



# CITY OF LA PINE, OREGON

## REGULAR CITY COUNCIL MEETING

Wednesday, May 8, 2024 Immediately following the Budget Committee Meeting  
La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: <https://us02web.zoom.us/j/85460628413>

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*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.*

*The Regular City Council meeting is a business meeting of the elected members of the La Pine City Council, in which matters that have come before the City in application, or legislatively/judicially by process can be acted upon under Old and New business. Matters that are not formally before the City or have yet to be initiated by application cannot be officially acted upon. If any party would like to initiate an action through process or application, city administrative staff are available during the regularly scheduled business hours of City Hall to provide assistance.*

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## AGENDA

### CALL TO ORDER

### ESTABLISH A QUORUM

### PLEDGE OF ALLEGIANCE

### PUBLIC COMMENTS

*Public Comments provide an opportunity for members of the community to submit input on ongoing matters within the city. Any matter that warrants testimony and rebuttal may be debated during a public hearing on the matter.*

*Public Comments are limited to three (3) minutes per person; when asked to the podium, please state your name and whether you live within La Pine city limits. The acting chair may elect to respond to comments if the matter is within the jurisdiction of the city or defer to city staff for response.*

### 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. **Amended** – 03.15.2024 Regular City Council Minutes .....3
- 2. 04.10.2024 Regular City Council Minutes.....7
  - a. Public Comment Form .....13
- 3. Financials
  - a. Financial Summary – March 2024.....14
  - b. Interest Report.....20
- 4. La Pine Chamber of Commerce
  - a. Letter to the City .....21
  - b. Profit and Loss Third Quarter.....22

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

- 1. USDA Water Bonds
  - a. Staff Report .....25
  - b. Resolution 2024-04 – A Resolution for USDA Water Bond No. 1 .....26
  - c. Resolution 2024-05 – A Resolution for USDA Water Bond No. 2 .....35
- 2. Budget Resolutions
  - a. Staff Report .....44
  - b. Resolution 2024-06 – A Resolution Declaring the Municipal Services Provided.....46
  - c. Resolution 2024-07 – A Resolution Electing to Receive State Shared Revenues .....47
  - d. Resolution 2024-08 – A Resolution Adopting the City’s Master Fee Schedule .....48
  - e. Resolution 2024-09 – A Resolution Creating a New Reserve Fund .....55
- 3. Memorandum of Understanding – CPAW
  - a. Staff Report .....57
  - b. Memorandum of Understanding .....60

**OTHER MATTERS**

**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**

**EXECUTIVE SESSION: per ORS 192.660 if necessary**

**ADJOURNMENT**

Amendment made on page 2 of these minutes.



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

Wednesday, March 13, 2024, 5:30 p.m.

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: <https://us02web.zoom.us/j/88632655043>

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## MINUTES

### CALL TO ORDER

Mayor Richer called the meeting to order at 5:30 p.m.

### ESTABLISH A QUORUM

#### City Council

Mayor Richer

Councilor Shields

Councilor Van Damme

Councilor Ignazzitto – Excused

Councilor Morse

Student Councilor Marston

#### Staff

Geoff Wullschlager – City Manager

Ashley Ivans – Assistant City Manager/Finance Director

Kelly West – Public Works Director

Brent Bybee – Principal Planner

Amanda Metcalf – City Recorder

### PLEDGE OF ALLEGIANCE

Mayor Richer led the Pledge of Allegiance.

### PUBLIC HEARING:

None.

### REGULAR COUNCIL MEETING

### PUBLIC COMMENTS

None.

**ADDED AGENDA ITEMS**

Principal Planner Bybee added to the agenda a presentation from Doug Green representing Community Planning Assistance for Wildfire (CPAW).

**CONSENT AGENDA**

1. 02.14.24 Regular City Council Meeting Minutes
  - a. Public Comment
2. Financials
  - a. Financial Summary
  - b. Interest Income Report

Councilor Shields made a motion to approve the consent agenda. *Councilor Morse seconded the motion.* Motion passed unanimously.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

1. Notice of Intent to Award – Flagline Engineering
  - a. Staff Report
  - b. Notice of Intent to Award

Finance Director Ivans presented the associated staff report. She stated that the design RFP for the East Sidewalk Project was posted for its second issue in January 2024. City Manager Wullschlager, Finance Director Ivans, and Public Works Director West reviewed the proposals. The proposer eliciting the highest score was Flagline Engineering. Staff would like to authorize City Manager Wullschlager to enter into a contract for the project.

City Manager Wullschlager answered questions from the Council. He stated that the City has not worked with Flagline Engineering before. He also explained the location where the project will take place and clarified that the awarded ARPA funds will only be available for the design of the project and will not be used for the construction of the project as capital cost exceeds project funds awarded to date.

Councilor Morse made a motion to authorize Geoff Wullschlager, City Manager, to enter into a contract with Flagline Engineering for the purposes of designing the City of La Pine Eastside Sidewalks, City Project 24-01. *Councilor Van Damme seconded the motion.* Motion passed unanimously.

2. Proclamation 2024-01 International Dark Sky Week
  - a. Proclamation Application
  - b. Proclamation 2024-01

City Manager Wullschlager presented the Council with the Proclamation 2024-01 International Dark Sky Week.

Councilor Morse moved to approve Proclamation 2024-01 declaring the week of April 2-8 as International Dark Sky Week. *Councilor Shields seconded the motion.* Motion passed unanimously.

### **OTHER MATTERS**

Other Matters was discussed prior to New Business.

Doug Green was present to represent the CPAW. He provided a program overview which will include land use planning solutions, communications assistance, and customized research to better understand and manage wildfire-prone areas and reduce risks.

He gave examples of land use planning tools to reduce risk. This included building code, landscape regulations, density bonus, steep slope ordinance, and subdivision standards.

He gave examples of other Cities that have worked with CPAW and how they were similar to the City of La Pine.

Principal Planner Bybee made a comment about the benefits of working with CPAW and asked the Council if they would like to make a decision or if they would like to decide at a future meeting. It was decided that a vote be held on the matter.

Mr. Green answered questions from the Council and explained that this program is fully funded by the Federal Forest Service. There was discussion about the Wildland Urban Interface (WUI) designation in Central Oregon.

Councilor Van Damme made a motion to partner with CPAW. Councilor Morse seconded the motion. Motion passed unanimously.

### **PUBLIC COMMENTS**

None.

### **STAFF COMMENTS**

Finance Director Ivans informed the Council that a table was purchased for the Parks and Rec. District Dinner and invited the Council. She stated that she is working on an RFP for a new auditor. She said that she is also currently working on closing the CoBank loan. Lastly, she asked for recommendations for Budget Committee Members.

City Recorder Metcalf had no comments.

Principal Planner Bybee gave an update on the Comprehensive Plan Update schedule. He also informed the Council of the marked job 3J is doing for La Pine 2045.

Public Works Director West had no comments.

City Manager Wullschlager agreed with Principal Planner Bybee that 3J has proved their value with the quality of work they have done for the City.

He gave an update on the capital projects which include the sidewalk RFP. He also is trying to close the Archway RFP with the Urban Renewal Agency.

He said that the water/wastewater project is expanding work in Glenwood Acres.

He stated that he had an interview with KTZV about the Eastside Sidewalk Project. He also was interviewed about the ODOT Overpass Project in La Pine.

He stated that he presented at the South County Chamber Breakfast. He shared that there is growing interest in the Newberry Regional Partnership and how the region might grow together. He informed the Council may have outreach from the surrounding communities.

**MAYOR & COUNCIL COMMENTS**

Councilor Morse had no comments.

Councilor Shields had no comments.

Councilor Van Damme had no comments.

Mayor Richer thanked everyone for their continued work on behalf of the community.

**EXECUTIVE SESSION: per ORS 192.660 if necessary**

**ADJOURNMENT**

Mayor Richer adjourned the meeting at 6:25 p.m.

\_\_\_\_\_ Date:  
Daniel Richer, Mayor

ATTEST:

\_\_\_\_\_ Date:  
Amanda Metcalf, City Recorder



# CITY OF LA PINE, OREGON

## REGULAR CITY COUNCIL MEETING

Wednesday, April 10, 2024, 5:30 p.m.

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: <https://us02web.zoom.us/j/85303422001>

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## MINUTES

### CALL TO ORDER

Council President Van Damme called the meeting to order at 5:30 p.m.

### ESTABLISH A QUORUM

#### City Council

Mayor Richer – Excused

Council President Van Damme

Councilor Shields

Councilor Ignazzitto

Councilor Morse

Student Councilor Marston

#### Staff

Geoff Wullschlager – City Manager

Ashley Ivans – Assistant City Manager/Finance Director

Kelly West – Public Works Director

Brent Bybee – Principal Planner

Rachel Vickers – Associate Planner

Amanda Metcalf – City Recorder

### PLEDGE OF ALLEGIANCE

Council President Van Damme led the Pledge of Allegiance.

### REGULAR COUNCIL MEETING

### PUBLIC COMMENTS

Mr. Wes Elliott came to the meeting with a public comment and requested an expanded comment period. Council President Van Damme provided a five-minute segment.

Mr. Elliott gave the Council handouts that consisted of the original land use approval to build his new Liquor Store with conditions, the SDC methodology, his prospective return on investment (ROI) of his current business, and his request to the Council.

Mr. Elliott stated that he does not live within the City limits but stated that he does own businesses within the City. He gave a background of his current ownership of the La Pine Liquor Store and La Pine Tax Service.

He stated that he made a payment for the Industrial Lift Station SDC on March 18<sup>th</sup>, 2024, he was informed of an additional transportation SDC fee that he was unaware of. He stated that he spoke to staff, and it was confirmed that this fee was correct.

He gave background information of his building process. He also informed the Council of discussions he has had with other business owners in different cities regarding SDC fees.

He is asking for the Council to consider his project and circumstances and to waive the transportation SDC fee. He also asked if they are unable to wave the fee, that the City reimburse him for his investment into this project since he will not be able to complete it if he incurred the transportation SDC fee.

#### **ADDED AGENDA ITEMS**

There will be a comment from Council President Van Damme during other matters.

#### **CONSENT AGENDA**

1. 03.27.2024 Regular City Council Meeting Minutes
  - a. Public Comment Forms
2. Financials
  - a. Financial Summary
  - b. Interest Income Report

Councilor Shields made a correction in the minutes on page 8 of the packet. The correction should state Public Works Director West instead of Public West Director West.

Councilor Shields made a motion to approve the consent agenda. *Councilor Ignazzitto seconded the motion.* Motion passed unanimously.

#### **OLD BUSINESS:**

1. La Pine 2045 Vision Goals
  - a. Staff Report
  - b. Vision Goals

Principal Planner Bybee presented the staff report for the La Pine 2045 Vision Goals. He stated that the only action needed was for Council President Van Damme to sign the Vision Goals which will codify them.

#### **NEW BUSINESS:**

1. Resolution 2024-02, A Resolution Authorizing Refinancing of the 2016 Water Bond.
  - a. Staff Report



## b. Resolution 2024-02

Finance Director Ivans presented the associated staff report regarding Resolution 2024-02. She stated that the current Water and Wastewater Expansion Project is funded through grants and loans by USDA, DEQ and Oregon Business Development Department (OBDD). It was discovered when reviewing the current bond documents that the City has an additional bond with Washington Federal (WaFd) against the City's water system. This bond is for the refinancing of a bond the City incurred during the withdrawal of the special districts in 2012.

The bond from WaFd required to be referred to as the Primary Position in the City's need for additional borrowing from USDA at current. This conflicts with language required by USDA and OBDD on the grants and loans for the Water and Wastewater Expansion Project.

She stated that Staff reviewed multiple options and the most judicious solution was to refinance the bond with First Interstate Bank (FIB). FIB has agreed to issue this loan on the full faith and credit of the City, without any ties to the City's utility system.

She informed the Council that the reason for refinancing this bond now instead of at the end of the project was due to the interim financing that USDA is covering having a substantial interest rate.

She said after much discussion, both herself and City Manager Wullschlager agreed that it would be better to refinance instead of paying off the loan.

There were no questions from the Council.

Councilor Ignazzitto made a motion to approve Resolution 2024-02, a resolution authorizing the refinancing of the 2016 Water Bond. *Councilor Morse seconded the motion.* Motion passed unanimously.

## 2. Resolution 2024-03, A Resolution Approving the Establishment of a School Support Fee.

## a. Staff Report

## b. Resolution 2024-03

City Manager Wullschlager presented the staff report for Resolution 2024-03. This Resolution will establish a school support fee in lieu of property taxes when a business qualifies for a tax exemption. The Deschutes County Rural Enterprise Zone (E-Zone) was established in 2008 and re-designated it in 2018. The Rural E-Zone offers (3) to (15) year property tax exemptions on certain new capital investments that create jobs in the designated areas.

He stated that the City of La Pine is still a participant under Resolution 2018-01 and a new resolution must be considered to incorporate the programmatic amendments under HB 2009 passed in 2023. He said that businesses must also pay a school support fee during years four and five of the exemption per HB 2009. The rates are set by the governing bodies of the zone sponsor. He said with the adoption of Resolution 2024-03, these rates will be set at 15%. He clarified that if the Council would like to keep participating, they will need to pass the Resolution.

Lastly, he informed the Council that Deschutes County passed the same amending language in their April 3, 2024, meeting as a zone sponsor.

Councilor Ignazzitto made a motion to approve Resolution 2024-03, a Resolution of the La Pine City Council as part of the Governing Body of the Deschutes County Rural Enterprise Zone to approve the

Establishment of a School Support Fee of 15%. *Councilor Morse seconded the motion.* Council President Van Damme asked for a roll call vote.

Councilor Shields – Aye

Councilor Morse – Aye

Councilor Ignazzitto – Aye

Council President Van Damme – Aye

Motion passed unanimously.

**OTHER MATTERS**

Council President Van Damme asked for the Council and Staff to recognize the passing of Dwane Krume, the Executive Director for Sunriver La Pine Habitat for Humanity, on April 5<sup>th</sup>, 2024. She listed Mr. Krume’s accomplishments within Deschutes County and notated that he will be greatly missed among the Community.

**PUBLIC COMMENTS**

None.

**STAFF COMMENTS**

Finance Director Ivans stated that at the next meeting she will present the authorization of the bond that refinances the current bond from Resolution 2024-02.

She informed the Council of the budget committee schedule on May 7<sup>th</sup>,8<sup>th</sup>, and possibly the 9<sup>th</sup> if necessary.

