program is coming from other sources?
 - o As a follow up, what are the other sources?
- While the application states that the funding requested is \$2,000, the budget spreadsheet is unclear as to which area (Program cost or Travel) the funding requested would go to.
- I would be interested to know why the Middle School is not paying this from their regular programs budget?
 - o As a follow up, is this application for the Middle School, or is the Middle School acting as a pass through?

The City has the funds to approve this funding request.

The Council has three options moving forward on this application:

- A) Recommend that the applicant better complete the application and return to request funding at a future meeting.
- B) Approve the funding request after the presentation by the applicant.
- C) Deny the funding request.

If the Council chooses to approve the funding request, I would recommend the following motion, followed by a roll call vote since this is a financial matter.

“I move that we approve a funding request for the La Pine Middle School in the amount of \$2,000 – this funding will come from the City’s General Fund.”

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 Middle School
2. ^{Tax} Non-Profit ID #: 93-6000393
3. Mailing Address: PO Box 305 LaPine, OR 97739
4. Telephone No.: 541-355-8200
5. Email: darla.brandon@bend.k12.or.us
6. Contact Person: Darla Brandon, Mary Russell (parent representative)
7. Requested Amount: \$2,000
8. Project/Use for Funds: Challenge Day at LPMS this April or May 2023
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: City Manager
16345 Sixth Street
P. O. Box 2460
La Pine, OR 97739

Date Received: _____

Approved _____ Denied _____ Date _____

Amount _____



LAPINE

OREGON

Budget Spreadsheet

Name of Event:

Challenge Day at LPMS

Income	Estimated	Actual
Event Proceeds (entry fees, ticket sales, etc.)		
TOTALS		

Extra Sales (auction, raffle, misc. sales)	Estimated	Actual
TOTALS		

Sponsorships	Estimated	Actual
TOTALS		

Donations	Estimated	Actual
TOTALS		

Expenses	Estimated	Actual
Site/Decorations (equipment, balloons, food, etc.)		
Program charge Program charge	3900	3900
TOTALS		

Other Expenses	Estimated	Actual
Travel	1500	
TOTALS		

	Estimated	Actual
Overall Budget		
Income		
Expenses		
Net Profit (Loss)		

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 its new budget in June of each year and can only award as much as budgeted, which can vary, from year to year.

La Pine Middle School

Perseverance Respect Integrity Discipline Excellence

La Pine Middle school serves over 300 students in grades 6-8. The mission of La Pine Middle School is to build a welcoming, respectful, rigorous, and engaging learning environment where all students belong and can thrive. Over the last few years, the school has faced many transitions in the midst of COVID, new leadership, and cultural changes. Many of our families face immense poverty and trauma that impact our student's ability to thrive in an educational environment. Our staff is committed to providing the best opportunities possible for our students. In order to do this, a schoolwide culture shift is essential. Challenge Day is a program that has the opportunity to significantly propel our mission to create an inclusive and welcoming learning environment for all of our students.

The program will consist of an intensive workshop that will include up to 100 students. Our primary target for this will be our 7th grade class. Currently, our 7th grade class has a significant amount of behavior concerns and would greatly benefit from the program's focus that includes self confidence, advocacy, and coping skills. In addition, we are hoping to fund a schoolwide assembly following the Challenge Day workshop that will include all students. The assembly will build concepts of empathy, compassion, and authenticity through engaging activities and impactful life stories.

The cost of the event is \$3900 plus the travel costs of the facilitators, which is estimated to be about \$1500. We are hoping to host this event the first week of April and continue this event regularly in order to continue building a culture that is welcoming and students thrive. If you have any questions or concerns, please contact Darla Brandon, Assistant Principal at La Pine Middle School.

Sincerely,



Darla Brandon
Assistant Principal
La Pine Middle School
541-355-8307

Brian Barringer / Principal
Darla Brandon / Assistant Principal

16360 1st Street
P.O. Box 305
La Pine, Oregon 97739

Office: 541-355-8200
Fax: 541-355-8210



Challenge Day

CHALLENGE DAY IS AN EXPERIENTIAL PROGRAM THAT GUIDES STUDENTS THROUGH THE KEY TEACHINGS LISTED BELOW. IN THIS PROGRAM, STUDENTS ARE GUIDED THROUGH A SERIES OF INTERACTIVE ACTIVITIES THAT ALLOW THEM TO PRACTICE, FIRST-HAND, THE TOOLS THAT HAVE PROVEN TO SUPPORT INDIVIDUALS AND SCHOOL COMMUNITIES. IT IS DESIGNED TO CREATE CONNECTION, INCLUSIVITY, AND BREAK DOWN BARRIERS.

SOME OF THE TOOLS STUDENTS WILL EXPERIENCE ARE: PRACTICING MINDFULNESS, TAKING ACTION, ACTIVE LISTENING, THE POWER OF VULNERABILITY, LEARNING TO RESPONSIBLY MANAGE EMOTIONS, DEVELOPING SELF-CONFIDENCE, OFFERING COMPLIMENTS AND SHARING GRATITUDE, SPEAKING OUT AND USING THEIR VOICE.

IN THE PAST YEAR, THERE HAVE BEEN NUMEROUS AND DRASTIC CHANGES TO SCHOOL STRUCTURES AND THEIR COMMUNITIES. YOUNG PEOPLE ARE REPORTING INCREASED ANXIETY, DEPRESSION, SEPARATION AND LONELINESS. CHALLENGE DAY IS DESIGNED TO PROVIDE A SUPPORTIVE ENVIRONMENT FOR STUDENTS TO COME TOGETHER, REMEMBER THEY'RE NOT ALONE, AND LEAVE FEELING EMPOWERED, REMEMBERING THEIR STRENGTH AND RESILIENCE.

