

LA PINE CITY COUNCIL MEETING AGENDA

Wednesday, July 8, 2009

Executive Session - 4:30 p.m.

Work Session - 5:00 p.m.

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

A. Executive Session – 4:30 p.m.

1. Call to Order

2. Establish Quorum

3. Pledge of Allegiance

4. Executive Session under ORS 192.660(2)(i)

An executive session will be held pursuant to ORS 192.660(2)(i) – to review and evaluate the employment-related performance of a chief executive officer, other officer, employee, or staff member. The executive session is closed to the public. In accordance with applicable law, representatives of the news media are permitted to attend the executive session; however, the media is prohibited from disclosing any information discussed in the executive session. All discussions in the executive session are confidential and those present may not disclose any information discussed in the executive session. The executive session will not be held for the purpose of taking any final action or making any final decision.

5. Adjourn

B. Work Session – 5:00 p.m.

1. Call to Order

2. Roll Call

3. Presentation – Deschutes Water Alliance

Mary Meloy, Deschutes Water Alliance

4. Adjourn Work Session

C. Regular Session – 6:00 p.m.

1. Call to Order

2. Establish Quorum

3. Pledge of Allegiance

4. Added Agenda Items
Any matters added to the agenda at this time will be discussed during the “Other Matters” portion of this Agenda or other such portion of the Agenda agreed upon by the City Council.
5. 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.
 - a. Approval of Minutes
 - i. June 24, 2009 – Work Session and Regular Meeting Minutes
 - b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report – Year End
 - iii. Approval of Reimbursements
6. Presentation – Central Cascade Lines

Lupita Lewis, Central Cascade Lines
7. Agreement to Provide Tourism Promotion Services with High Lakes Car Club
8. Letter to EDCO (Economic Development of Central Oregon)
9. Other Matters
Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.
10. Public Comments for Items not on the Agenda
11. Staff Comments
12. Council Comments
13. Adjourn

Pursuant to ORS 192.640, this notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced work session and regular session. This notice does not limit the ability of the City Council to consider or discuss additional subjects. The work session and regular session are subject to cancellation without notice. The work session and regular session are open to the public and interested citizens are invited to attend. The work session and regular session meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Luana K. Damerval at (541) 536-1432.

LA PINE CITY COUNCIL WORK SESSION MINUTES

Work Session - 5:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

B. Work Session – 5:00 p.m.

1. Call to Order

The Meeting was called to order at 5:16 pm by Mayor Shields.

2. Establish Quorum

Roll Call

Mayor Kitty Shields

Councilor Barbara Hedges

Councilor Adele Moilanen

City Attorney Jeremy Green

City Recorder Luana Damerval

Quorum Established.

Councilor Ward was absent by prior arrangement.

00:00:41

3. Presentation – Deschutes Water Alliance

Alan Unger, County Commissioner, stated that they are part of the steering committee working on the Deschutes Water Alliance Presentation. Present also were: Tod Heisler, Executive Director of the Deschutes River Conservancy, Patrick Griffiths, Water Resource Coordinator for the City of Bend and Mary Meloy, Deschutes Water Alliance.

Alan Unger stated that the group was formed from a federal grant in 2004 to look at the demand and supply of the water in the Deschutes Basin, and to develop a water bank and also to look at how we manage taking surface water and putting it back into the river and transferring that right to a groundwater right. He also said that a study was done that determined that all the water in the Deschutes Basin was hydrologically linked.

One of the missions of the Alliance is to:

Improve the stream flow; create ground mitigation water rules that state if you could put water into the river you could take water out of the ground because you are allowing water to flow through the lower Deschutes.

Tod Heisler stated that all municipalities need to understand ground water mitigation because it is the only way to obtain new ground water permits for growing municipalities. Councilor Moilanen asked Mr. Heisler about how water gets returned. He said they have to find someone who owns surface water, like irrigation districts, but does not need all of it. He said this is often in areas where land is being converted from agriculture to urban/residential zoning.

Tod Heisler said most of the Water Bank's focus is working with irrigation districts and agriculture interests as potential future suppliers of water for other purposes. He said it is clearly what the City

of La Pine will need to understand as it goes through its growth process.

Patrick Griffiths stated that for water rights to be used properly in the future more water rights would be needed during the peak summer time. He said that by 2020-2025 La Pine and other municipalities would need to acquire more water rights for their summer water needs. Patrick Griffiths stated that La Pine will grow over agricultural areas in future years.

00:23:16

Mayor Shields asked if municipalities included special districts. Patrick Griffiths said that special districts had been included in the total water supply amounts along with the cities.

Alan Unger stated that the DWA includes all those people associated with the water supply including irrigation districts, special districts, cities, etc., to be able to speak as one voice regarding water issues to the legislature or others. He said right now there is no more available water in the Deschutes Basin for the City of La Pine. Alan Unger said that the DWA may be able to assist the City with obtaining more water by applying to the legislature or finding more available water for La Pine.