She also informed the Council that she will present borrowing from USDA to close the current CoBank loan.

She asked the Council about switching to paperless practices for the account payable check signing process. She described how the new document management system works and would like their feedback on how the Council would like to review documents digitally.

She informed the Council that they will be moving funds from the Umpqua Bank Money Market to the other money markets accounts due to these funds not being fully collateralized with Umpqua.

City Recorder Metcalf did not have any comments.

Associate Planner Vickers updated the Council on the current land use files. She stated that most building permits are steady consisting of single-family dwellings in the Newberry Neighborhood. She informed the Council of a new Final Plat Review for a subdivision off of Wheeler and stated that it will be presented to the Council after a completeness check. She also stated that there is a Habitat for Humanity Partition application that is next to the Crescent Creek neighborhood.

Principal Planner Bybee stated that staff will apply for the Transportation Growth Management (TGM) Grant. The preapplication was submitted recently and he will coordinate with 3J to start the official application process.

He informed the Council of the TAC, SAC, and a Public Summit on May 21<sup>st</sup> at the La Pine Activity Senior Center.

Public Works Director West stated that the Public Works Departments has been working very hard to keep the water and wastewater systems working for the City.

City Manager Wullschlager stated that DEQ required the City to put in monitoring wells at the new pivots. This is to test the treated wastewater and make sure it is not contaminating the ground water. While drilling for the new wells the bit hit an impermeable surface, and it was discovered that the water is flowing in a different direction than they had originally calculated.

He stated that he was elected as the President for the Newberry Regional Partnership. He said that this group received grants to help create the Partnership's 501(c)(3) status.

He gave an update on the SLED luncheon and stated that 170 people attended.

He said that at the next Council Meeting he will present a staff report officially recognizing SLED as an Advisory Committee in draft form.

Lastly, he gave an update on the DANCO project, and stated that DANCO is endeavoring to go before the Bend La Pine School Board for the additionally required approval for the tax exemption as previously recognized by the City.

#### **MAYOR & COUNCIL COMMENTS**

Councilor Morse had no comments.

Councilor Ignazzitto recognized City Manager Wullschlager for his great speech at the SLED luncheon.

Councilor Shields had no comments.

Student Councilor Marston informed the Council that the La Pine High School Theater is performing Tarzan April 25<sup>th</sup> – 27<sup>th</sup>.

He said that there is a Site Council Meeting coming up where the teachers and parents discuss the future of the La Pine High School.

Councilor Van Damme thanked everyone for their hard work and everyone who participated in the meeting.

**EXECUTIVE SESSION: per ORS 192.660 if necessary**

#### **ADJOURNMENT**

Council President Van Damme adjourned the meeting at 6:04 p.m.

Date: \_\_\_\_\_

Daniel Richer, Mayor

ATTEST:

Date: \_\_\_\_\_

Amanda Metcalf, City Recorder

- 5 minutes -



# PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

Name: Wes G/HA Phone Number: 941-787-9682

Address: PO Box 2357 La Pine OR 97139

Email: \_\_\_\_\_  Resident  Non Resident  Other

Agenda Item Topic #: \_\_\_\_\_ in support of \_\_\_\_\_ in opposition to \_\_\_\_\_ as an interested party

Non-Agenda Item Topic (Provide brief description): SOC'S

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Organization (if applicable): \_\_\_\_\_ Would you like to be contacted for follow up?  
 Yes  No



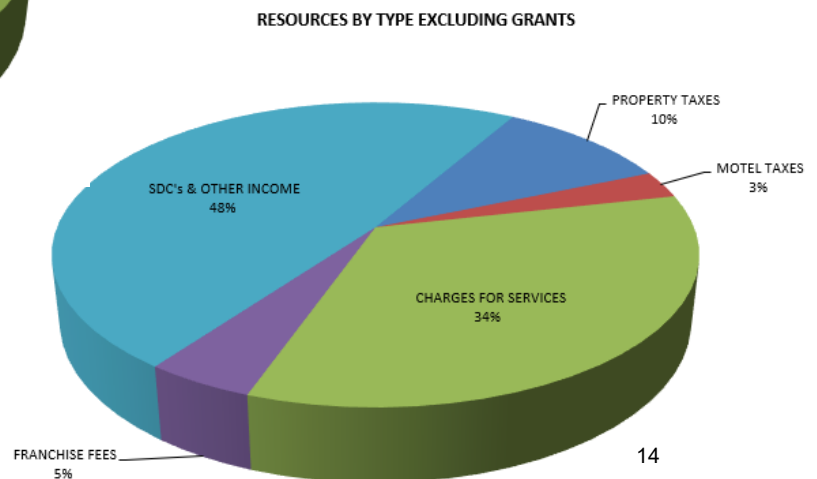
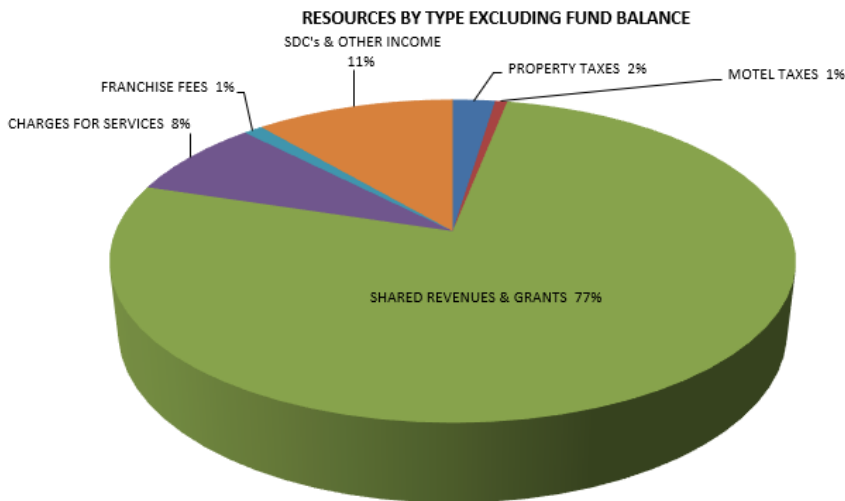
## FINANCIAL SUMMARY March 31, 2024

### TOTAL RESOURCES - BUDGET TO ACTUAL

	AS OF MARCH 31, 2024			
	Year	FY 2022-23	Budget	(75% lapsed)
	To Date	Budget	Remaining	% Earned
BEGINNING FUND BALANCE	11,262,680	11,262,680	-	100.0%
PROPERTY TAXES	450,828	477,330	26,502	94.4%
MOTEL TAXES	126,716	175,000	48,284	72.4%
SHARED REVENUES & GRANTS	14,463,688	22,025,026	7,561,338	65.7%
CHARGES FOR SERVICES	1,488,635	1,798,850	310,216	82.8%
FRANCHISE FEES	203,951	301,300	97,349	67.7%
SDC's & OTHER INCOME	2,118,329	1,099,083	(1,019,246)	192.7%
	30,114,827	37,139,269	7,024,442	81.1%

### FINANCIAL HIGHLIGHTS – RESOURCES

- Staff is pleased to report that service revenue is over budget.
- The City has collected more than expected in SDC's and Interest Income, as indicated in the SDC's & Other Income line.
- Motel Taxes & Franchise Revenues are lower than expected. The City's upcoming budget recognizes this.



**RESOURCES - BUDGET TO ACTUAL BY FUND**

AS OF MARCH 31, 2024

	Year To Date	FY 2022-23 Budget	Budget Remaining	(75% lapsed) % Earned
<b>GENERAL FUND</b>				
BEGINNING FUND BALANCE	2,562,172	2,562,172	-	100.0%
PROPERTY TAXES	450,828	477,330	26,502	94.4%
SHARED REVENUES & GRANTS	151,231	1,200,000	1,048,769	12.6%
MOTEL TAXES (30%)	38,014	55,000	16,986	69.1%
CHARGES FOR SERVICES	612	17,700	17,089	3.5%
FRANCHISE FEES	62,080	90,775	28,695	68.4%
MISCELLANEOUS & OTHER INCOME	487,117	115,500	(371,617)	421.7%
	<u>3,752,054</u>	<u>4,518,477</u>	<u>766,424</u>	<u>83.0%</u>
<b>CEMETERY FUND</b>				
BEGINNING FUND BALANCE	48,422	48,422	-	100.0%
CHARGES FOR SERVICES	3,600	1,200	(2,400)	300.0%
INTERFUND TRANSFERS - IN	20,000	20,000	-	
MISCELLANEOUS & OTHER INCOME	-	700		
	<u>72,022</u>	<u>70,322</u>	<u>(2,400)</u>	<u>102.4%</u>
<b>STREETS FUND</b>				
BEGINNING FUND BALANCE	1,456,315	1,456,315	-	100.0%
SHARED REVENUES & GRANTS	153,147	175,000	21,853	87.5%
FRANCHISE FEES	141,871	210,525		
MISCELLANEOUS & OTHER INCOME	27,880	16,000	(11,880)	174.3%
	<u>1,779,213</u>	<u>1,857,840</u>	<u>9,973</u>	<u>95.8%</u>
<b>TOURISM FUND</b>				
BEGINNING FUND BALANCE	302,150	302,150	-	100.0%
MOTEL TAXES	88,702	120,000	31,298	73.9%
MISCELLANEOUS & OTHER INCOME	-	3,600	3,600	
	<u>390,852</u>	<u>425,750</u>	<u>34,898</u>	<u>91.8%</u>
<b>COMMUNITY DEVELOPMENT FUND</b>				
BEGINNING FUND BALANCE	724,359	724,359	-	100.0%
CHARGES FOR SERVICES	53,705	55,000	1,295	97.6%
ADVANCED PLANNING FEES	92,374	70,000	(22,374)	132.0%
MISCELLANEOUS & OTHER INCOME	3,022	8,100	5,078	37.3%
	<u>873,460</u>	<u>857,459</u>	<u>(16,001)</u>	<u>101.9%</u>
<b>INDUSTRIAL/ECONOMIC DEVELOPMENT</b>				
BEGINNING FUND BALANCE	533,100	533,100	-	
INDUSTRIAL SITE LEASES / SALES	27,805	120,000	92,195	23.2%
MISCELLANEOUS & OTHER INCOME	29,771	52,200	22,429	57.0%
	<u>590,676</u>	<u>705,300</u>	<u>114,624</u>	<u>83.7%</u>
<b>RESERVE FUND - WATER/SEWER</b>				
BEGINNING FUND BALANCE	126,000	126,000	-	100.0%
INTERFUND TRANSFERS - IN	300,000	300,000	-	100.0%
	<u>426,000</u>	<u>426,000</u>	<u>-</u>	<u>100.0%</u>
<b>DEBT RESERVE FUND</b>				
BEGINNING FUND BALANCE	193,503	193,503	-	100.0%
	<u>193,503</u>	<u>193,503</u>	<u>-</u>	<u>100.0%</u>
<b>SDC FUND</b>				
BEGINNING FUND BALANCE	2,845,840	2,845,840	-	100.0%
SYSTEM DEVELOPMENT CHARGES	1,539,811	765,983	(773,828)	201.0%
INTERFUND TRANSFERS - IN	350,000	350,000		100.0%
	<u>4,385,651</u>	<u>3,961,823</u>	<u>(773,828)</u>	<u>110.7%</u>
<b>WATER FUND</b>				
BEGINNING FUND BALANCE	809,725	809,725	-	100.0%
GRANT REVENUE	4,896,421	9,347,526	4,451,105	52.4%
CHARGES FOR SERVICES	725,007	804,950	79,943	90.1%
MISCELLANEOUS & OTHER INCOME	23,891	56,500	32,609	42.3%
INTERFUND TRANSFERS - IN	400,000	400,000	-	100.0%
	<u>6,855,044</u>	<u>11,418,701</u>	<u>4,563,657</u>	<u>60.0%</u>
<b>SEWER FUND</b>				
BEGINNING FUND BALANCE	1,661,094	1,661,094	-	100.0%
GRANT REVENUE	7,670,515	11,302,500	3,631,985	67.9%
CHARGES FOR SERVICES	677,906	800,000	122,094	84.7%
MISCELLANEOUS & OTHER INCOME	6,837	10,500	3,663	65.1%
	<u>10,016,352</u>	<u>13,774,094</u>	<u>3,757,742</u>	<u>72.7%</u>



## FINANCIAL SUMMARY March 31, 2024

### TOTAL EXPENDITURES - BUDGET TO ACTUAL

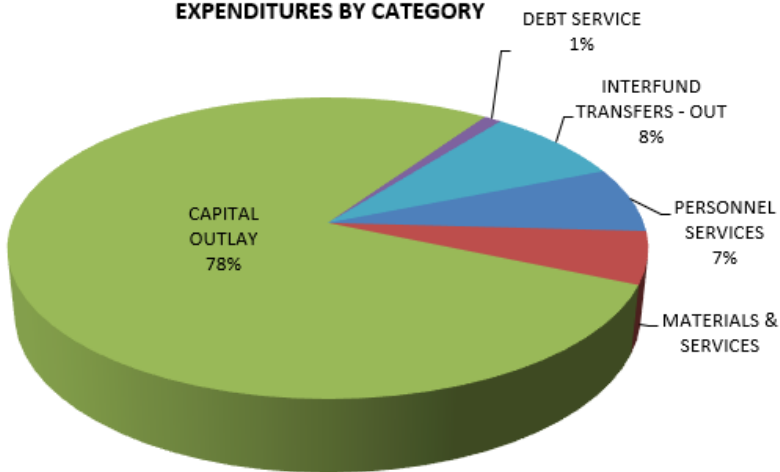
AS OF MARCH 31, 2024

	Year To Date	FY 2022-23 Budget	Budget Remaining	(75% lapsed)
PERSONNEL SERVICES	906,664	1,563,327	656,663	58.0%
MATERIALS & SERVICES	725,050	1,750,604	1,025,554	41.4%
CAPITAL OUTLAY	10,116,591	22,735,026	12,468,435	44.5%
DEBT SERVICE	134,169	231,768	97,599	57.9%
INTERFUND TRANSFERS - OUT	1,070,000	1,070,000	-	100.0%
	12,952,474	27,350,725	14,248,251	47.4%