\$3,900.00

PROGRAM SPECIFICS

- Up to 100 Student Participants
- Designed for 7-12th grade
- 5 Hour & 45 Minute Program
- Faculty/Staff Participation-
 - 1:4 adult to student ratio
 - Pre and Post meeting required
- Counselor participation
- Share resources available to students
-
-

PRIMARY SEL COMPETENCIES:

- Social Awareness
- Relationship Skills
- Self-Awareness
- Self-Management
- Responsible Decision Making




CITY OF LA PINE

STAFF REPORT

Meeting Date: February 08, 2023

TO: City Council

FROM: Geoff Wullschlager, City Manager 

SUBJECT: Opening of LGIP (Local Government Investment Pool) Account

<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:

Councilmembers:

City Administration was approached by the policy initiative group, Coalition Against Bigger Trucks (CABT) in December of 2022. The group is engaged in lobbying efforts to oppose the passage of legislation that would permit increases in size and weight for commercial trucks on highway systems throughout the United States.

Within initial conversation with CABT representatives, City Administration inquired as to how the trucking and freight transportation industries, in addition to highway safety and law enforcement, viewed the policy arena. It was shared with city staff that the largest transporters and courier companies, are in favor of larger weight and size (see attachment g.) and that mid-size and carriers, owner operators, and law enforcement agencies are generally opposed.

Attached to this business item are numerous endorsements of CABT’s position, in addition to a draft letter of support that the Council has been asked to consider.

Action:

CABT staff have been informed that the Council may decide to withhold endorsement without further presentation. If the Council feels strongly about supporting this matter, a motion to endorse the Coalition Against Bigger Trucks by the City of La Pine City Council, should be made, followed by a second, and a roll call vote, as this could become legislation before Congress. If Council would like further familiarization, please instruct city staff to set up a presentation time for CABT at a future Council meeting.

Bigger Trucks: Bad for America's Local Communities

Dear Members of Congress,

Representing local communities and Americans across the nation, we are concerned about our transportation infrastructure. We strongly oppose proposals in Congress that would allow any increase in truck length or weight—longer double-trailer trucks or heavier single-trailer trucks would only make our current situation worse.

Local communities and our residents are what drive this country. We work every day to make sure the needs and safety of our residents are met. Allowing heavier and longer trucks will most certainly set us back in our efforts. Much of our transportation infrastructure that connects people to jobs, schools and leisure is in disrepair, in part because local and rural roads and bridges are older and not built to the same standards as Interstates. Many of us are unable to keep up with our current maintenance schedules and replacement costs because of underfunded budgets.

The impacts of longer or heavier tractor-trailers would only worsen these problems. Millions of miles of truck traffic operate on local roads and bridges across the country, and any bigger trucks allowed on our Interstates would mean additional trucks that ultimately find their way onto our local infrastructure. Longer and heavier trucks would cause significantly more damage to our transportation infrastructure, costing us billions of dollars that local government budgets simply cannot afford, compromising the very routes that American motorists use every day.

On behalf of America's local communities and our residents, we ask that you oppose any legislation that would allow any increase in truck length or weight.

Sincerely,

Please print your title and name here to be added to the list for this letter – thank you.



Kevin Campbell

Executive Director
Oregon Association Chiefs of Police
503-315-1411 (work)
503-580-9485 (cell)
kevin@victorygrp.com

Dear Congressman DeFazio,

The Oregon Association of Chiefs of Police is respectfully asking for your opposition to nationwide increases in size and weight for commercial trucks on our state's highways and roads. We join with national groups such as the International Association of Chiefs of Police (IACP) and the National Association of Police Organizations (NAPO), with public safety at the front and center of this issue.

From a law enforcement perspective, even the current weights and length of trucks on our roads today is cause for concern and represents a big risk for the motoring public.

An increase in truck size and weight – of any amount – not only would result in considerable damage to roads, bridges and small infrastructure such as curbs, signs, and traffic signals in our cities, but also adds an increased risk to drivers as well as our men and women in uniform. Truck size and weight increases are also opposed by dozens of municipal, law enforcement and EMS groups for the following reasons:

Bigger trucks are more dangerous. A Marshall University-led study found that double-trailer trucks had an 11% higher fatality rate than single trailer trucks, and it stands to reason that even longer variations of this truck would compromise blind spots and stability of the trailers. Similarly, the 2016 USDOT Comprehensive Study on Bigger Trucks found in limited state testing that states allowing heavier trucks now see higher crash rates associated with those higher weights

Oregon already allows massive triple-trailer trucks on some Interstate routes, and adding longer doubles (which we see even more of than triples on the Interstates), will create even more risky passing, acceleration and merging situations with significantly increased stopping distances (22 feet, compared to the size of today's doubles)

These bigger trucks will not be confined to the Interstates – they will send up using state and locally-managed roads because they are allowed reasonable access to gas, fuel and lodging, not to mention any roads necessary to access warehouses or locations to make drop-offs and pickups

Additional weight has been associated with accelerated damage to vital safety equipment such as brakes, suspension, and tires, many of which fall into the category of an "Out-of-Service violation"

There were 1,466 large-truck crashes in Oregon in 2018, according to the Federal Motor Carrier Safety Administration--and in those crashes, 60 people lost their lives and 578 people sustained injuries.