Mary Meloy stated that the City of La Pine can partner with DWA as they work with the La Pine Water District. Alan Unger said that a regional plan is the most effective means to politically get what changes need to be implemented to meet needs. He said they will come back before the Council at a future meeting and would like the City of La Pine to formally sign onto the DWA. Alan Unger said that the DWA will determine what needs to be done and then determine the costs.

The Mayor stated that she would like the Water District to be at the future meeting with the City Council and the Deschutes Water Alliance.

Councilor Moilanen asked how big of an issue is La Pine's water right now. Alan Unger suggested talking with the Water District about it. He also said it takes about five years to obtain more water rights.

4. Adjourn Work Session

The meeting was adjourned at 5:57 pm.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval

LA PINE CITY COUNCIL MEETING MINUTES

Wednesday, July 8, 2009

Regular Session - 6:00 p.m.

51340 Highway 97, La Pine, Oregon 97739

South County Building Meeting Room

C. Regular Session – 6:00 p.m.

1. Call to Order

The meeting was called to order at 6:03 pm by Mayor Shields.

2. Establish Quorum

Roll Call

Mayor Kitty Shields
Councilor Barbara Hedges
Councilor Adele Moilanen
City Attorney Jeremy Green
City Recorder Luana Damerval
Administrative Assistant Patti Morgan

Quorum Established.

Councilor Ward was absent by prior arrangement.

3. Pledge of Allegiance

Administrative Assistant Patti Morgan led the Pledge of Allegiance.

4. Added Agenda Items

Any matters added to the agenda at this time will be discussed during the “Other Matters” portion of this Agenda or other such portion of the Agenda agreed upon by the City Council.

Mayor Shields added the following to the Agenda under item #9 Other Matters:

- 9a) Training/City Management Certification
- 9b) Wildfire Protection Plan

Mayor Shields announced that immediately after the conclusion of this meeting the Council will go into Executive Session to conclude an Executive Session that was started earlier today and was interrupted to begin today's Work Session.

00:04:02

5. 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.

- a. Approval of Minutes
 - i. June 24, 2009 – Work Session and Regular Meeting Minutes
- b. Bills and Invoices
 - i. Approval of Bills
 - ii. Financial Report – Year End
 - iii. Approval of Reimbursements

A motion was made by Councilor Moilanen and seconded by Councilor Hedges to approve the Consent Agenda as presented.

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| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor Adele Moilanen</i> | <i>X</i> | |

Motion passed unanimously.

00:05:06

6. Presentation – Central Cascade Lines

Lupita Lewis, Central Cascade Lines, stated that they disagree with the County and State’s decision to deny them funds. She said they have made many efforts to work with them and have had no success. Lupita Lewis then gave a brief history of Central Cascade Lines to the Council.

Lupita Lewis encouraged the City Council to communicate with the County about the necessity of having public transportation from La Pine to Bend. Councilor Moilanen asked about grants and other assistance. Lupita Lewis stated that the County will not communicate with them as to what they need for CCL to obtain grants. She said the State is making it very difficult for rural communities to obtain funding.

Councilor Hedges stated that the City could try to schedule a meeting with the County for Central Cascade Lines to do a presentation. Lupita Lewis said the meeting should probably include the Commissioners since they have the final say. Councilor Moilanen requested documentation from Cascade Lines regarding their efforts to obtain funding. Lupita Lewis stated she would provide the City Council with summary reports. Mayor Shields stated that the Council should discuss this at an upcoming Work Session after receiving additional documentation from Cascade Lines. City Attorney Green stated that a Work Session on this issue would be a good idea.

00:33:03

7. Agreement to Provide Tourism Promotion Services with High Lakes Car Club

City Attorney Green stated that he would like the City Council to approve this draft agreement subject to legal review. He also said that the High Lakes Car Club will have a chance to review the

draft agreement as well as having City Recorder Damerval verify the amount of monies due the club. Mayor Shields stated that the car show the club puts on is very enjoyable and attracts people from many parts of the country. She said the car club is getting itself recognized all over the place.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen to approve the Agreement to provide tourism and promotional services subject to legal review and also give authority to the Mayor to sign the finalized Agreement.

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| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor Adele Moilanen</i> | <i>X</i> | |

Motion passed unanimously.

00:38:50

8. Letter to EDCO (Economic Development of Central Oregon)

This is a draft letter written by Councilor Moilanen about the elimination of a job development position/person for Central Oregon. Mayor Shields stated that after reading the letter she felt that the letter needs to emphasize the elimination of the position rather than a particular person. City Attorney Green said the letter was good and he would only suggest a few changes. He said it would be better to focus on the region as a whole. Mayor Shields suggested keeping the letter more generic and stating that we believe we will have better representation with a local person.

Councilor Moilanen discussed the Town Hall meeting that is scheduled in Bend on July 23rd regarding no longer having a local business development representative in Central Oregon.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen to authorize the letter to EDCO be signed and sent out by the Mayor after appropriate revisions.