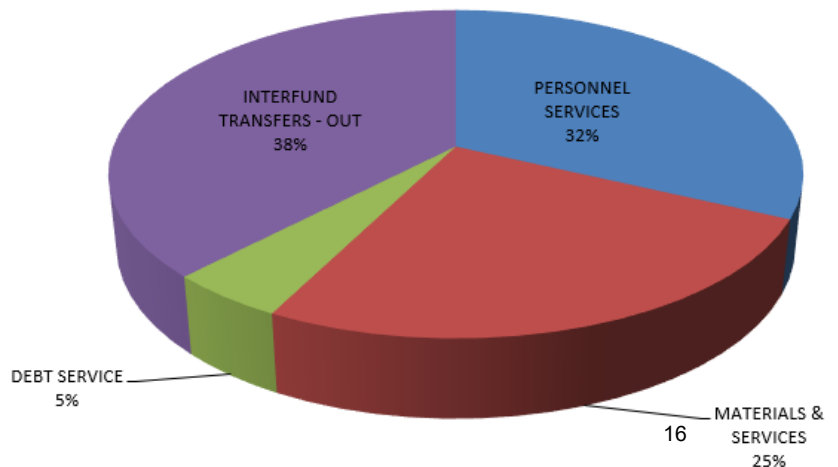
#### FINANCIAL HIGHLIGHTS – EXPENDITURES:

- All interfund transfers have been made for the year.
- Capital Outlay is our greatest expense. This is due to the ongoing work for Water and Wastewater Capital Improvement Projects.
- Staff is happy to report that all spending categories are under budget

**EXPENDITURES BY CATEGORY**



**EXPENDITURES BY CATEGORY EXCLUDING CAPITAL OUTLAY**





**EXPENDITURES - BUDGET TO ACTUAL BY FUND**

AS OF MARCH 31, 2024

	Year To Date	FY 2022-23 Budget	Budget Remaining	(75% lapsed) % Expended
<b>GENERAL FUND</b>				
PERSONNEL SERVICES	119,800	220,895	101,095	54.2%
MATERIALS & SERVICES	104,188	323,500	219,312	32.2%
CAPITAL OUTLAY	245,428	1,075,000	829,572	22.8%
DEBT SERVICE	37,635	38,695	1,060	97.3%
INTERFUND TRANSFERS - OUT	420,000	420,000	-	100.0%
	<u>927,051</u>	<u>2,078,090</u>	<u>1,151,039</u>	<u>44.6%</u>
<b>CEMETERY FUND</b>				
MATERIALS & SERVICES	4,434	34,900	30,466	12.7%
CAPITAL OUTLAY	9,123	10,000	877	91.2%
	<u>13,557</u>	<u>44,900</u>	<u>31,343</u>	<u>30.2%</u>
<b>STREETS FUND</b>				
PERSONNEL SERVICES	85,844	152,606	66,762	56.3%
MATERIALS & SERVICES	81,650	293,235	211,585	27.8%
CAPITAL OUTLAY	19,446	230,000	210,554	8.5%
	<u>186,940</u>	<u>675,841</u>	<u>488,901</u>	<u>27.7%</u>
<b>TOURISM FUND</b>				
MATERIALS & SERVICES	62,989	120,700	57,711	52.2%
CAPITAL OUTLAY		75,000	75,000	0.0%
INTERFUND TRANSFERS - OUT	-	-	-	0.0%
	<u>62,989</u>	<u>195,700</u>	<u>132,711</u>	<u>32.2%</u>
<b>COMMUNITY DEVELOPMENT FUND</b>				
PERSONNEL SERVICES	182,209	321,270	139,061	56.7%
MATERIALS & SERVICES	76,621	101,463	24,842	75.5%
CAPITAL OUTLAY	5,832	75,000	69,168	7.8%
	<u>264,662</u>	<u>497,733</u>	<u>233,071</u>	<u>53.2%</u>
<b>INDUSTRIAL AND ECONOMIC DEVELOPMENT</b>				
MATERIALS & SERVICES	55,473	233,225	177,752	23.8%
CAPITAL OUTLAY		150,000		
	<u>55,473</u>	<u>383,225</u>	<u>177,752</u>	<u>14.5%</u>
<b>WATER FUND</b>				
PERSONNEL SERVICES	258,959	432,770	173,811	59.8%
MATERIALS & SERVICES	131,352	286,395	155,043	45.9%
CAPITAL OUTLAY	5,131,613	9,752,526	4,620,913	52.6%
DEBT SERVICE	96,534	193,073	96,539	50.0%
	<u>5,618,458</u>	<u>10,664,764</u>	<u>5,046,306</u>	<u>52.7%</u>
<b>SEWER FUND</b>				
PERSONNEL SERVICES	259,852	435,786	175,934	59.6%
MATERIALS & SERVICES	208,343	357,186	148,843	58.3%
CAPITAL OUTLAY	4,705,149	11,367,500	6,662,351	41.4%
INTERFUND TRANSFERS - OUT	650,000	650,000	-	0.0%
	<u>5,823,344</u>	<u>12,810,472</u>	<u>6,987,128</u>	<u>45.5%</u>

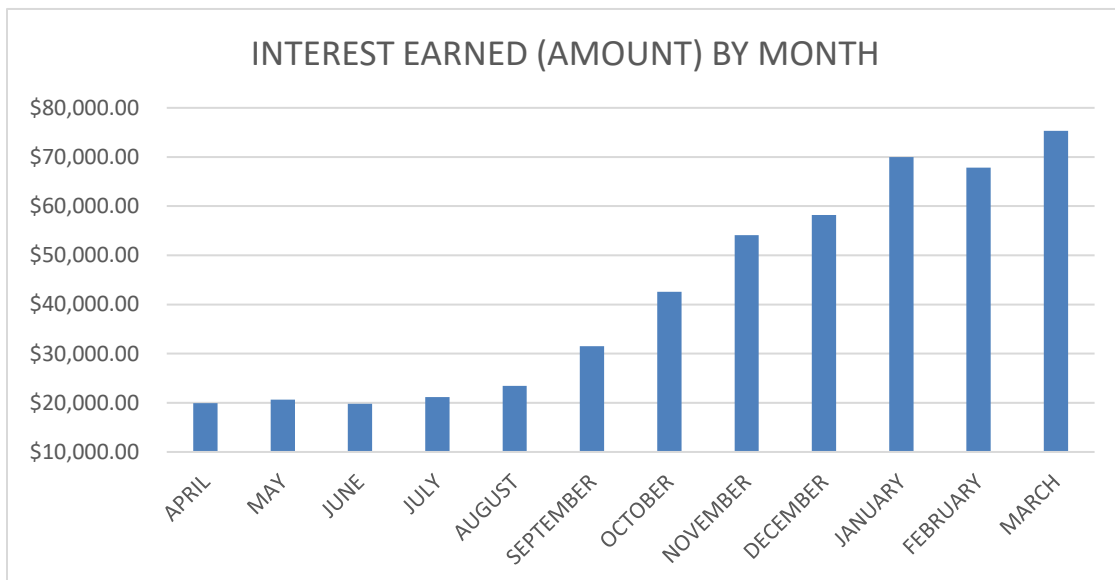
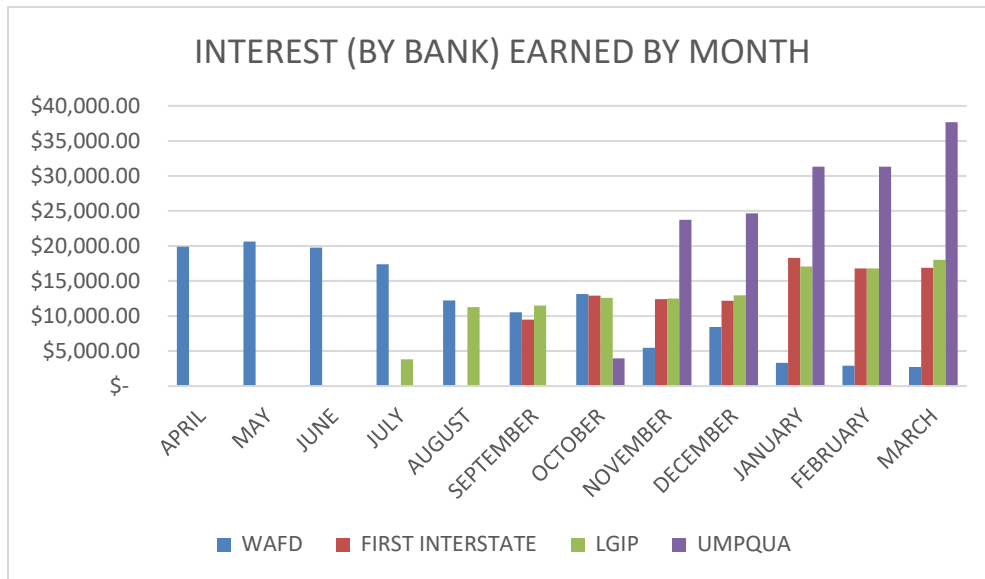


# City Interest Income Revenue Report

March 2023 – April 2024

City Bank Balances – 04/01/2024

Bank	3/6/2024	Rate
LGIP	\$ 4,098,488.81	5.20%
FIB	\$ 4,082,084.53	5.20%
WAFD	\$ 1,317,963.81	2.40%
WAFD Checking	\$ 1,894,709.98	
Umpqua Bank	\$ 8,134,987.44	5.60%
Xpress & Debt Reserve	\$ 251,099.37	0.00%
	\$ 19,779,333.94	





Balance Sheet - Urban Renewal	
March 2024	
<b>Assets</b>	
Cash	\$ 820,600.22
Property Tax Receivable	\$ 830.78
<b>Total Assets</b>	<b>\$ 821,431.00</b>
<b>Liabilities</b>	
Accounts Payable	\$ 94.00
Deferred Property Taxes	\$ 650.64
<b>Total Liabilities</b>	<b>\$ 744.64</b>
<b>Equity</b>	
Fund Balance - Unrestricted	\$ 547,700.38
Revenue Over Expenditures -YTD	\$ 272,985.98
<b>Total Equities</b>	<b>\$ 820,686.36</b>
<b>Total Liabilities &amp; Equity</b>	<b>\$ 821,431.00</b>
	\$ -

GENERAL FUND	ACTUALS
<b>Income</b>	
PROPERTY TAXES	\$ 302,822.59
SHARED REVENUES & GRANTS	\$ -
CHARGES FOR SERVICES	\$ -
MOTEL TAXES (30%)	\$ -
FRANCHISE FEES	\$ -
MISCELLANEOUS & OTHER INCOME	\$ 235.55
<b>TOTAL INCOME</b>	<b>\$ 303,058.14</b>
<b>Expenses</b>	
PERSONNEL SERVICES	\$ -
MATERIALS & SERVICES	\$ 30,072.16
CAPITAL OUTLAY	\$ -
DEBT SERVICE	\$ -
<b>TOTAL EXPENSES</b>	<b>\$ 30,072.16</b>
<b>NET INCOME</b>	<b>\$ 272,985.98</b>

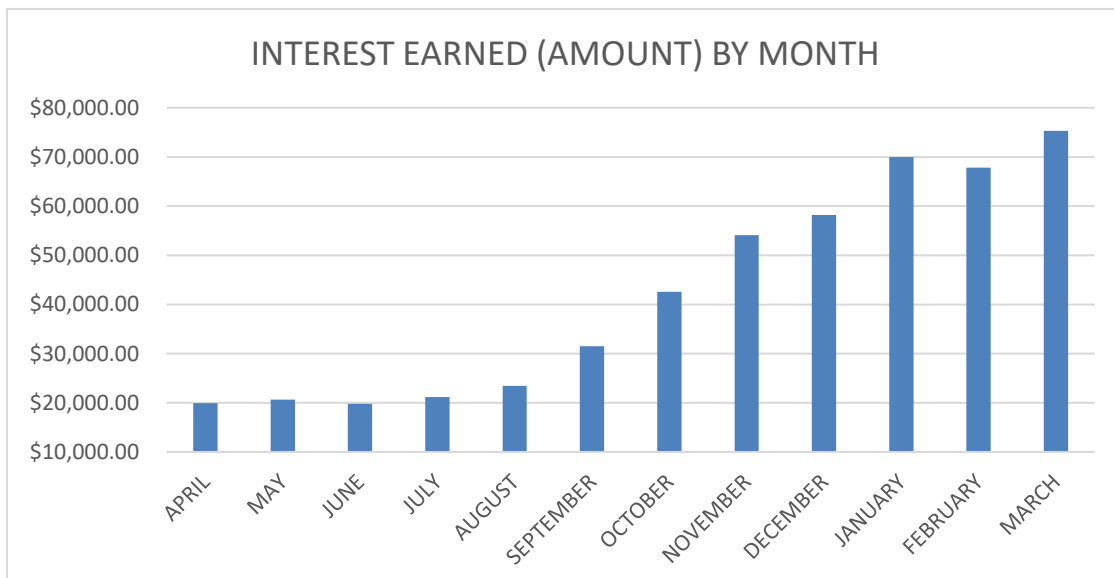
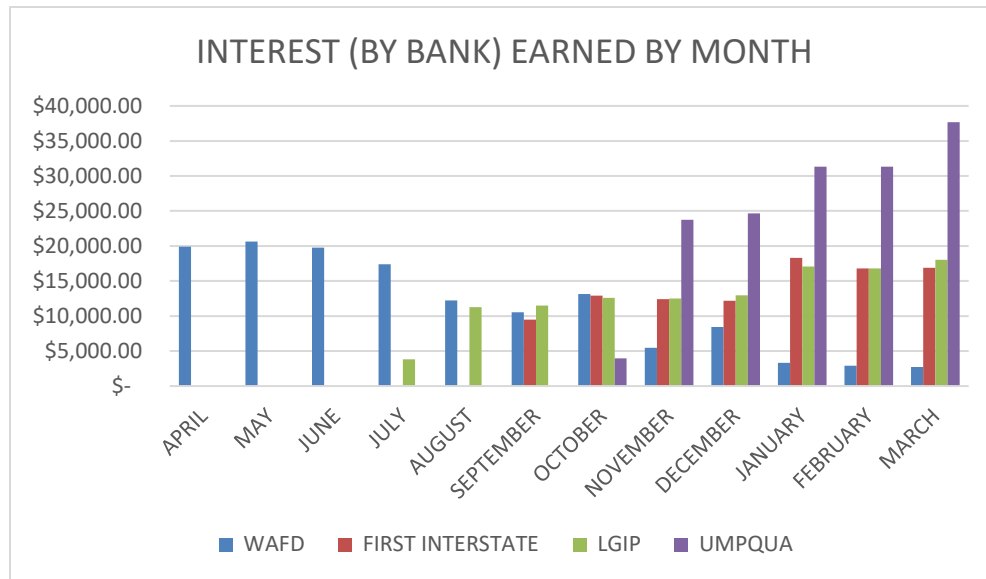


# City Interest Income Revenue Report

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	\$ 19,779,333.94	





PO Box 616, La Pine, OR 97739  
51375 Huntington Road, La Pine  
541.536.9771  
info@lapine.org

April 15, 2024

To: City of La Pine, City Councilors, City Manager  
Re: TRT funds report for Fiscal Year 2023/2024 - 3rd quarter

Happy Spring!