Many cities in Oregon are moving towards creating more transit-oriented, walkable and bikeable communities – having bigger trucks on many of the state roads that come through our cities' downtowns does not help produce a conducive environment for that development

This issue is common-sense to Oregon's Chiefs of Police across the state: safety should be the first consideration in matters relating to what is allowed on the road. Please join us in opposing any legislation that would increase commercial maximum truck weight or length.

Thank you,

Kevin Campbell
Executive Director,
Oregon Association Chiefs of Police



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Jeff Merkley
United States Senate
313 Hart Senate Office Building
Washington, DC 20510

Dear Senator Merkley,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

While we recognize the critical role of large commercial trucks in Oregon's economy, particularly in the logging and agricultural community, we do not believe keeping the current federal truck size and weight regulations in place will negatively affect industries. In fact, there are already state exemptions in weight and size for the logging industry, specified in (*Oregon Rev. Statute sec. 818.210 [4] and [5]*). In fact, we believe it makes more sense for individual states, rather than the federal government, to set these policies given differing population densities, topography and environmental factors.

Among the many safety concerns law enforcement, including the National Sheriffs' Association (NSA) has regarding heavier weights and longer trailers nationwide include the impact on traffic, less maneuverability, increased blind spots, enhanced risk in poor weather/visibility, and increased rollover potential given that heavier trucks have a higher center of gravity. The 2016 USDOT study on bigger trucks found that heavier iterations were associated with higher crash involvement rates and more braking violations, and longer double-trailer trucks had significantly longer stopping distances. This creates a heightened risk not only for motorists on the road, but also for the deputies and first responders on our highways working to save lives.

According to the Federal Motor Carrier Safety Administration, in 2021 there were 1,651 large-truck crashes in Oregon. Unfortunately, 67 people lost their lives in these crashes, a 22% increase over the prior year. On a national basis, large-truck crash fatalities have been increasing every year since 2014.

Therefore, the Oregon State Sheriffs' Association joins with the National Sheriffs' Association (NSA) and scores of other law enforcement associations around the nation and respectfully requests that you oppose any bill to increase truck lengths or weights.

Thank You,

A handwritten signature in blue ink, appearing to read "Jason Myers".

Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Ron Wyden
United States Senate
221 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

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Thank You,


Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Suzanne Bonamici
United States House of Representatives
2231 Rayburn House Office Building
Washington, DC 20510

Dear Representative Bonamici,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

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Therefore, the Oregon State Sheriffs' Association joins with the National Sheriffs' Association (NSA) and scores of other law enforcement associations around the nation and respectfully requests that you oppose any bill to increase truck lengths or weights.

Thank You,

Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Cliff Bentz
United States House of Representatives
409 Cannon House Office Building
Washington, DC 20510

Dear Representative Bentz,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

While we recognize the critical role of large commercial trucks in Oregon's economy, particularly in the logging and agricultural community, we do not believe keeping the current federal truck size and weight regulations in place will negatively affect industries. In fact, there are already state exemptions in weight and size for the logging industry, specified in (*Oregon Rev. Statute sec. 818.210 {4} and {5}*). In fact, we believe it makes more sense for individual states, rather than the federal government, to set these policies given differing population densities, topography and environmental factors.

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Therefore, the Oregon State Sheriffs' Association joins with the National Sheriffs' Association (NSA) and scores of other law enforcement associations around the nation and respectfully requests that you oppose any bill to increase truck lengths or weights.

Thank You,

A blue ink signature of Jason Myers, written in a cursive style.

Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Earl Blumenauer
United States House of Representatives
1111 Longworth House Office Building
Washington, DC 20510

Dear Representative Blumenauer,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

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Thank You,

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Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Val Hoyle
United States House of Representatives
1620 Longworth House Office Building
Washington, DC 20510

Dear Representative Hoyle,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

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Therefore, the Oregon State Sheriffs' Association joins with the National Sheriffs' Association (NSA) and scores of other law enforcement associations around the nation and respectfully requests that you oppose any bill to increase truck lengths or weights.

Thank You,

A blue ink signature of Jason Myers, written in a cursive style.

Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Lori Chavez-DeRemer
United States House of Representatives
1722 Longworth House Office Building
Washington, DC 20510

Dear Representative DeRemer,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

While we recognize the critical role of large commercial trucks in Oregon's economy, particularly in the logging and agricultural community, we do not believe keeping the current federal truck size and weight regulations in place will negatively affect industries. In fact, there are already state exemptions in weight and size for the logging industry, specified in (*Oregon Rev. Statute sec. 818.210 {4} and {5}*). In fact, we believe it makes more sense for individual states, rather than the federal government, to set these policies given differing population densities, topography and environmental factors.

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Executive Director

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OREGON STATE SHERIFFS' ASSOCIATION

PO Box 7468, Salem, OR 97303 | 503.364.4204 | www.oregonsheriffs.org

January 24, 2023

The Honorable Andrea Salinas
United States House of Representatives
109 Cannon House Office Building
Washington, DC 20510

Dear Representative Salinas,

As the 118TH Congress begins, the Oregon State Sheriffs' Association would like to express our continued opposition to increasing existing federal weight and length limits of tractor-trailer vehicles. These proposals were soundly defeated in Congress years ago on a bi-partisan vote and we firmly believe these ideas are still not in the best interest of public safety.

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Thank You,


Jason Myers
Executive Director

JOIN. SERVE. PROTECT.



April 5, 2017

The Honorable Thad Cochran, Chairman, Senate Committee on Appropriations
The Honorable Patrick Leahy, Ranking Member, Senate Committee on Appropriations
The Honorable Rodney Frelinghuysen, Chairman, House Committee on Appropriations
The Honorable Nita Lowey, Ranking Member, House Committee on Appropriations
Washington, D.C.

Dear Leaders of the Senate Committee on Appropriations and House Committee on Appropriations:

The Truckload Carriers Association (TCA) is the only national trade association whose sole focus is the truckload segment of the trucking industry, which consists of over 524,000 companies within the U.S., operating millions of power units. Many of our member companies are small family-owned businesses that have spanned generations. TCA and its trucking company members are concerned about allowing freight shipping trucks to carry a maximum of 91,000 pounds with the addition of a 6th axle, up from the current 80,000 pounds standard.

While this change in operation attempts to improve trucking productivity on our highways, it clearly would only benefit a minority of carriers, while forcing the rest of the industry either to divert critical resources into these new configurations or risk becoming obsolete. Our specific concerns relating to a weight increase are outlined below:

Equipment Retrofit and Capital Costs:

The most readily apparent equipment modification necessary for 91,000 lbs./6 axle configurations would be retrofitting a trailer with a third axle. These are the costs associated with retrofitting trailers:

- In addition to the third axle on a trailer, carriers would also need to consider trailer reinforcements and engine improvements in order to accommodate the increased weight.
- Retrofit is not always possible, as it will depend on how and when the original trailer was built.
- The cost to complete a trailer retrofit varies based on a trailer's manufacturer and its configuration for use in five-axle operations. The approximate cost to add the extra axle and lengthen (for dry vans) or replace (for refrigerated trailers) the axle slide bar ranges between \$3,000 and \$4,800 per trailer. Most truckload carriers have a trailer to tractor ratio of 3:1. If you were a small business with 100 trucks you'd be retrofitting 300 trailers and forced to reinvest between \$900,000.00 and \$1,500,000.00.

Ongoing Operating Costs:

Shifting to the 91,000 lbs./6 axle configuration not only has additional costs simply to get the trailers out on the road, but after they are on their routes:

- Carriers would upgrade to wide brake drums and oversize brakes to compensate for the increased weight. The additional axle, drums and brakes adds between approximately 3,000 pounds to the trailer's weight.
- The extra axle, whether or not it is needed to haul the load in the trailer, will increase rolling resistance and result in fuel economy degradation of .5 miles per gallon, up to as much as 1.2 miles per gallon fully loaded.
- Carriers would likely want to consider switching to tires with higher ratings (going from G-rated to H-rated) and altering their tire maintenance schedules. H-rated tires would incur an increased cost of the price of new tires.
- The statistics will vary by carrier and commodity mix, but general freight haulers will tell you that 50% of loads will cube out (fill the trailer) before they max out their current weight allowance. Most carriers also run approximately 10% of their total miles empty, meaning 60% of the time they will be dragging around an extra axle around at a greatly reduced fuel economy (minimum 7% reduction) to accommodate 91,000 pounds on 6 axles.

Ongoing Operating Concerns:

Proponents of 91,000/6 argue that allowing this configuration would not preclude any carrier from operating current configurations, yet history demonstrates otherwise.

- Carriers are unlikely to see rate increases that fully offset the cost of moving the additional weight, let alone recouping the costs of retrofitting all of their equipment.
- Certainly no one will pay for the increased cost of fuel associated with a 6th axle, especially if it was not required for the shipment. The cost burden will fall squarely on the carrier, to the benefit of those shippers who own the goods.
- Just as in the industry transition from 48' trailers to 53' trailers, carriers will be forced into the change, whether or not the majority of their customer's freight requires a 6th axle.

Truckload's shift from 48' trailers to 53' trailers was exactly this issue, only in reverse. Shippers who filled trailers by volume before maximizing the allowable weight put pressure on industry to move to 53' trailers. Like the proposal today, there were pilot programs prior to it being legalized across the nation. Only half of the loads cubed out before they weighed out, yet the entire industry was forced to move. Today, half of the freight on our nation's highways would fit into a 48' trailer, yet there are virtually no 48' trailers in use nationally. Why?

The market demands ultimate flexibility from general freight haulers. Those who cannot provide the service simply disappear. As has happened before, maximum capacities become the norm. Carriers are forced to adjust their equipment to accommodate 91,000/6, despite the fact that they will likely never recoup the costs of the adjustment or haul loads requiring the 6th axle. The truckload industry simply cannot afford the adoption of a policy which would support allowing 91,000 pounds on 6 axles.

TCA's Current Policy:

TCA supports a policy of no increase in truck weight. As an association, we will continue to examine components of increasing productivity as they arise.

As the trucking industry continues to support America through its commitment to delivering freight and providing jobs to Americans nationwide, TCA urges you to consider the impact on truckload carrier companies and find a freight productivity solution that will help to support all segments of an industry that has proven to be the backbone of the U.S. economy.

TCA reiterates that we are opposed to the stand-alone concept of 91,000 pounds on 6 axles; however, TCA is open to any and all discussions with key stakeholders in regards to improving overall transportation efficiency and productivity on our nation's highways.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lyboldt", with a long horizontal flourish extending to the right.

John Lyboldt
President & CEO
Truckload Carriers Association



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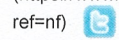
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OOIDA speaks out against twin 33 proposals

By Mark Schremmer (mailto:Mark_Schremmer@landlinemag.com), Land Line associate editor | Wednesday, May 16, 2018

The Owner-Operator Independent Drivers Association sent letters to the leaders of the House Appropriations subcommittee on Transportation, Housing and Urban Development in opposition of proposals to increase the size and weight of commercial motor vehicles.

Americans for Modern Transportation, which is a coalition of groups that include FedEx, Amazon and UPS, have been strong proponents of an effort to allow twin 33-foot trailers to operate on the nation's highways.