We continue to see an uptick in visitors to our information center, even though it did seem like a slower winter than usual throughout the town. I believe travelers are being more conservative overall due to the variables of the economy.

I attended the Governor's Conference on Tourism in March and that was also the consensus of the attendees. However, Travel Oregon is optimistic and their newest advertising campaign is all about sustainability of our natural resources. This is also something we have always tried to keep forward in the minds of travelers in our various publications. We are gearing up for a busy summer nevertheless as we know our area is among the desirable places to visit in Oregon.

We continue to engage with craterlakecountry.com as a partner in their ongoing campaign. We feel this is still the best "bang for our buck" for us to use in marketing Newberry Country.

We appreciate the continued support from the City of La Pine and look forward to making our new location as popular as the old one was ... for visitors and locals.

A handwritten signature in cursive script that reads "Ann Gawith".

Chamber Board 2024

Jeremy Johnson, Pres.  
Integrity Auto  
541-876-5432

Aaron Schofield, Treas.  
First Interstate Bank  
541-593-8101

Rex Lesueur  
Bancorp Insurance  
541-536-1726

Stacia Ash  
The Studio La Pine  
808-298-9270

Helen Marston  
Helen's Real Estate

Patrick Jackson  
Mann Mortgage  
541-536-9771

Ethel Dumon  
St. Vincent de Paul  
541-536-1956

\*\*\*  
Ann Gawith  
Executive Director

**La Pine Chamber of Commerce**  
**Profit & Loss**  
 January through March 2024

	Jan - Mar 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Chamber Income</b>	
<b>General Operating</b>	
<b>Membership</b>	
New Membership	2,559.00
Renewals	20,747.00
<b>Total Membership</b>	23,306.00
<b>Total General Operating</b>	23,306.00
<b>Program Income</b>	
<b>Annual Banquet</b>	
Annual Dinner Tickets	100.00
Sponsors	2,450.00
<b>Total Annual Banquet</b>	2,550.00
<b>Breakfast</b>	
Breakfast Club	165.00
Breakfast Sponsor	300.00
Regular Attendance	5,275.00
<b>Total Breakfast</b>	5,740.00
<b>Events</b>	
Miscellaneous Events	-5.00
<b>Total Events</b>	-5.00
<b>Facilities Income</b>	
Frontier Days Assoc	1,400.00
KNCP Radio	1,800.00
Snowplowing/Maint/Misc	-24.00
<b>Total Facilities Income</b>	3,176.00
<b>Total Program Income</b>	11,461.00
<b>Total Chamber Income</b>	34,767.00
<b>South County Shopper</b>	11,455.00
<b>Visitor Center Income</b>	
Made In La Pine Store	1,706.45
TRT from City of La Pine	18,700.00
Visitors Guide	8,687.50
Visitors Guide 2023	-400.00
<b>Total Visitor Center Income</b>	28,693.95
<b>Total Income</b>	74,915.95
<b>Gross Profit</b>	74,915.95
<b>Expense</b>	
<b>Chamber Expense</b>	
<b>General Operating</b>	
Miscellaneous Operations	-89.00
<b>Total General Operating</b>	-89.00
<b>Program Expense</b>	
<b>Annual Banquet</b>	
Awards	244.04
<b>Total Annual Banquet</b>	244.04
<b>Breakfast</b>	
Catering	4,714.95
Facility Rental	1,018.65
Breakfast - Other	-176.61

**La Pine Chamber of Commerce**  
**Profit & Loss**  
 January through March 2024

	Jan - Mar 24
Total Breakfast	5,556.99
Total Program Expense	5,801.03
Total Chamber Expense	5,712.03
<b>Facilities</b>	
Garbage Recycling	57.30
Rent	7,050.00
Repair/Maintenance/Upgrade	590.49
Utilities	1,220.61
Total Facilities	8,918.40
<b>General Operating</b>	
Insurance	
Business Auto & GL	395.38
Directors & Officers	338.67
Total Insurance	734.05
Total General Operating	734.05
<b>Miscellaneous Operations</b>	
Accounting	3,000.00
Advertising-Chamber Activities	564.60
Bank Service Charges	102.89
Credit Card Processing	1,503.13
Membership Dues	250.00
Misc Expense	100.00
Seminar/Workshops	52.08
Software	59.97
Volunteer Appreciation	45.88
Total Miscellaneous Operations	5,678.55
<b>Office Equipment &amp; Supplies</b>	
Computer Repair/Other Maintenance	66.96
General Supplies	420.25
Printer Costs	116.19
Printer Lease	682.85
Total Office Equipment & Supplies	1,286.25
<b>Payroll Expenses</b>	
Executive Director	8,315.43
Office Staff-Part Time	6,912.20
Payroll Taxes	5,110.49
Total Payroll Expenses	20,338.12
<b>SCS Expenses</b>	
SCS Ad Sale Commissions	3,525.02
SCS Advertising Expense	155.70
SCS Contract	3,000.00
SCS Supplies	64.95
Total SCS Expenses	6,745.67
<b>Visitor's Center Expenses</b>	
Program Expense	
Advertising	1,349.00
Visitors Guide	
Ad Sales Commission	6,000.00
Visitors Guide - Other	137.70
Total Visitors Guide	6,137.70
Total Program Expense	7,486.70
Total Visitor's Center Expenses	7,486.70
<b>Visitor's General Operating</b>	

**La Pine Chamber of Commerce**  
**Profit & Loss**  
 January through March 2024

	Jan - Mar 24
Made in La Pine Store	
Maint/Supplies	77.65
Paid to Vendors	5,901.88
Made in La Pine Store - Other	-152.00
<b>Total Made in La Pine Store</b>	<b>5,827.53</b>
<b>Total Visitor's General Operating</b>	5,827.53
Website	102.05
<b>Total Expense</b>	<b>62,829.35</b>
<b>Net Ordinary Income</b>	12,086.60
<b>Other Income/Expense</b>	
<b>Other Income</b>	
Interest from Checking Account	19.79
<b>Other Income-Misc</b>	
Misc Account Income	0.08
<b>Total Other Income-Misc</b>	<b>0.08</b>
<b>Total Other Income</b>	<b>19.87</b>
<b>Net Other Income</b>	<b>19.87</b>
<b>Net Income</b>	<b>12,106.47</b>





**CITY OF LA PINE**

STAFF REPORT

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Meeting Date: May 8, 2024  
TO: City Council  
FROM: Ashley Ivans, Finance Director *Ashley Ivans*  
SUBJECT: USDA Water Bond Resolutions

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

Councilmembers:

As you know, the City is currently undergoing a large Water & Wastewater Expansion Project. This project is funded through grants and loans by the USDA, DEQ and Oregon Business Development Department (OBDD). During construction of the project the City needed to use interim financing to pay the contractor. This is because the loans will not be issued until that portion of the financing is expended.

In the case of the Water project, the portion of funding coming from the USDA loan was expended in November 2023. Since then, staff have been working with Bond Counsel and USDA to get this interim financing off the books. Today, the resolutions authorizing the two bonds from USDA are before you. Water Bond No. 1 is for \$5,286,000 and Water Bond No. 2 is for \$2,714,000, totaling \$8,000,000. These resolutions will need to be passed, and the loan with Co-Bank (Interim Financer) in the amount of \$8,000,000 will be closed on May 16<sup>th</sup>.

There are two motions that will need to be passed, one for each bond. They are outlined below.

**Motion Recommendation:** I move that we approve Resolution 2024-04, a resolution for the issuance and sale of Water Revenue Bond No. 1.

**Motion Recommendation 2:** I move that we approve Resolution 2024-05, a resolution for the issuance and sale of Water Revenue Bond No. 2.

**RESOLUTION NO. 2024-04**

**A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF LA PINE, OREGON, WATER REVENUE BOND NO. 1 IN THE PRINCIPAL SUM OF NOT TO EXCEED \$5,286,000 TO THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL UTILITIES SERVICE, FOR THE PURPOSE OF PROVIDING A PORTION OF THE COSTS TO FINANCE CONSTRUCTION OF IMPROVEMENTS TO AND EXPANSION OF THE CITY'S WATER SYSTEM, PROVIDING FOR THE FORM AND TERMS OF SAID BOND AND AUTHORIZING THE PAYMENT OF SAME.**

WHEREAS, the City Council (the "City Council") of the City of La Pine, Oregon (the "City" or "Borrower"), pursuant to the authority of Oregon Revised Statutes 287A.150, the Constitution and Laws of the State of Oregon and laws amendatory thereof and supplemental thereto, adopted RUS Bulletin 1780-27 Loan Resolution on August 8, 2018, and adopted City Resolution No. 2017-03 on May 10, 2017 (the "Resolution") duly authorizing the City to issue water revenue bonds in an amount not to exceed \$9,000,000 to finance capital improvements to the City's water system, including a new basalt water supply well and well pump station, a new 500,000 gallon above-ground water storage reservoir, a new 16-inch transmission line from the reservoir to the City, several distribution system piping, service line, valving, and hydrant improvements in the City and will add the Cagle and Glenwood Acres areas to the City's water system. Collectively, the improvements to the City's water system are referred to herein as the "Project" and the water facilities are collectively referred to herein as the "Facility"; and

WHEREAS, notice of adoption of the Resolution was given as provided by law on May 24, 2017, and no petitions were filed by the electors of the City on or before July 24, 2017, the 61<sup>st</sup> day after the date of publication of the notice.

WHEREAS, the United States of America, acting through the United States Department of Agriculture, Rural Utilities Service (the "Government") appropriated \$5,286,000, as set forth in a Letter of Conditions dated May 11, 2022, and as may be further amended, to loan that amount to the City at an interest rate of 2.00% per annum for the Project; and

WHEREAS, the City has been directed to proceed in accordance with law to issue the bonds, and concurrently therewith and subsequent thereto the City has commenced negotiations with the Government for financial assistance to improve the Facility; and,

WHEREAS, the Government has indicated a desire to consider financial assistance and as a result, it is necessary to cause the execution and delivery of installment bonds or other evidence of indebtedness to secure any loan or loans made, or insured by the Government and to comply with any requirements, terms, and conditions prescribed by the Government or by Government regulations and to execute contracts or enter into agreements and to take any and all other action as may be necessary, incidental or appropriate to improve the Facility for and on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PINE, OREGON:

SECTION 1. It is necessary to defray a portion of the costs of improving the Facility by obtaining a loan made by the Government in accordance with the applicable provisions of the Rural Development Act of 1972, and the Government has acknowledged that the City is unable to obtain sufficient credit elsewhere to finance the Facility taking into consideration prevailing private and cooperative rates and terms concurrently available.

SECTION 2. The City shall borrow \$5,286,000 and issue as evidence thereof an installment Water Revenue Bond No. 1 (the "Bond") for the full principal amount of the loan. The Bond shall be dated with the date of delivery thereof, and shall be in substantially the following form:

**UNITED STATES OF AMERICA  
STATE OF OREGON  
COUNTY OF DESCHUTES  
CITY OF LA PINE  
WATER REVENUE BOND NO. 1**

KNOW ALL MEN BY THESE PRESENTS: the City of La Pine, Oregon, hereinafter called the "Borrower", hereby acknowledges itself indebted and for value received promises to pay to the order of the United States of America, acting through the United States Department of Agriculture, Rural Utilities Service, hereinafter called the "Government", the principal sum of Five Million Two Hundred and Eighty Six Thousand Dollars (\$5,286,000) plus interest on the unpaid principal balance at the rate of 2.00% per annum. The said principal and interest shall be payable in the following installments on or before the following dates:

The sum of \$193,257 on the 17th day of May, 2025, and the sum of \$193,257 annually thereafter on the 17th day of May until the principal and said interest are fully paid, except that the final installment of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and payable forty (40) years from the date of this bond.

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of the Borrower. Refunds, extra payments and loan proceeds obtained from outside sources for the purpose of paying down the Bond, shall, after payment of interest, be applied to the installments last to become due under this Bond and shall not affect the obligation of the Borrower to pay the remaining installments as scheduled herein.

This bond shall be registered as to principal and interest in the name of the United States of America in an appropriate book in the Office of the Borrower, each registration to be noted on the Bond Registration Certificate attached hereto by the City Manager of the Borrower and no transfer hereof shall be valid unless made on said book and similarly noted on the Bond Registration Certificate.

Both the principal and interest on this Bond shall be paid to the United States of America (as such registered holder) by pre-authorized debit to the United States Department of Agriculture Rural Utilities Service.

Default hereunder shall constitute default under any other instrument evidencing a debt of the Borrower owing to or insured by the Government or securing or otherwise relating to such a debt, and default under any other such instrument shall constitute default hereunder. Upon default the Government, at its option, may declare all or any part of the indebtedness immediately due and payable.

This bond is given as evidence of a loan to the Borrower made by the Government pursuant to the Rural Development Act of 1972, as amended, and shall be subject to the present regulations of the Government or its successor agency not inconsistent with the express provisions hereof.

This bond is authorized and issued by virtue of Resolution No. 2017-03 adopted by the City Council of the Borrower on May 10, 2017 and by Resolution No. 2024-04 adopted by the City Council of the Borrower on May 8, 2024 (collectively, the "Resolution"), and pursuant to the Constitution and Laws of the State of Oregon, and laws amendatory thereof and supplemental thereto.

This bond creates a lien and charge upon all fees, charges, and other revenues from the operation of the Borrower's water system (the "Facility") after payment of all expenses incurred for the operation, maintenance, and repair of the Facility (the "Net Revenues") and, subject to the following sentence, is superior to all other charges thereupon of any kind and nature. This pledge is on a parity with the pledge of Net Revenues that secures the Borrower's Water Revenue Bond No. 2 dated as of May 17, 2024. This bond and the interest thereon are payable solely from the Net Revenues of the Facility and neither this bond nor the payment of interest impose any general liability upon the Borrower for the payment thereof out of any monies other than Net Revenues of the Facility. The Borrower hereby irrevocably pledges the Net Revenues to the payment of this bond, and pursuant to ORS 287A.310, the pledge of the Net Revenues hereby made by the Borrower shall be valid and binding from the date of this bond.