Many groups, including OOIDA, have opposed the efforts. The Association sent a letter on Tuesday, May 15, to Transportation, Housing and Urban Development (THUD) subcommittee chairman Mario Diaz-Balart, R-Fla., and ranking member David Price, D-N.C.

"Increasing the size and weight of commercial motor vehicles would reduce margins of safety and adversely impact small trucking businesses, which constitute a large and critical segment of the American trucking industry," OOIDA President Todd Spencer wrote. "As you draft the fiscal year 2019 Transportation, Housing and Urban Development Appropriations Act, we encourage you to reject any provisions that would increase the maximum size and weight of commercial motor vehicles, including dangerous and preferential proposals to increase the length of double tractor-trailers to 33 feet."

In addition to decreasing safety, OOIDA said allowing the twin 33 combination trailers would benefit only a few large corporate motor carriers while having a negative impact on the rest of the trucking industry.

"Including language to permit the use of twin 33s in the FY19 THUD bill would also open the door for numerous other efforts to increase commercial motor vehicle size and weight, all of which are disproportionately harmful to small trucking businesses," Spencer wrote. "Rather than addressing an issue that favors only a select few by what is effectively a corporate earmark, Congress should instead focus on policies that improve conditions for trucking operations of all sizes."

OOIDA cited an increase in crash rates when the gross vehicle weight of commercial trucks is increased.

"The U.S. Department of Transportation's 2015 Comprehensive Truck Size and Weight Limits Study revealed crash involvement rates for vehicles configured with a sixth axle to carry 91,000 pounds were consistently higher than the rate for five-axle control trucks," OOIDA wrote.

The Association said the impact would be immediate.

"Permitting trucks to operate at higher gross vehicle weight would have immediate economic implications for hundreds of thousands of small trucking businesses, who would be pressured to increase their hauling capacity just to stay competitive. Unlike large carriers, who could transition their fleets over time while maintaining business, smaller truck companies and owner-operators would be forced to immediately modify their equipment at great cost just to remain viable. Unfortunately, weight increases have demonstrated heavier trucks don't lead to higher paychecks for professional drivers as some proponents have inaccurately claimed."

In addition to OOIDA, numerous safety groups, including Advocates for Highway and Auto Safety, have spoken in opposition of twin 33s and increased weight limits.

Americans for Modern Transportation says allowing twin 33s would reduce congestion on the roads, improve safety for travelers, and create lower costs for consumers and businesses.



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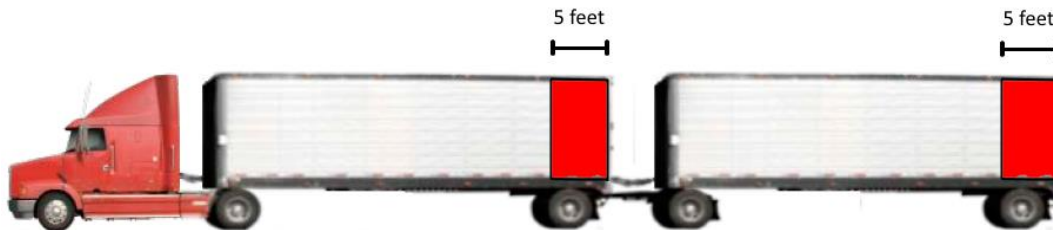


Copyright © OOIDA

Comments

Proposed Bigger-Truck Configurations

Longer Double-Trailer Trucks



- FedEx, UPS, Amazon and a handful of other companies have lobbied for legislation that would force states to allow double-trailer trucks 91 feet in length, called “Double 33s,” on the federally designated National Network, which includes 200,000 miles of roadways. These are 10 feet longer than today’s twin-trailers and 17 feet longer than standard single-trailer trucks.
- Double 33s were removed from the transportation reauthorization bill in the U.S. Senate in November of 2015 on a 56-31 vote.
- The U.S. Department of Transportation (USDOT) determined in 2016 that Double 33s take 252 feet to stop—22 feet longer than today’s twin-trailer configuration.
- USDOT also found that Double 33s would result in the largest lifecycle increase in pavement damage compared to all other studied configurations. This would result in \$1.2 billion to \$1.8 billion in estimated pavement damage every year.

Heavier Single-Trailer Trucks




- Certain shippers have lobbied to allow heavier single-trailer trucks weighing 91,000 pounds—an increase of 11,000 pounds compared to today’s trucks—as part of a 10-year, 10-state pilot program.
- Legislation to allow 91,000-pound trucks was defeated in the U.S. House in 2015 on a 187-236 vote.
- These 91,000-pound trucks were found in limited state testing by USDOT in 2015 to have 47 percent higher crash rates and cause \$1.1 billion in additional bridge costs.



CITY OF LA PINE

STAFF REPORT

Meeting Date: February 08, 2023
TO: City Council
FROM: Geoff Wullschlager, City Manager 
SUBJECT: Resolution 2023-01

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-----------------|
| <input checked="" 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 type="checkbox"/> | Other/Direction |
-

Councilmembers:

Deschutes County receives federal funding from two primary funding programs:

1. PILT (Payment in Lieu of Taxes): Funding to (partially) offset the loss in tax revenue from federal land in the County. Approximately 80% of Deschutes County is federal land. PILT revenue is allocated at the discretion of the Board of County Commissioners and has historically been allocated between the General Fund, Road Department, and Natural Resource Program.

2. SRS (Secure Rural School and Community Self-Determination Act): Funding to offset the loss in timber revenue from federal lands. Timber revenue, via federal law, is partially distributed to counties to fund education, road maintenance, wildfire prevention, and search and rescue services.

The allocation of federal funding to the PILT and SRS programs is prescribed via a methodology that subtracts SRS funding received in a prior year from the county's entitled maximum PILT payment. This methodology is inequitable to counties such as Deschutes with significant federal land and SRS payment, such that any increase in SRS results in less PILT revenue.

In 2021 the Legislature approved HB 2174 to enable Oregon counties to divert SRS funding into an Intergovernmental Entity as prescribed within ORS 190. In doing so, a county is able to receive its SRS funding in a non-County entity and bypass the PILT methodology inequity, thereby increasing the federal PILT payment up to the County's maximum entitlement. Once enabled, Deschutes County expects to receive an additional \$800,000 in federal funding via PILT.

To facilitate creation of an Intergovernmental Entity (per ORS 190) in the most straightforward manner, Deschutes County is proposing to enter into an IGA with the 911 Service District, as the County Commission is also the board for the 911 District. The Intergovernmental Entity established via the IGA will be called the Deschutes County Road Agency (DCRA) and will be the entity in which the state directs federal SRS payments. The DCRA will expend SRS revenue on qualified expenses as per current and historical practice. Additional revenue obtained via PILT will be allocated at the discretion of the County Commission.

Before a county enters into an intergovernmental agreement creating an intergovernmental entity to operate, maintain, repair and modernize transportation facilities, the county shall obtain approval of the terms and conditions of the agreement from the governing bodies of a majority of the cities within the county.

Attached you will find the IGA, that explains the nature of proposed Deschutes County Road Agency and the relationship between Deschutes County and the Deschutes County 911 Service District.

Action:

Please consider the City endorsement of the County Proposal by way of Resolution 2023-01. If in support, please make a motion to approve "A Resolution of the City of La Pine approving the Deschutes County Road Agency Intergovernmental Agreement", followed by a second and a vote of those in support and those in opposition.

**INTERGOVERNMENTAL AGREEMENT
CREATING DESCHUTES COUNTY ROAD AGENCY**

This Intergovernmental Agreement creating Deschutes County Road Agency (this “Agreement”) effective _____ (the “Effective Date”), and is entered into between Deschutes County (“County”), a political subdivision of the State of Oregon, whose address is 1300 NW Wall Street, Bend OR 97703, and the Deschutes County 911 Service District, an Oregon special district, whose mailing address is P.O. Box 6005, Bend, Oregon 97708-6005. Each of the parties hereto is referred to herein individually as a “Party” and collectively “Parties.”

RECITALS:

A. The Parties desire to form an intergovernmental entity to be named the Deschutes County Road Agency (the “Agency”). Agency will be formed to receive and distribute certain road funds.

B. This Agreement is made pursuant to ORS 190.010, which statute provides that units of local government may enter into agreements for performance of any functions and activities that any party to the agreement, or its officers or agents, has the authority to perform.

C. The Parties are authorized to enter into this Agreement creating an intergovernmental entity pursuant to their respective principal acts and ORS 190.003 to 190.130.

AGREEMENT:

NOW, THEREFORE, in consideration of the Parties’ respective obligations under this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

Section 1. Agency.

1.1 Creation. Pursuant to this Agreement, the Agency is hereby created as an intergovernmental entity pursuant to ORS Chapter 190.

1.2 Purpose. Agency’s purposes include receiving and distributing U.S. Forest Service Secure Rural Schools (“SRS”) funds for road construction in Deschutes County, Oregon, and all other necessary or appropriate functions related thereto.

1.3 Responsibilities and General Powers.

1.3.1 Agency will have responsibility and authority to receive and distribute County's apportionment of SRS road funds for road construction, including functions related thereto, within the boundaries of County, and subject to the terms of this Agreement and/or ORS chapter 190, perform such other functions as may be assigned by the Parties from time to time.

1.3.2 Agency shall have the power to adopt, through action of its Board of Directors (the "Board"), such bylaws, rules, regulations, and policies necessary to further the purposes of Agency and/or this Agreement.

1.3.3 Agency shall have the power to enter into agreements with other public or private entities and to exercise all powers pursuant to the Laws (as defined below), including, without limitation, the principal acts of the Parties and ORS chapter 190. For purposes of this Agreement, the term "Law(s)" means all federal, state, and local laws, statutes, ordinances, and/or regulations directly or indirectly affecting Agency, this Agreement, and/or Agency's purposes, including, without limitation, the Americans with Disabilities Act of 1990 (and the rules and regulations promulgated thereunder) and ORS chapter 190, all as now in force and/or which may hereafter be amended, modified, enacted, or promulgated.

1.4 Offices. The offices of Agency shall be located at the Deschutes County Services Building, 1300 NW Wall Street, Bend, OR 97703.

1.5 Governing Body. The Board, unless otherwise provided herein, shall be the governing body and shall exercise authority over all matters of Agency concern.

Section 2. Board of Directors.

2.1 Membership. Agency shall be governed by the Board consisting of the commissioners serving on the Deschutes County Board of Commissioners.

2.2 Authority.

2.2.1 The Board shall have authority to do the following:

- a. Adopt bylaws for Agency, which shall set forth the rules by which the Agency shall be run. The bylaws may be amended from time to time by the Board.
- b. Oversee and to have full responsibility for all matters pertaining to the development and operations of Agency.
- c. Enter into contracts for goods and services for Agency's development and operations.
- d. Review and approve the Agency's budget pursuant to Oregon Local Budget Law, when applicable.
- e. Appoint advisory boards to consider any issue before it, if it so desires.
- f. Establish the Agency mission and goals.

g. Recommend and monitor expenditures consistent with the manner and restrictions of ORS 368.705-368.722.