It is hereby covenanted by the Borrower that so long as this bond shall be outstanding and unpaid, or until there shall have been set apart solely for that purpose sums sufficient to pay when due the entire principal sum hereof together with interest accrued, or to accrue thereon, the Borrower will impose and collect sufficient rates and charges for use of the Facility to provide for the operation and maintenance thereof and the payments on this bond and the maintenance of the various funds created under the Resolution; the Borrower also covenants that all use of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Borrower and that no free use of the Facility will be permitted.

It is hereby covenanted by the Borrower that so long as this bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities secured by the Facility or Net Revenues, without obtaining the prior written consent of the Government.

If at any time it shall appear to the Government that the Borrower is able to refinance the amount of this bond then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time, the Borrower will, upon request of the Government, apply for and accept such loan in an amount sufficient to repay the Government and will take all such actions as may be required in connection with such loan.

For so long as this bond is held by the Government, the Borrower may amend this Resolution only with the consent of the Government.

This bond is exchangeable at the sole expense of the Borrower at any time, upon ninety (90) days written notice, at the request of the registered owner hereof, and upon surrender of this bond to the Borrower at the office of the Borrower for registered bonds of the denomination of \$5,000.00 each, or integral multiples thereof, in the aggregate principal amount equal to the unpaid principal amount of the bond, and bearing interest on the unpaid principal balances at the rate of 2.00% per annum.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form and manner as required by law, that the amount of this bond, together with all obligations of the Borrower, does not exceed any limits prescribed by the Constitution and Statutes of the State of Oregon, and the Charter of the Borrower.

IN WITNESS WHEREOF, the City of La Pine, Oregon has caused this bond to be signed by its Mayor and attested to by its City Manager, all on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF LA PINE, OREGON**

By: \_\_\_\_\_  
          /s/  
          Mayor

ATTEST:

By: \_\_\_\_\_  
          /s/  
          City Manager

---

**BOND REGISTRATION CERTIFICATE**

**CITY OF LA PINE, OREGON  
WATER REVENUE BOND NO. 1**

**DATE: \_\_\_\_\_, 20\_\_**

**Registered in name of:**  
**United States of America acting through United States Department of Agriculture, Rural  
Utilities Service**  
**USDA Rural Development, Community & Utilities Branch**  
**Mail Code 2232**  
**211 North Broadway, Suite 1701**  
**St. Louis, MO 63102**

By:     /s/      
**City Manager**

---

[End of bond form.]

SECTION 3. All fees, charges, and other revenues from the operation of the Facility after payment of all expenses incurred for the operation, maintenance, and repair of the Facility (the “Net Revenues”) are hereby irrevocably pledged to the payment of the principal of and interest on the Bond. Pursuant to ORS 287A.310, the pledge of the Net Revenues shall be valid and binding from the date of the Bond. This Bond creates a lien and charge upon the Net Revenues of the City’s Facility and, subject to the following sentence, superior to all other charges thereupon of any kind and nature. This pledge is on a parity with the pledge of Net Revenues that secures the Borrower’s Water Revenue Bond No. 2 expected to be dated as of May 17, 2024 (“Bond No. 2”).

SECTION 4. The Finance Director shall be the custodian of all funds of the Facility and all funds shall be deposited in a bank which is a member of the Federal Deposit Insurance Corporation or in the Local Government Investment Pool. The Finance Director shall execute a Fidelity Bond in an amount not less than \$193,257 with a surety company approved by the Government and the amount thereof shall not be reduced without the prior written consent of the Government. The Finance Director is hereby directed to establish the following accounts into which the current funds of the Bond proceeds, the revenues from the Facility and other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided, so long as the Bond hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Bond hereby authorized and any interim financing acquired shall be deposited in the Construction Account. Amounts in the Construction Account exceeding \$250,000 shall either be secured by the depository bank in advance in accordance with State and Federal law or deposited in the Oregon Local Government Investment Pool. Withdrawal from the Construction Account shall be made only on checks signed by City officials, as authorized by the City Council, and only for the purposes for which said bond was issued as specified in the estimate of costs. The City’s share of any liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Project. When the construction of the Facility has been completed or all construction costs have been paid in full, any balance remaining in the Construction Account shall be used to pay outstanding installments on the Bond in inverse order without premiums; provided, however, that the proceeds to the Bond deposited in the

Construction Account shall be used to retire any interim financing. The Construction Account shall then be closed.

(b) Revenue Account. Revenues of the Facility shall be set aside into a separate account to be designated the Revenue Account, and moneys so deposited therein shall be expended and used only in the manner and order as follows:

i. Operations and Maintenance Account (bookkeeping account). There shall be set aside and deposited each month, before any other expenditures therefrom, a sufficient portion of the moneys in the Revenue Account to pay the reasonable and necessary current expenses of operating, maintaining and administering the Facility for the current month.

ii. Debt Service Account (bookkeeping account). After the transfer required in item i above, there shall be transferred each month from the Revenue Account or other available funds pledged to the Bond, before any other expenditures or transfer therefrom, and deposited in the Debt Service Account for payment of the annual installment of the bond, a sum equal to at least one-twelfth of the annual installment becoming due on the next succeeding 17th day of May. If the City for any reason shall fail to make such monthly deposit, then an amount equal to the deficiency shall be set apart and deposited in the Debt Service Account out of the gross revenues in the ensuing month or months, which amount shall be in addition to the regular monthly deposit required during each succeeding month or months.

Whenever there shall accumulate in the Debt Service Account amounts in excess of the requirements during the next twelve months for paying principal and interest on outstanding bond installments, and in the Operation and Maintenance Account and the Reserve Accounts hereinafter established, amounts in excess of the requirements thereof, such excess may be used by the City to make prepayments on the bond.

(c) Reserve Accounts.

i. Debt Service Reserve Account. The City shall establish and maintain a Debt Service Reserve Account within the Revenue Account. There shall be set aside and deposited in the Debt Service Reserve Account after the transfer required in items (i) and (ii) above the sum of \$1,610.48 monthly until there is accumulated in that fund the sum of \$193,257, after which no further deposits need be made into said account except to replace withdrawals.

The Debt Service Reserve Account shall be used and disbursed only for the purpose of paying the cost of repairing or replacing any damage to the Facility which may be caused by any unforeseen catastrophe and when necessary for the purpose of making payments of principal and interest on the Bond hereby authorized in the event the amount of the Debt Service Account is insufficient to meet such payments. Approval by the Government is required prior to the use of the Debt Service Reserve Account funds. Whenever disbursements are made from the Debt Service Reserve Account, \$1,610.48 should be deposited per month into the Debt Service Reserve Account, until there is

again accumulated the amount of \$193,257, at which time deposits may be again discontinued.

ii. Short-Lived Asset Replacement Reserve Account. The Borrower shall establish and maintain a Short-Lived Asset Replacement Reserve Account (“SLARRA”). The City shall set aside and deposit in the SLARRA the sum of not less than \$10,933 annually for both the Bond and Bond No. 2. Amounts in the SLARRA shall be used and disbursed only for the purpose of replacing facility assets with an estimated life of less than fifteen years. Approval by the Government is not required prior to the use of amounts in the SLARRA.

SECTION 5. The Borrower covenants and agrees that so long as the Bond hereby authorized remains unpaid:

(a) The Borrower will indemnify the Government for any payments made or losses suffered by the Government as a result of or in connection with the Facility.

(b) The Borrower will comply with applicable State laws and regulations and continually operate and maintain the Facility in good condition.

(c) The Borrower will impose and collect sufficient rates and charges for use of the Facility to provide for the operation and maintenance thereof and the payments on the Bond hereby authorized and the maintenance of the various funds herein created; that all use of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Borrower; and that no free use of the Facility will be permitted.

(d) The Borrower will maintain complete books and records relating to the operation of the Facility and its financial affairs and will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and will furnish the Government, without request, a copy of each annual audit report. At all reasonable times the Government shall have the right to inspect the Facility and the records, accounts and data of the Borrower relating thereto.

(e) The Borrower will maintain such insurance coverage as may be required by the Government.

(f) For so long as the Bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(g) For so long as the Bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities secured by the Facility or Net Revenues, without obtaining the prior written consent of the Government.

(h) The Borrower will not dispose of or transfer its title to the Facility or any part thereof, including lands and interest in lands, by sale, mortgage, lease, or other encumbrance,



without the prior written consent of the Government. For so long as the Bond is held by the Government, the City will not defease the Bond without the prior written consent of the Government.

(i) The Borrower will cause to be collected such revenues as may be necessary to operate and maintain the Facility in good condition and meet payments on the Bond when the same become due if, for any reason, gross revenues are insufficient.

(j) The Borrower will comply with all federal laws and regulations to maintain the tax-exempt status of Bond interest from Federal income taxation and Oregon personal income taxation.

SECTION 6. If at any time it shall appear to the Government that the Borrower is able to refinance the amount of the Bond then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time, the Borrower will, upon request of the Government, apply for and accept such loan in an amount sufficient to repay the Government and will take all such actions as may be required in connection with such loan.

SECTION 7. The City designates the Mayor, the City Manager, and the Finance Director, or any designee of either official (the "Authorized Representative"), to act on behalf of the Borrower and determine the terms of the Bond and to take any action and execute any certificates, documents or agreements that the Authorized Representative determines are desirable to issue, sell and deliver the Bond in accordance with this Resolution.

SECTION 8. Representatives are hereby authorized and directed to execute for and on behalf of the Borrower Form RD 400-1, "Equal Opportunity Agreement", Form RD 400-4, "Assurance Agreement", as required by the provisions of Title VI of the Civil Rights Act of 1964, RUS Bulletin 1780-27, "Loan Resolution", Form RD 442-21, "Right-of-Way Certificate", Form RD 1942-46, "Letter of Intent to Meet Conditions", Form RD 1910-11, "Applicant Certification Federal Collection Policies for Consumer or Commercial Debts", Form RD 1924-18, "Partial Payment Estimate", Form AD-1047, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions", Form AD-1048, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions", and if an RUS development grant is involved, RUS Bulletin 1780-12, "Water and Waste System Grant Agreement", and Form AD-1049, "Certification Regarding Drug-Free Workplace Requirements (Grants)," and to act on behalf of the City and determine the terms of the Bond and to take any action and execute any certificates, documents or agreements that the Authorized Representative determines are desirable to issue, sell and deliver the Bond in accordance with this Resolution.

SECTION 9. Amendment of Resolution. For so long as the Bond is held by the Government, the Borrower may amend this Resolution only with the consent of the Government.

ADOPTED by the City and APPROVED by the City Council this 8th day of May, 2024.

**CITY OF LA PINE, OREGON**

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Manager

**RESOLUTION NO. 2024-05**

**A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF LA PINE, OREGON, WATER REVENUE BOND NO. 2 IN THE PRINCIPAL SUM OF NOT TO EXCEED \$2,714,000 TO THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL UTILITIES SERVICE, FOR THE PURPOSE OF PROVIDING A PORTION OF THE COSTS TO FINANCE CONSTRUCTION OF IMPROVEMENTS TO AND EXPANSION OF THE CITY'S WATER SYSTEM, PROVIDING FOR THE FORM AND TERMS OF SAID BOND AND AUTHORIZING THE PAYMENT OF SAME.**

WHEREAS, the City Council (the "City Council") of the City of La Pine, Oregon (the "City" or "Borrower"), pursuant to the authority of Oregon Revised Statutes 287A.150, the Constitution and Laws of the State of Oregon and laws amendatory thereof and supplemental thereto, adopted RUS Bulletin 1780-27 Loan Resolution on August 10, 2022, and adopted City Resolution No. 2017-03 on May 10, 2017 (the "Resolution") duly authorizing the City to issue water revenue bonds in an amount not to exceed \$9,000,000 to finance capital improvements to the City's water system, including a new basalt water supply well and well pump station, a new 500,000 gallon above-ground water storage reservoir, a new 16-inch transmission line from the reservoir to the City, several distribution system piping, service line, valving, and hydrant improvements in the City and will add the Cagle and Glenwood Acres areas to the City's water system. Collectively, the improvements to the City's water system are referred to herein as the "Project" and the water facilities are collectively referred to herein as the "Facility"; and

WHEREAS, notice of adoption of the Resolution was given as provided by law on May 24, 2017, and no petitions were filed by the electors of the City on or before July 24, 2017, the 61<sup>st</sup> day after the date of publication of the notice.

WHEREAS, the United States of America, acting through the United States Department of Agriculture, Rural Utilities Service (the "Government") appropriated \$2,714,000, as set forth in a Letter of Conditions dated May 11, 2022, and as may be further amended, to loan that amount to the City at an interest rate of 1.50% per annum for the Project; and

WHEREAS, the City has been directed to proceed in accordance with law to issue the bonds, and concurrently therewith and subsequent thereto the City has commenced negotiations with the Government for financial assistance to improve the Facility; and,

WHEREAS, the Government has indicated a desire to consider financial assistance and as a result, it is necessary to cause the execution and delivery of installment bonds or other evidence of indebtedness to secure any loan or loans made, or insured by the Government and to comply with any requirements, terms, and conditions prescribed by the Government or by Government regulations and to execute contracts or enter into agreements and to take any and all other action as may be necessary, incidental or appropriate to improve the Facility for and on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PINE, OREGON:

SECTION 1. It is necessary to defray a portion of the costs of improving the Facility by obtaining a loan made by the Government in accordance with the applicable provisions of the Rural Development Act of 1972, and the Government has acknowledged that the City is unable to obtain sufficient credit elsewhere to finance the Facility taking into consideration prevailing private and cooperative rates and terms concurrently available.

SECTION 2. The City shall borrow \$2,714,000 and issue as evidence thereof an installment Water Revenue Bond No. 2 (the "Bond") for the full principal amount of the loan. The Bond shall be dated with the date of delivery thereof, and shall be in substantially the following form:

**UNITED STATES OF AMERICA  
STATE OF OREGON  
COUNTY OF DESCHUTES  
CITY OF LA PINE  
WATER REVENUE BOND NO. 2**

KNOW ALL MEN BY THESE PRESENTS: the City of La Pine, Oregon, hereinafter called the "Borrower", hereby acknowledges itself indebted and for value received promises to pay to the order of the United States of America, acting through the United States Department of Agriculture, Rural Utilities Service, hereinafter called the "Government", the principal sum of Two Million Seven Hundred Fourteen Thousand Dollars (\$2,714,000) plus interest on the unpaid principal balance at the rate of 1.50% per annum. The said principal and interest shall be payable in the following installments on or before the following dates:

The sum of \$90,730 on the 17th day of May, 2025, and the sum of \$90,730 annually thereafter on the 17th day of May until the principal and said interest are fully paid, except that the final installment of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and payable forty (40) years from the date of this bond.