2.2.2 The Board shall not have authority to do the following:

- a. Commit the taxing authority or general funds of any Party.
- b. Expend funds in excess of the SRS funding received by the Agency.

2.3 Meetings. Regular meetings of the Board shall be held on at least a quarterly basis at such time and place as determined by the Board. Special meetings may be called by the chairperson as needed or desired. All motions presented for approval shall require an affirmative vote of a majority of the whole membership of the voting members of the Board. Two (2) members of Board shall constitute a quorum. Members appearing by telephone or other electronic means are considered present.

The rules of parliamentary practice comprised in the Robert's Rules of Order shall be used as a guide to address procedural questions to the extent not inconsistent with Agency's policy and procedures.

Section 3. Budget; Funding; Costs; Revenue.

3.1 Budget. Agency, through County, shall prepare the annual operating budget of the Agency. The Board shall adopt a final budget, in accordance with ORS 294.900 to 294.930, no later than June of each preceding year. The budget period shall be on a fiscal year basis beginning on the first of July each year. The Board shall consider and adopt the budget on behalf of the Agency. If there are any program changes any supplemental budget shall go through the budget stages set forth herein and comply with all applicable budget policies and Oregon Local Budget Law.

3.2 Funding. The Agency will receive funds under ORS 293.560 apportioned to the County road fund. County will request that the Oregon Department of Administrative Services credit the moneys described in ORS 294.060(1) to the Agency pursuant to ORS 294.060(8).

3.3 Expenses. County will be responsible for providing all funds necessary to pay for Agency's costs, expenses, obligations, and/or liabilities. Notwithstanding anything contained in this Agreement to the contrary, District will not be responsible for (and will not pay) any funds for Agency's costs, expenses, obligations, and/or liabilities.

3.4 Revenue. Revenue or fees derived from the functions or activities of the Agency will be apportioned to County.

Section 4. Term, Termination and Amendment.

4.1 Term. Subject to the terms and conditions contained in this Agreement, the term of this Agreement commenced on the Effective Date and will remain in full force and effect

until June 30, 2024 (the “Initial Term”), unless sooner terminated as provided in this Agreement. Upon expiration of the Initial Term, this Agreement will automatically renew for one or more term(s) of one year each, unless sooner terminated in accordance with this Agreement. Commencing on or about July 1, 2023 and continuing on or about the same day each year thereafter during the term of this Agreement, the Parties will review this Agreement to determine whether any changes and/or modifications to this Agreement are necessary or appropriate. Any changes and/or modifications to this Agreement require the Parties’ mutual written agreement.

4.2 Termination. Notwithstanding anything contained in this Agreement to the contrary, (a) the Parties may terminate this Agreement and dissolve the Agency by the Parties’ unanimous written agreement, (b) upon expiration of the Initial Term, either Party may terminate this Agreement by providing the other Party no less than one hundred eighty (180) days’ prior written notice (provided, however, termination under this Section 4.2(b) will not take effect between February 1 and June 30 of any fiscal year), and (c) either Party may terminate this Agreement immediately upon written notice to the other Party if the other Party breaches and/or otherwise fails to perform the other Party’s obligations under this Agreement.

Section 5. Additional Parties. Subject to the Laws, including, without limitation, ORS chapter 190, additional governmental entities may be allowed to join the Agency subject to approval by the governing bodies of all Parties.

Section 6. Insurance; Liability; Indemnification; Relationship.

6.1 Insurance. Agency will obtain and maintain adequate insurance to cover Agency’s operations and that at least equal the applicable limits of liability identified under the Oregon Tort Claims Act (ORS 30.260 – ORS 30.300). Insurance requirements may be satisfied by programs of self-insurance.

6.2 Liability. Except as otherwise provided under Section 6.3, there shall be no joint and several liability of the Parties either in contract or tort, and all obligations of Agency or the Parties shall be several only. Without limiting the foregoing, no Party to this Agreement shall be liable for damages, debts or claims caused solely by the negligent act, omission or other wrongful act by Agency or other Parties hereto. The Party causing damages by its sole negligent act, omission, or wrongful act shall be individually liable.

6.3 Agency and County Indemnification. To the fullest extent permitted under applicable law, Agency and County each jointly and severally release and will defend, indemnify, and hold District and District’s Representatives harmless for, from, and against all claims, actions, proceedings, damages, liabilities, injuries, losses, and expenses of every kind, whether known or unknown, including, without limitation, attorney fees and costs, resulting from or arising out of Agency’s formation and operations and/or County’s breach and/or

failure to perform County's representations, warranties, covenants, and/or obligations under this Agreement.

6.4 Relationship. Each Party is an independent contractor of the other Parties. This Agreement does not create a joint venture and/or agency relationship between the Parties. No Party has the authority to bind the other Party or represent to any person that a Party is an agent of the other Party. No Party will provide any benefits to any other Party; each Party will be solely responsible for obtaining the Party's own benefits, including, without limitation, insurance, medical reimbursement, and retirement plans. Notwithstanding anything contained in this Agreement to the contrary, Agency (and/or the Board) will not have the authority to bind and/or encumber a Party in any manner except as agreed in writing by the Party.

Section 7. Dissolution. Upon dissolution of Agency, County shall remain solely liable for any Agency obligation that has been specifically incurred in accordance with the terms of this Agreement, or by other resolutions, or by separate agreement of the parties. Upon dissolution, the assets of Agency will be distributed to Deschutes County.

Section 8. General Provisions.

8.1 Coordination; Assignment; Binding Effect. The Parties will maintain adequate levels of communication to ensure maximum cooperation and coordination between the Parties. No Party may assign any of the Party's rights and/or obligations under this Agreement to any person without the prior written consent of all other Parties. Subject to the immediately preceding sentence, this Agreement will be binding on the Parties and their respective administrators, successors, and permitted assigns and will inure to their benefit. The Parties will execute all documents or instruments and will perform all lawful acts necessary or appropriate to carry out the intent of this Agreement. All exhibits, schedules, instruments, and other documents referenced in this Agreement are part of this Agreement.

8.2 Notices; Severability; Remedies. Any notice will be deemed given when personally delivered or delivered by facsimile or email transmission (with electronic confirmation of delivery), or will be deemed given three days following delivery of the notice by U.S. mail, certified, return receipt requested, postage prepaid, by the applicable Party to the address shown in the preamble of this Agreement (or any other address that a Party may designate by notice to the other parties), unless that day is a Saturday, Sunday, or legal holiday, in which event it will be deemed delivered on the next following business day. Each provision contained in this Agreement will be treated as a separate and independent provision. The unenforceability of any one provision will in no way impair the enforceability of any other provision contained herein. Any reading of a provision causing unenforceability will yield to a construction permitting enforcement to the maximum extent permitted by applicable law. Subject to the terms and conditions contained in this Agreement, each Party will pay all wages and benefits due the Party's personnel, including, without limitation, overtime,

workers' compensation, and death benefits. If a Party breaches and/or otherwise fails to perform any of the Party's representations, warranties, covenants, and/or obligations under this Agreement, the non-defaulting Parties may, in addition to any other remedy provided to the non-defaulting Parties under this Agreement, pursue all remedies available to the non-defaulting Parties at law or in equity. All available remedies are cumulative and may be exercised singularly or concurrently.

8.3 Waiver; Entire Agreement; Amendment; Counterparts. Notwithstanding anything contained in this Agreement to the contrary, no provision of this Agreement may be modified, waived, and/or discharged unless such waiver, modification, and/or discharge is agreed to in writing by the Parties. No waiver by a Party at any time of the breach of, or lack of compliance with, any conditions or provisions of this Agreement will be deemed a waiver of other provisions or conditions hereof. This Agreement contains the entire agreement and understanding between Parties with respect to the subject matter of this Agreement and contains all the terms and conditions of the Parties' agreement and supersedes any other oral or written negotiations, discussions, representations, and/or agreements. No addition, modification, amendment, or alteration to this Agreement will be effective against the Parties unless specifically agreed upon in writing and signed by the Parties. This Agreement may be signed in one or more counterparts.

8.4 Applicable Law; Venue; Attorney Fees. This Agreement will be construed, applied, and enforced in accordance with the laws of the State of Oregon. Any action or proceeding arising out of this Agreement will be litigated in courts located in Deschutes County, Oregon. Each Party consents and submits to the jurisdiction of any local, state, or federal court located in Deschutes County, Oregon. Each Party is responsible for its own attorney fees, paralegal fees, expert fees, and all other fees, costs, and expenses incurred in connection therewith, as determined by the judge or arbitrator at trial, arbitration, or other proceeding, or on any appeal or review, in addition to all other amounts provided by law.

8.5 Debts, Liabilities and Obligations. All debts, liabilities and obligations of any of the Parties shall be and shall remain debts, liabilities and obligations of that or those Parties and shall not become debts liabilities and obligations of the other parties or of the Agency. All debts, liabilities and obligations incurred by or on behalf of the Agency shall remain debts, liabilities and obligations of the Agency.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be binding and effective for all purposes as of the Effective Date.

COUNTY:

Anthony DeBone, Chair

Patti Adair, Commissioner

Phil Chang, Commissioner

Date: _____

DISTRICT:

Anthony DeBone, Chair

Patti Adair, Commissioner

Phil Chang, Commissioner

Date: _____

RESOLUTION NO. 2023-01

A RESOLUTION OF THE CITY OF LA PINE APPROVING THE DESCHUTES COUNTY ROAD AGENCY INTERGOVERNMENTAL AGREEMENT.

WHEREAS, Deschutes County ("County") and the Deschutes County 911 Service District ("District") intend to enter into that certain Intergovernmental Agreement Creating Deschutes County Road Agency attached hereto as Exhibit A (the "Agreement"), which Agreement is intended to create an intergovernmental entity to be named "Deschutes County Road Agency" ("Agency"); and

WHEREAS, County and District desire to form Agency to receive and distribute US Forest Service Secure Rural Schools funds for road construction in Deschutes County, Oregon; and

WHEREAS, ORS 190.083(1) requires that County obtain approval of the Agreement's terms and conditions from the governing bodies of a majority of cities within County; and

WHEREAS, City of La Pine ("City") is (a) a city within County, and (b) desirous of supporting Agency and its purposes.

NOW, THEREFORE, THE CITY OF LA PINE RESOLVES AS FOLLOWS:

1. Findings. The above-stated findings contained in this Resolution No. 2023-XX (this "Resolution") are hereby adopted.
2. Agreement Approval: Agency Support. In accordance with ORS 190.083(1), City (a) "approves" the terms and conditions contained in the Agreement, and (b) supports Agency's formation and purposes. City's approval of the terms and conditions is solely for purposes of ORS 190.083(1) and for no other purposes. City expresses no opinion concerning the sufficiency or adequacy of the terms and conditions.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the City Council on this 8th day of January, 2023.

Daniel Richer, Mayor

ATTEST:

Geoff Wullschlager, Interim City Recorder