Prepayments of scheduled installments, or any portion thereof, may be made at any time at the option of the Borrower. Refunds, extra payments and loan proceeds obtained from outside sources for the purpose of paying down the Bond, shall, after payment of interest, be applied to the installments last to become due under this Bond and shall not affect the obligation of the Borrower to pay the remaining installments as scheduled herein.

This bond shall be registered as to principal and interest in the name of the United States of America in an appropriate book in the Office of the Borrower, each registration to be noted on the Bond Registration Certificate attached hereto by the City Manager of the Borrower and no transfer hereof shall be valid unless made on said book and similarly noted on the Bond Registration Certificate.

Both the principal and interest on this Bond shall be paid to the United States of America (as such registered holder) by pre-authorized debit to the United States Department of Agriculture Rural Utilities Service.

Default hereunder shall constitute default under any other instrument evidencing a debt of the Borrower owing to or insured by the Government or securing or otherwise relating to such a debt, and default under any other such instrument shall constitute default hereunder. Upon default the Government, at its option, may declare all or any part of the indebtedness immediately due and payable.

This bond is given as evidence of a loan to the Borrower made by the Government pursuant to the Rural Development Act of 1972, as amended, and shall be subject to the present regulations of the Government or its successor agency not inconsistent with the express provisions hereof.

This bond is authorized and issued by virtue of Resolution No. 2017-03 adopted by the City Council of the Borrower on May 10, 2017 and by Resolution No. 2024-05 adopted by the City Council of the Borrower on May 8, 2024 (collectively, the "Resolution"), and pursuant to the Constitution and Laws of the State of Oregon, and laws amendatory thereof and supplemental thereto.

This bond creates a lien and charge upon all fees, charges, and other revenues from the operation of the Borrower's water system (the "Facility") after payment of all expenses incurred for the operation, maintenance, and repair of the Facility (the "Net Revenues") and, subject to the following sentence, is superior to all other charges thereupon of any kind and nature. This pledge is on a parity with the pledge of Net Revenues that secures the Borrower's Water Revenue Bond No. 1 dated as of May 17, 2024. This bond and the interest thereon are payable solely from the Net Revenues of the Facility and neither this bond nor the payment of interest impose any general liability upon the Borrower for the payment thereof out of any monies other than Net Revenues of the Facility. The Borrower hereby irrevocably pledges the Net Revenues to the payment of this bond, and pursuant to ORS 287A.310, the pledge of the Net Revenues hereby made by the Borrower shall be valid and binding from the date of this bond.

It is hereby covenanted by the Borrower that so long as this bond shall be outstanding and unpaid, or until there shall have been set apart solely for that purpose sums sufficient to pay when due the entire principal sum hereof together with interest accrued, or to accrue thereon, the Borrower will impose and collect sufficient rates and charges for use of the Facility to provide for the operation and maintenance thereof and the payments on this bond and the maintenance of the various funds created under the Resolution; the Borrower also covenants that all use of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Borrower and that no free use of the Facility will be permitted.

It is hereby covenanted by the Borrower that so long as this bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities secured by the Facility or Net Revenues, without obtaining the prior written consent of the Government.

If at any time it shall appear to the Government that the Borrower is able to refinance the amount of this bond then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time, the Borrower will, upon request of the Government, apply for and accept such loan in an amount sufficient to repay the Government and will take all such actions as may be required in connection with such loan.

For so long as this bond is held by the Government, the Borrower may amend this Resolution only with the consent of the Government.

This bond is exchangeable at the sole expense of the Borrower at any time, upon ninety (90) days written notice, at the request of the registered owner hereof, and upon surrender of this bond to the Borrower at the office of the Borrower for registered bonds of the denomination of \$5,000.00 each, or integral multiples thereof, in the aggregate principal amount equal to the unpaid principal amount of the bond, and bearing interest on the unpaid principal balances at the rate of 1.50% per annum.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form and manner as required by law, that the amount of this bond, together with all obligations of the Borrower, does not exceed any limits prescribed by the Constitution and Statutes of the State of Oregon, and the Charter of the Borrower.

IN WITNESS WHEREOF, the City of La Pine, Oregon has caused this bond to be signed by its Mayor and attested to by its City Manager, all on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY OF LA PINE, OREGON**

By: \_\_\_\_\_  
          /s/  
          Mayor

ATTEST:

By: \_\_\_\_\_  
          /s/  
          City Manager

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**BOND REGISTRATION CERTIFICATE**

**CITY OF LA PINE, OREGON  
WATER REVENUE BOND NO. 2**

**DATE: \_\_\_\_\_, 20\_\_**

**Registered in name of:**  
**United States of America acting through United States Department of Agriculture, Rural  
Utilities Service**  
**USDA Rural Development, Community & Utilities Branch**  
**Mail Code 2232**  
**211 North Broadway, Suite 1701**  
**St. Louis, MO 63102**

By:     /s/      
**City Manager**

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[End of bond form.]

SECTION 3. All fees, charges, and other revenues from the operation of the Facility after payment of all expenses incurred for the operation, maintenance, and repair of the Facility (the “Net Revenues”) are hereby irrevocably pledged to the payment of the principal of and interest on the Bond. Pursuant to ORS 287A.310, the pledge of the Net Revenues shall be valid and binding from the date of the Bond. This Bond creates a lien and charge upon the Net Revenues of the City’s Facility and, subject to the following sentence, superior to all other charges thereupon of any kind and nature. This pledge is on a parity with the pledge of Net Revenues that secures the Borrower’s Water Revenue Bond No. 1 expected to be dated as of May 17, 2024 (“Bond No. 1”).

SECTION 4. The Finance Director shall be the custodian of all funds of the Facility and all funds shall be deposited in a bank which is a member of the Federal Deposit Insurance Corporation or in the Local Government Investment Pool. The Finance Director shall execute a Fidelity Bond in an amount not less than \$90,730 with a surety company approved by the Government and the amount thereof shall not be reduced without the prior written consent of the Government. The Finance Director is hereby directed to establish the following accounts into which the current funds of the Bond proceeds, the revenues from the Facility and other income shall be deposited, which accounts shall be continually maintained, except as otherwise provided, so long as the Bond hereby authorized remains unpaid.

(a) Construction Account. The proceeds of the Bond hereby authorized and any interim financing acquired shall be deposited in the Construction Account. Amounts in the Construction Account exceeding \$250,000 shall either be secured by the depository bank in advance in accordance with State and Federal law or deposited in the Oregon Local Government Investment Pool. Withdrawal from the Construction Account shall be made only on checks signed by City officials, as authorized by the City Council, and only for the purposes for which said bond was issued as specified in the estimate of costs. The City’s share of any liquidated damages and other monies paid by defaulting contractors or their sureties will be deposited in the Construction Account to assure completion of the Project. When the construction of the Facility has been completed or all construction costs have been paid in full, any balance remaining in the Construction Account shall be used to pay outstanding installments on the Bond in inverse order without premiums; provided, however, that the proceeds to the Bond deposited in the

Construction Account shall be used to retire any interim financing. The Construction Account shall then be closed.

(b) Revenue Account. Revenues of the Facility shall be set aside into a separate account to be designated the Revenue Account, and moneys so deposited therein shall be expended and used only in the manner and order as follows:

i. Operations and Maintenance Account (bookkeeping account). There shall be set aside and deposited each month, before any other expenditures therefrom, a sufficient portion of the moneys in the Revenue Account to pay the reasonable and necessary current expenses of operating, maintaining and administering the Facility for the current month.

ii. Debt Service Account (bookkeeping account). After the transfer required in item i above, there shall be transferred each month from the Revenue Account or other available funds pledged to the Bond, before any other expenditures or transfer therefrom, and deposited in the Debt Service Account for payment of the annual installment of the bond, a sum equal to at least one-twelfth of the annual installment becoming due on the next succeeding 17th day of May. If the City for any reason shall fail to make such monthly deposit, then an amount equal to the deficiency shall be set apart and deposited in the Debt Service Account out of the gross revenues in the ensuing month or months, which amount shall be in addition to the regular monthly deposit required during each succeeding month or months.

Whenever there shall accumulate in the Debt Service Account amounts in excess of the requirements during the next twelve months for paying principal and interest on outstanding bond installments, and in the Operation and Maintenance Account and the Reserve Accounts hereinafter established, amounts in excess of the requirements thereof, such excess may be used by the City to make prepayments on the bond.

(c) Reserve Accounts.

i. Debt Service Reserve Account. The City shall establish and maintain a Debt Service Reserve Account within the Revenue Account. There shall be set aside and deposited in the Debt Service Reserve Account after the transfer required in items (i) and (ii) above the sum of \$756.08 monthly until there is accumulated in that fund the sum of \$90,730, after which no further deposits need be made into said account except to replace withdrawals.

The Debt Service Reserve Account shall be used and disbursed only for the purpose of paying the cost of repairing or replacing any damage to the Facility which may be caused by any unforeseen catastrophe and when necessary for the purpose of making payments of principal and interest on the Bond hereby authorized in the event the amount of the Debt Service Account is insufficient to meet such payments. Approval by the Government is required prior to the use of the Debt Service Reserve Account funds. Whenever disbursements are made from the Debt Service Reserve Account, \$756.08 should be deposited per month into the Debt Service Reserve Account, until there is



again accumulated the amount of \$90,730, at which time deposits may be again discontinued.

ii. Short-Lived Asset Replacement Reserve Account. The Borrower shall establish and maintain a Short-Lived Asset Replacement Reserve Account (“SLARRA”). The City shall set aside and deposit in the SLARRA the sum of not less than \$10,933 annually for both the Bond and Bond No. 1. Amounts in the SLARRA shall be used and disbursed only for the purpose of replacing facility assets with an estimated life of less than fifteen years. Approval by the Government is not required prior to the use of amounts in the SLARRA.

SECTION 5. The Borrower covenants and agrees that so long as the Bond hereby authorized remains unpaid:

(a) The Borrower will indemnify the Government for any payments made or losses suffered by the Government as a result of or in connection with the Facility.

(b) The Borrower will comply with applicable State laws and regulations and continually operate and maintain the Facility in good condition.

(c) The Borrower will impose and collect sufficient rates and charges for use of the Facility to provide for the operation and maintenance thereof and the payments on the Bond hereby authorized and the maintenance of the various funds herein created; that all use of the Facility shall be subject to the full rates prescribed in the rules and regulations of the Borrower; and that no free use of the Facility will be permitted.

(d) The Borrower will maintain complete books and records relating to the operation of the Facility and its financial affairs and will cause such books and records to be audited annually at the end of each fiscal year and an audit report prepared, and will furnish the Government, without request, a copy of each annual audit report. At all reasonable times the Government shall have the right to inspect the Facility and the records, accounts and data of the Borrower relating thereto.

(e) The Borrower will maintain such insurance coverage as may be required by the Government.

(f) For so long as the Bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities in connection with making extensions or improvements to the Facility, exclusive of normal maintenance, without obtaining the prior written consent of the Government.

(g) For so long as the Bond is held by the Government, the Borrower will not borrow money from any source or enter into any contract or agreement or incur any other liabilities secured by the Facility or Net Revenues, without obtaining the prior written consent of the Government.

(h) The Borrower will not dispose of or transfer its title to the Facility or any part thereof, including lands and interest in lands, by sale, mortgage, lease, or other encumbrance,

without the prior written consent of the Government. For so long as the Bond is held by the Government, the City will not defease the Bond without the prior written consent of the Government.

(i) The Borrower will cause to be collected such revenues as may be necessary to operate and maintain the Facility in good condition and meet payments on the Bond when the same become due if, for any reason, gross revenues are insufficient.

(j) The Borrower will comply with all federal laws and regulations to maintain the tax-exempt status of Bond interest from Federal income taxation and Oregon personal income taxation.

SECTION 6. If at any time it shall appear to the Government that the Borrower is able to refinance the amount of the Bond then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources, at reasonable rates and terms for loans for similar purposes and periods of time, the Borrower will, upon request of the Government, apply for and accept such loan in an amount sufficient to repay the Government and will take all such actions as may be required in connection with such loan.

SECTION 7. The City designates the Mayor, the City Manager, and the Finance Director, or any designee of either official (the “Authorized Representative”), to act on behalf of the Borrower and determine the terms of the Bond and to take any action and execute any certificates, documents or agreements that the Authorized Representative determines are desirable to issue, sell and deliver the Bond in accordance with this Resolution.

SECTION 8. Representatives are hereby authorized and directed to execute for and on behalf of the Borrower Form RD 400-1, “Equal Opportunity Agreement”, Form RD 400-4, “Assurance Agreement”, as required by the provisions of Title VI of the Civil Rights Act of 1964, RUS Bulletin 1780-27, “Loan Resolution”, Form RD 442-21, “Right-of-Way Certificate”, Form RD 1942-46, “Letter of Intent to Meet Conditions”, Form RD 1910-11, “Applicant Certification Federal Collection Policies for Consumer or Commercial Debts”, Form RD 1924-18, “Partial Payment Estimate”, Form AD-1047, “Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions”, Form AD-1048, “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions”, and if an RUS development grant is involved, RUS Bulletin 1780-12, “Water and Waste System Grant Agreement”, and Form AD-1049, “Certification Regarding Drug-Free Workplace Requirements (Grants),” and to act on behalf of the City and determine the terms of the Bond and to take any action and execute any certificates, documents or agreements that the Authorized Representative determines are desirable to issue, sell and deliver the Bond in accordance with this Resolution.

SECTION 9. Amendment of Resolution. For so long as the Bond is held by the Government, the Borrower may amend this Resolution only with the consent of the Government.

ADOPTED by the City and APPROVED by the City Council this 8th day of May, 2024.

**CITY OF LA PINE, OREGON**

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Manager



**CITY OF LA PINE**

STAFF REPORT

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Meeting Date: May 8, 2024  
TO: City Council  
FROM: Ashley Ivans, Finance Director *Ashley Ivans*  
SUBJECT: Budget Resolution Packet

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

Councilmembers:

As a part of the City’s Annual Budget process there are several Resolutions that need to be passed. Many of these are formalities that you are all familiar with. This year, we have a new resolution to pass establishing a reserve fund. Below I have outlined each resolution and what it is for. Each Resolution will need to be passed with a motion, all of which have been recommended at the end of this staff report.

**Res. 2024-06 – A Resolution Declaring Municipal Services Provided:** This resolution simply declares that the City provides the services required to receive state shared revenues each year. Of the 7 items listed the City must provide 4 of them. Currently, the 4 that the City provides are:

1. Street construction, maintenance, and lighting
2. Sanitary sewer
3. Planning, zoning, and subdivision control
4. One or more utility services

**Res. 2024-07 – A Resolution Declaring the City’s Election to Receive State Shared Revenues:** This resolution must be passed in order for the state to send the City it’s portion of Gas, Liquor, Cigarette and Marijuana Tax. It also authorizes the City to receive it’s quarterly apportionment which is based on population.

**Res. 2024-08 – A Resolution Adopting the City’s Master Fee Schedule, effective July 1, 2024:** This resolution is adopting the City’s rates for FY2024-25. Below is a list of the rates changed by department:

**Administration:**

- Labor, Delivery & Postage, Attorney Fees – all changed to actual cost + 10% Admin fee from just actual cost.
- Recording Fee – changed from \$100 to \$100 + cost of recording documents.

**Community Development:**

- Changed/Added: \$500 to all type 2, 3, & 4 applications to absorb the costs of pre-development meetings (between 1 -1 ½ hours) where at least 3, but sometimes 5, staff attend. These applications are: Annexation, Cell Tower, Conditional Use Permit, Exceptions Request, Partition, Replat, Subdivision, Text Amendment, Vacation of Right-of-Way, Variance, Zone Change/Comp Plan Amendment, Master Planned Development, Site Plan Review, Lot of Record Verification & Modification of Approved Decision.
- Added: Zoning Permit (residential) - \$250, appeal to Planning Commission - \$250, Appeal to Council - \$3500, LUBA Remand - \$5000, & Reconsideration of Decision - \$1600.
- Changed: Attorney fees & research – changed to actual cost + 10% Admin fee from just actual cost & Lot Line Adjustment from \$500 to \$750.
- Removed: Hearing Fee for Council/Commission, Fee for Hearings Officer

**Sewer:**

- All rates, including septage, increased by 18%

**Water:**

- All rates, including hydrant water, increased by 6%,
- Hydrant Meter Checkout Fee (\$100) replaced by Hydrant Meter Deposit (\$500).
- Water Meter Testing, Changing and Installation:
  - The testing and changing category was changed to testing only
    - All testing rates remain the same.
  - The installation category was changed to Installation or Changing.
    - All changing and installing were changed to reflect the cost of meter + \$50-\$100 depending on meter size.
      - ¾" and smaller – increased to \$330 from \$300
      - 1" – increased to \$445 from \$375
      - 1 ½" – increased to \$1050 from \$575
      - 2" – reduced to \$1200 from \$1625
      - 3" – increased to \$4100 from \$2000
      - Larger than 3" remains the same.
- Disconnection fee changed to \$75 to reflect what the City is actually charging
- Cut lock replacement - increased to \$500 from \$200
- Labor by the hour – changed to actual cost + 10% Admin fee from just actual cost
- Meter tampering fee - increased to \$750 from \$500
- Inactive Services Fees – increased from \$175 flat rate to approximately 5 months of water and sewer base fees escalating by meter size.

**Public Works / Community Development General:**

- Added Pre-construction meeting fee: \$500
- Inspections on new construction: 1% of the cost of public improvements - fees will be split 30% Streets, 30% Water, 30% Sewer and 10% Community Development.

**Resolution 2024-09 – A Resolution Creating a New Reserve Fund:** This resolution creates the City’s newest fund, titled *Equipment Reserve Fund*. This fund is created to house reserves for Public Works Equipment and is funded by Interfund Transfers from the Streets, Water, and Sewer Funds. This fund will need to be reviewed in 10 years per state law.

**Motion Recommendation:** I move that we approve Resolution 2024-06, A Resolution Declaring Municipal Services Provided.

**Motion Recommendation 2:** I move that we approve Resolution 2024-07, A Resolution Declaring the City’s Election to Receive State Shared Revenues.

**Motion Recommendation 3:** I move that we approve Resolution 2024-08, A Resolution adopting the City’s Master Fee Schedule, effective July 1, 2024.

**Motion Recommendation 4:** I move that we approve Resolution 2024-09, A Resolution Creating a New Reserve Fund.

**CITY OF LA PINE**

**RESOLUTION NO. 2024-06**

**A RESOLUTION DECLARING THE MUNICIPAL SERVICES PROVIDED BY THE CITY OF LA PINE IN ORDER TO RECEIVE STATE SHARED REVENUES.**

WHEREAS, ORS 221.760(1) provides, in pertinent part, that the officer responsible for disbursing funds to cities under ORS 323, 455, 366, 785 to 366.820 and 271.805 will, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following municipal services:

1. Police Protection
2. Fire Protection
3. Street construction, maintenance, and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning and subdivision control
7. One or more utility services, and

WHEREAS, the La Pine City Council (the “City Council”) recognizes the desirability of assisting the State Officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760(1).

NOW, THEREFORE, BE IT RESOLVED, by and through the City Council meeting in regular session, that the City of La Pine hereby certifies that it provides four or more of the above referenced municipal services enumerated under ORS 221.760(1).

APPROVED and ADOPTED by the La Pine City Council on May 8, 2024.

---

Daniel Richer, Mayor

ATTEST:

---

Amanda Metcalf, City Recorder

**CITY OF LA PINE**

**RESOLUTION NO. 2024-07**

**A RESOLUTION DECLARING CITY'S ELECTION TO RECEIVE STATE REVENUES**

The City of La Pine resolves as follows:

Section 1. Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2017-2018.

APPROVED and ADOPTED by the La Pine City Council on May 8, 2024.

---

Daniel Richer, Mayor

Attest:

---

Amanda Metcalf, City Recorder

I certify that a public hearing was held before the Budget Committee and Council on May 8, 2024, providing citizens an opportunity to comment on use of State Revenue Sharing.

---

Amanda Metcalf, City Recorder

**CITY OF LA PINE**

**RESOLUTION NO. 2024-08**

**A RESOLUTION OF THE CITY OF LA PINE ADOPTING A MASTER FEE SCHEDULE AND ESTABLISHING AND/OR ADJUSTING CERTAIN CITY FEES, RATES, AND CHARGES.**

WHEREAS, the City of La Pine (“City”) has previously established and adjusted its fees, rates, and charges by separate resolutions of the La Pine City Council (the “Council”) for the different types of services and/or materials provided by City; and

WHEREAS, City staff has identified the need to consolidate City’s fees, rates, and charges into a master fee schedule; and

WHEREAS, by adoption of this Resolution 2024-08 (this “Resolution”), the Council desires to (a) adopt a master fee schedule, and (b) establish and/or adjust the City fees, rates, and charges included in this Resolution; and

WHEREAS, the fees, rates, and charges established and/or adjusted by this Resolution are intended to recover those costs and expenses incurred by City for providing the respective services and/or materials.

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

1. Findings. The above-stated findings are hereby adopted.
2. Fee Schedule Adopted. The Council hereby establishes and adopts the master fee schedule attached hereto as Exhibit A (the “Master Fee Schedule”). The fees, rates, and charges contained in the Master Fee Schedule are hereby adopted and/or adjusted effective July 1, 2024. Effective July 1, 2024, the fees, rates, and charges provided in the Master Fee Schedule amend, replace, and supersede in all respects those fees, rates, and charges established by prior resolutions.
3. Adjustments. Except as expressly provided otherwise by City ordinance, the Council may, from time to time, establish and/or adjust its fees, rates, and charges by resolution. New fees established by City will be incorporated into the Master Fee Schedule.
4. Miscellaneous. This Resolution (and the provisions contained herein) amend, replace, and supersede any resolution (or portion thereof) in conflict with this Resolution. The fees, rates, and charges in this Resolution may, from time to time, be modified by resolution of the Council. The provisions of this Resolution are severable. If any section, subsection, sentence, clause and/or portion of this



Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or constitutionally of the remaining portion of will (a) yield to constriction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity enforceability, and/or constitutionality of the remaining portion of this Resolution. The Council determines that the fees imposed by this Resolution are not taxes subject to the property tax limitation of Article XI, section 11 of the Constitution. This Resolution may be correct by order of the Council to cure editorial and/or clerical errors. This Resolution will be in full force and effect from and after its passage and adoption.

APPROVED and ADOPTED by the La Pine City Council on May 8, 2024.

---

Daniel Richer, Mayor

ATTEST:

---

Amanda Metcalf, City Recorder

Exhibit A  
Master Fee Schedule

(attached)

**City of La Pine  
Master Fee Schedule**

Description	Fee	Unit or Comment
<b>Administration</b>		
<b>Public Records Request</b>		
Cost per Standard Copy	\$ 0.25	Per sheet
Cost per Certified Copies	\$ 5.00	Per copy
Copy of Sound Recording	\$ 10.00	Per copy
Copies of Maps and non-standard documents	Actual Cost	
Records on CD	\$ 10.00	
Records transmitted via Fax or Email (first page)	\$ 2.00	\$0.50 each additional page. Limit 25 pages
Records transmitted via Fax or Email (Concurrent pages)	\$ 2.00	\$0.25 Per page
Labor Costs	Actual Cost	plus 10% Administration fee
Delivery and Postage	Actual Cost	plus 10% Administration fee
Attorney Fees	Actual Cost	plus 10% Administration fee
<b>Business Licensing</b>		
Annual	\$ 45.00	July 1st to June 30th annually
Temporary	\$ 25.00	Less than 30 days
Change Fee	\$ 15.00	
Non-Profit	\$ -	
<b>Liquor Licensing</b>		
New Application	\$ 150.00	
Annual Renewal	\$ 25.00	
Temporary Liquor Permit	\$ 25.00	
<b>Recreational Marijuana Permitting</b>		
Initial Permit Application	\$ 200.00	
Permit Renewal Fee (Annual)	\$ 70.00	July 1st to June 30th annually
Application Change Fee	\$ 25.00	
<b>Social Gaming License</b>		
Annual	\$ 100.00	July 1st to June 30th annually
<b>Miscellaneous Fees</b>		
Recording Fee	\$ 100.00	plus actual recording costs
Event Plan Application Processing	\$ 50.00	
Returned Check Charge	\$ 25.00	
Copies	\$ 0.25	Per page
Transient Room Tax	7%	Of rent
Franchise Fees		Set by agreement
Mobile Food Vendor Permit Application	\$ 150.00	
<b>Community Development</b>		
<b>Code Enforcement</b>		
Nuisance Abatement Procedures	\$ 175.00	
<b>Land Use Review Fees</b>		
Attorney Fees	Actual Cost	plus 10% administration fee. This fee includes other permits, applications, agreements, easements, and attorney fees.
Accessory Dwelling	\$ 500.00	
Annexation	\$ 5,500.00	
Appeal of Administrative Decision to Planning Commission	\$ 250.00	
Appeal of Planning Commission Decision to City Council	\$ 3,500.00	plus 20% of the original application fee
Cell Tower	\$ 10,500.00	
Conditional Use	\$ 1,800.00	
Exceptions Request	\$ 2,000.00	
Extension Fee (First)	\$ 200.00	
Extension (Second)	\$ 400.00	
Fence (over 3 ft) permit on street frontages	\$ 500.00	
Final Plat Review/Condominium Plat Review	\$ 500.00	
Home Occupation	\$ 300.00	
Lot Line Adjustment	\$ 750.00	
LUBA Remand	\$ 5,000.00	
Partition	\$ 2,100.00	
Pre-Application/Design Review	\$ 110.00	Per hour (1st hour free)
Reconsideration of Decision	\$ 1,600.00	

**City of La Pine  
Master Fee Schedule**

Description	Fee	Unit or Comment
Replat	\$ 1,600.00	
Site Suitability Check/LUCS	\$ 150.00	
Subdivision/Replat	\$ 4,500.00	Plus \$50 per lot
Temporary Use Permit for Seasonal Sales	\$ 75.00	Per year
Temporary Use Permit for Medical Hardships	\$ 250.00	
Text Amendment	\$ 2,000.00	
Vacation of Right-of-Way	\$ 1,500.00	
Variance	\$ 2,000.00	
Zone Change/Comp Plan Amendment	\$ 6,500.00	
Zoning Permit Application	\$ 500.00	
Zoning Permit Application - Residential	\$ 250.00	
<b>Master Planned Development</b>		
0-4.99 Acres	\$ 3,500.00	
5-10 Acres	\$ 4,500.00	
More than 10 Acres	\$ 6,500.00	
<b>Maps</b>		
Small (8 1/2 x 11)	\$ 5.00	
Medium (11 x 17)	\$ 15.00	
Large (24 x 36 or larger)	Actual Cost	plus 10% administration fee
<b>Sign Permits</b>		
Primary Signs	\$ 200.00	
Temporary Sign Permit	\$ 50.00	
Portable Sign	\$ 30.00	
<b>Site Plan Review</b>		
Less than 1,000 sq. feet	\$ 2,500.00	
1,001 - 5,000 sq. feet	\$ 3,000.00	
5,001- 10,000 sq. feet	\$ 4,000.00	
More than 10,000 sq. feet	\$ 4,500.00	
<b>Miscellaneous Planning Fees</b>		
Advanced Planning Fee	0.25%	Of building valuation, collected by County
Lot of Record Verification	\$ 1,300.00	
Modification of Approved Decision	\$ 1,000.00	
Research	Actual Cost	plus 10% administration fee
Printed - Comprehensive Plan Copy	\$ 50.00	
Printed - Development Code Copy	\$ 25.00	
Derelict Structure Fee	\$ 600.00	
Low-Income Rental Housing Tax Exemption (LIRHTE) Application	\$ 1,000.00	
<b>Public Works</b>		
<b>Cemetery</b>		
Cemetery Plot	\$ 450.00	
Headstone Deposit	\$ 300.00	
<b>Sewer Utility Service</b>		
<b>Commercial Rates</b>		
5/8" Base Rate	\$ 31.27	
3/4" Base Rate	\$ 31.27	
1" Base Rate	\$ 53.99	
1 1/2" Base Rate	\$ 91.83	
2" Base Rate	\$ 137.25	
3" Base Rate	\$ 258.36	
4" Base Rate	\$ 394.62	
6" Base Rate	\$ 967.84	
Volume Charge	\$ 9.59	Per 1000 gallons of water usage
<b>Residential Rates</b>		
5/8" Base Rate	\$ 31.27	
3/4" Base Rate	\$ 31.27	
1" Base Rate	\$ 53.99	
1 1/2" Base Rate	\$ 91.83	
2" Base Rate	\$ 137.25	
3" Base Rate	\$ 258.36	
4" Base Rate	\$ 394.62	
6" Base Rate	\$ 967.84	

**City of La Pine  
Master Fee Schedule**

Description	Fee	Unit or Comment
Volume Charge	\$ 5.18	Per 1000 gallons of winter usage average (November - March of prior year)
<b>Outside Septage Dumping</b>		
Within 97739 and 97737 Zip Codes	\$ 0.07	Per gallon
All other Zip Codes	\$ 0.11	Per gallon
<b>System Development Charges</b>		
5/8" Water Meter	\$ 6,663.00	Increases by MCE factor (contact City Hall)
<b>Water Utility Service</b>		
<b>Commercial Rates</b>		
5/8" Base Rate	\$ 34.48	
3/4" Base Rate	\$ 34.48	
1" Base Rate	\$ 86.20	
1 1/2" Base Rate	\$ 172.41	
2" Base Rate	\$ 275.85	
3" Base Rate	\$ 551.71	
4" Base Rate	\$ 862.05	
6" Base Rate	\$ 1,724.09	
Volume Charge	\$ 2.98	Per 1000 gallons of water usage
<b>Residential Rates</b>		
5/8" Base Rate	\$ 34.48	
3/4" Base Rate	\$ 34.48	
1" Base Rate	\$ 86.20	
1 1/2" Base Rate	\$ 172.41	
2" Base Rate	\$ 275.85	
3" Base Rate	\$ 551.71	
4" Base Rate	\$ 862.05	
6" Base Rate	\$ 1,724.09	
Volume Charge - Tier 1 (0-3600 gallons)	\$ 1.43	Per 1000 gallons of water usage
Volume Charge - Tier 2 (3601-7200 gallons)	\$ 2.15	Per 1000 gallons of water usage
Volume Charge - Tier 3 (>7200 gallons)	\$ 3.58	Per 1000 gallons of water usage
<b>Hydrant Meter Services</b>		
Hydrant Checkout Deposit	\$ 500.00	
Hydrant Water Fee	\$ 5.30	Per 1000 gallons of water usage
<b>Meter Fees - Testing</b>		
Testing - 3/4" meter or smaller	\$ 58.00	
Testing - 1" meter	\$ 69.00	
Testing - 1 1/2" meter	\$ 85.00	
Testing - 2" meter	\$ 113.00	
Testing - 3" meter	\$ 145.00	
Testing - larger than 3"	Cost + 15%	
<b>Meter Fees - Installation or Changing</b>		
Installation or Changing - 3/4" meter or smaller	\$ 330.00	
Installation or Changing - 1" meter	\$ 445.00	
Installation or Changing - 1 1/2" meter	\$ 1,050.00	
Installation or Changing - 2" meter	\$ 1,200.00	
Installation or Changing - 3" meter	\$ 4,100.00	
Installation or Changing - larger than 3"	Cost + 15%	
<b>System Development Charges</b>		
5/8" Water Meter	\$ 3,871.00	Increases by MCE factor (contact City Hall)
<b>Miscellaneous Public Works Fees</b>		
Disconnection Fee	\$ 75.00	
Reconnection Fee	\$ 25.00	
New Account Set up Fee	\$ 35.00	
Cut lock, lock replacement	\$ 500.00	
Meter Stop Replacement	\$ 200.00	
Cross Connection Fee	\$ 2.50	Added monthly to utility bill
Door Hanger Notice	\$ 25.00	
Deposits for new accounts	\$ 150.00	refundable after 12 consecutive months of perfect payment history
Fire Flow Testing Fee	\$ 125.00	
Sewer Tank Lid Replacement	Actual Cost	plus 10% administrative fee
Septic Tank Filter	\$ 100.00	

**City of La Pine  
Master Fee Schedule**

Description	Fee	Unit or Comment
Labor by the hour	Actual Cost	plus 10% administrative fee
Equipment Rental	\$ 250.00	Per hour
Meter Tampering Fee	\$ 750.00	
Preconstruction Meeting	\$ 500.00	
Inspections on New Construction	1%	of cost of the public improvements on the project
<b>Inactive Services Fees</b>		
5/8" or 3/4" service	\$ 320.00	
1" service	\$ 675.00	
1 1/2" Service	\$ 1,450.00	
> 1 1/2" Service, increases by size	Actual Cost	of 5 months of Water & Sewer base fees, contact City Hall
<b>Streets Fees</b>		
<b>Transportation SDC</b>		
Transportation SDC	\$ 4,409.00	Per EDU, based on Transportation EDU Schedule

**CITY OF LA PINE**

**RESOLUTION NO. 2024-09**

**A RESOLUTION CREATING A NEW RESERVE FUND**

WHEREAS, the City of La Pine holds authority under ORS 294.346 and ORS 280.050 to establish one or more reserve funds to accumulate funds to finance the cost of any service, project, property, or equipment which City lawfully may perform, construct or acquire, and of repairs and improvements thereto and of maintenance and replacement thereof; and

WHEREAS, such funds are necessary for extraordinary expenses beyond day-to-day maintenance and operations; and

WHEREAS, the City wishes to create a reserve fund by resolution for equipment, as authorized by ORS 294.346.

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

Section 1. The City Council hereby authorizes the creation of the following reserve fund:

- a. Equipment Reserve Fund. This fund is created for the purpose of accumulating money for significant equipment purchases for Streets, Water and Sewer Equipment and shall be funded through transfers from the Streets Fund, Water Fund and Sewer Fund. This fund will become active and functional effective July 1, 2024, the beginning of the City's 2024-2025 fiscal year. This fund has no set closing date.

Section 2. If not previously terminated, the need for each reserve fund created herein shall be reviewed by the City Council no later than June 30, 2034, ten (10) years from its effective date, for a determination regarding termination or extension, in compliance with ORS 294.346.

APPROVED and ADOPTED by the La Pine City Council on May 8, 2024.

SIGNATURE PAGE TO FOLLOW

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Daniel Richer, Mayor

ATTEST:

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Amanda Metcalf, City Recorder





**CITY OF LA PINE**

STAFF REPORT

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MEETING DATE: May 1, 2024  
TO: City Council  
FROM: Brent Bybee, Principal Planner  
SUBJECT: Community Planning Assistance for Wildfire (CPAW) Memorandum of Understanding

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

Councilors,

As directed by the City Council, staff has begun the process of initiating our work with the CPAW program. As part of the process, they require a memorandum of understanding (MOU), to be completed before the work can be initiated. I have attached this document for your review.

**Discussion**

Some major points to highlight from the MOU are the separate roles and responsibilities of the City and CPAW. As detailed in the MOU, the roles and responsibilities are as follows:

La Pine

By accepting this Memorandum and participating in CPAW, La Pine commits to working with CPAW on the following tasks:

- Provide background information, plans, regulations, wildfire data and related documentation, and knowledge of local issues to help CPAW identify and understand appropriate planning and wildfire challenges facing the community;

- As needed, host community site visit(s) to help CPAW meet with local stakeholders to discuss planning and wildfire topics;
- Engage in the review process of drafted products, tools, and documents by providing timely feedback, as requested;
- Liaise with other local stakeholders, elected officials, and the public, as appropriate, to engage them in the CPAW process and share final deliverables;
- Actively engage in the CPAW process, including attending scheduled meetings, responding to email inquiries, co-presenting at events, and participating in other requests, as needed.

### CPAW

Headwaters Economics/CPAW engages the technical services of additional organizations to provide CPAW services. All consulting team members who work directly with the community will be clearly identified throughout the CPAW process.

CPAW commits to providing the following assistance to La Pine:

- 1. Enhance community wildfire risk-reduction communications.**
  - a. Assist local leaders in providing community-wide awareness and education on effective wildfire mitigation strategies for homes and property.
  - b. Provide recommendations for developing a wildfire-resilient community including who needs to be involved, why wildfire resiliency is relevant to different groups of stakeholders, and key messages that resonate with diverse stakeholders.
  - c. Provide resources such as model language, best practices, and examples from peer communities.
- 2. Increase land use planning capacity.**
  - a. Provide recommendations and support for strengthening wildfire risk-reduction standards in the City of La Pine Development Code update.
  - b. Work closely with land use code contractors updating the Comprehensive Plan to ensure wildfire risk-reduction measures are considered in document development.
  - c. Prepare a Community Wildfire Audit that will review the City's current community plans and provide recommendations on strengthening wildfire resiliency. Provide recommendations and model ordinances for wildfire risk reduction within the urban core residency, commercial areas, and business district considering the need to retain aesthetics of place and building preferences.
  - d. Provide recommendations on the alignment of current and proposed land use codes and plans with existing City, County and State requirements, including Oregon SB 762.
  - e. Analyze flow paths in the development review process and make

recommendations that support a more comprehensive risk reduction review.

**3. Work in partnership and support other agencies' scopes of work as they relate to wildfire risk reduction.**

The memorandum goes on to detail that La Pine is responsible for all implementation of any proposed recommendations, and that the City is not obligated to implement any of the proposed recommendations.

Staff reviewed the Memorandum of Understanding with the Planning Commission at the most recent meeting on May 1, 2024, and ultimately recommended approval by the City Council. The Planning Commission directed the City to include additional items to be addressed which included an analysis of access and escape routes, and recovery after a wildfire. In analyzing the scope of work provided by CPAW, these items will be addressed under the currently proposed scope.

**Staff Recommendation**

Staff recommends a formal motion and vote from the City Council stating, "I move to accept the Community Planning Assistance for Wildfire Memorandum of Understanding, as presented by staff, and recommend approval with signatures provided by the Mayor and City Manager."



# MEMORANDUM OF UNDERSTANDING

La Pine, Oregon

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## Overview

This Memorandum of Understanding ("Memorandum") is dated May 1, 2024, and is between Headwaters Economics, Inc., a Montana nonprofit corporation with address of P.O. Box 7059, Bozeman, MT 59715 ("Headwaters Economics") and the City of La Pine, a political subdivision of the State of Oregon with address of P.O. Box 2460, La Pine, OR 97739. This Memorandum is valid through December 31, 2025, unless otherwise extended in writing by both signatories.

## Purpose and Intent

In 2024, the City of La Pine was selected to receive technical assistance through Headwaters Economics' Community Planning Assistance for Wildfire (CPAW) program\*. The purpose of this Memorandum is to clarify roles, responsibilities, and expectations associated with participation in CPAW. CPAW is a voluntary program. This Memorandum does not create a binding and legally enforceable agreement between Headwaters Economics and La Pine.

CPAW provides land use planning solutions, communications assistance, and customized research to better understand and manage wildfire-prone areas and reduce risk. CPAW services are provided at no financial cost to selected communities and all recommendations are adopted at the discretion of the community.

## Roles and Responsibilities

### *La Pine*

By accepting this Memorandum and participating in CPAW, La Pine commits to working with CPAW on the following tasks:

- Provide background information, plans, regulations, wildfire data and related documentation, and knowledge of local issues to help CPAW identify and understand appropriate planning and wildfire challenges facing the community;
- As needed, host community site visit(s) to help CPAW meet with local stakeholders to discuss planning and wildfire topics;
- Engage in the review process of drafted products, tools, and documents by providing timely feedback, as requested;

- Liaise with other local stakeholders, elected officials, and the public, as appropriate, to engage them in the CPAW process and share final deliverables;
- Actively engage in the CPAW process, including attending scheduled meetings, responding to email inquiries, co-presenting at events, and participating in other requests, as needed.

### **CPAW**

Headwaters Economics/CPAW engages the technical services of additional organizations to provide CPAW services. All consulting team members who work directly with the community will be clearly identified throughout the CPAW process.

CPAW commits to providing the following assistance to La Pine:

- 1. Enhance community wildfire risk-reduction communications.**
  - a. Assist local leaders in providing community-wide awareness and education on effective wildfire mitigation strategies for homes and property.
  - b. Provide recommendations for developing a wildfire-resilient community including who needs to be involved, why wildfire resiliency is relevant to different groups of stakeholders, and key messages that resonate with diverse stakeholders.
  - c. Provide resources such as model language, best practices, and examples from peer communities.
- 2. Increase land use planning capacity.**
  - a. Provide recommendations and support for strengthening wildfire risk-reduction standards in the City of La Pine Development Code update.
  - b. Work closely with land use code contractors updating the Comprehensive Plan to ensure wildfire risk-reduction measures are considered in document development.
  - c. Prepare a Community Wildfire Audit that will review the City's current community plans and provide recommendations on strengthening wildfire resiliency. Provide recommendations and model ordinances for wildfire risk reduction within the urban core residency, commercial areas, and business district considering the need to retain aesthetics of place and building preferences.
  - d. Provide recommendations on the alignment of current and proposed land use codes and plans with existing City, County and State requirements, including Oregon SB 762.
  - e. Analyze flow paths in the development review process and make recommendations that support a more comprehensive risk reduction review.
- 3. Work in partnership and support other agencies' scopes of work as they relate to wildfire risk reduction.**

**Implementation**

La Pine retains all responsibility for developing and implementing community and land use regulations and for authorizing actions to implement regulatory requirements, plan goals, policies, and actions for all property under its jurisdiction. Further, La Pine is under no obligation to use or implement any CPAW recommendations.

Final deliverables created by CPAW will be provided to La Pine and may also be shared publicly unless other arrangements are discussed by both parties in advance. Neither party anticipates financial contribution from the other party for any component of this Memorandum.

**Contact**

Questions or concerns about this Memorandum should be directed to:

**Doug Green**

Email: [doug@headwaterseconomics.org](mailto:doug@headwaterseconomics.org)

Phone: 541-749-0620

**Signatures**

\_\_\_\_\_  
Geoff Wullschlager, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Richer, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Headwater Economics

\_\_\_\_\_  
Date

**\*Community Planning Assistance for Wildfire Program**

Community Planning Assistance for Wildfire (CPAW) is a program of Headwaters Economics. It works with partners at the local, state, and federal level to create fire-adapted communities. Established in 2015, CPAW is funded by the U.S. Forest Service and private foundations. For more information on CPAW, visit <https://cpaw.headwaterseconomics.org/>.

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