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| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor Adele Moilanen</i> | <i>X</i> | |

Motion passed unanimously.

00:47:20

9. Other Matters

Only those matters properly added to this Agenda under line item No. 4 will be discussed at this time.

9a) Training/City Management Certification

City Recorder Damerval stated that the League of Oregon Cities is starting a new program titled Local Government Management Certification Program. She said that it would include taking

classes as well as receiving some credit for a working career experience. City Recorder Damerval also said that the classes would be in various locations. Mayor Shields stated that costs would be something the Council should be informed about as the classes become available. City Recorder Damerval stated there were also scholarships available. In response to a question from City Attorney Green, it was reported that class costs can vary from \$40 to \$140. Mayor Shields confirmed that the current training budget for this year is \$4,500. She also said she was in favor of ongoing training for City staff.

A motion was made by Councilor Hedges and seconded by Councilor Moilanen for City Recorder Damerval to sign up for the City Management Certification through the League of Oregon Cities.

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| <i>Vote as follows:</i> | <i>AYE</i> | <i>NAY</i> |
| <i>Mayor Kitty Shields</i> | <i>X</i> | |
| <i>Councilor Barbara Hedges</i> | <i>X</i> | |
| <i>Councilor Adele Moilanen</i> | <i>X</i> | |

Motion passed unanimously.

00:53:52

9b) Wildfire Protection Plan

Councilor Moilanen attended, as a representative from the City of La Pine, the steering committee for the Wildfire Protection Plan. She said they reviewed what they had accomplished and considered new areas. Councilor Moilanen stated that the City will be considering endorsing the plan and asked if the Council would like a presentation from them. She said the Wildfire Protection Plan will be released sometime next week.

Mayor Shields requested that the presentation be narrowed down to how it affects the City of La Pine and how the City relates to the surrounding community. She also said she would need more information about it. City Attorney Green suggested reviewing the Plan and what would be required from the City. Councilor Moilanen said that she will provide the Council and City staff with the Wildfire Protection Plan when it is finalized.

Mayor Shields asked that it be put on a future work session after the final Wildfire Protection Plan has been completed for the Council to consider signing.

01:03:35

10. Public Comments for Items not on the Agenda

Dan Varcoe, Executive Director of the Chamber of Commerce, asked questions about the BOCC/Joint Meeting that was held with the City Council of July 7th. Mayor Shields stated that it will be discussed under Council Comments later in this meeting.

01:05:29

11. Staff Comments

City Recorder Damerval stated that she received a letter from Chris Marko regarding an Oregon

Water and Wastewater Infrastructure Workshop on July 16th in Roseburg and July 21st at Mt. Vernon and asked if anyone from the City of La Pine was going to be able to attend. The Council did not have anyone that could attend that workshop. City Recorder Damerval discussed a new web page regarding community resources that a private individual had recently started. She said there was a lot of community information on it. Mayor Shields asked that City Recorder Damerval e-mail the web page address to the Councilors.

City Recorder Damerval stated that she received a letter from the Oregon Government Ethics Commission. She said that starting July 15th the Councilors are not required to do quarterly reporting, just yearly reporting. Mayor Shields stated that the cities get notified prior to the yearly reports being due. City Recorder Damerval stated she had a letter from Janet Brown regarding the emergency jobs program. She said that the City had decided not to apply for it because of hidden costs and the legislature did not pass it anyway.

01:11:20

12. Council Comments

Mayor Shields gave a brief review of the Traffic Stakeholders meeting she attended on July 7th prior to the BOCC/Joint Meeting. She said they came up with the idea of a “core” stakeholders group that will refine the work of the group via an MOU and also determine the cost sharing for the work to be done.

City Attorney Green stated that the MOU would be a short document that will identify who has what responsibilities with the project going forward. He said it would also detail who would be responsible for the public contracting part of the work. City Attorney Green also said it would establish for LIGI, in addressing a concern of theirs, that all stakeholders are committed. He said the County has asked him to prepare an MOU for the stakeholders group and it would be considered a contribution from the City of La Pine as well. City Attorney Green said he would like to have the MOU signed within 90 days. He said that the County and City would produce a polished product that would be given to ODOT to hopefully expedite the project.

Dan Varcoe, Chamber of Commerce, asked about the timeframe for the study. City Attorney Green said that the study itself, once approved, would take about six months to complete. Mayor Shields stated that we need to stop talking about traffic lights until the study has been completed and has determined what type of traffic controls are needed. Lupita Lewis, Central Cascade Lines, mentioned the studies that TAG has done and Mayor Shields said all of that will be taken into consideration.

Councilor Hedges stated that she would like the City Attorney to prepare the MOU as that will assist in moving the process along. City Attorney Green said that LIGI will want to see some type of commitment from the City regarding SDC’s like maybe starting to take steps to implement the SDCs.

Mayor Shields stated that due to La Pine’s small budget, it was understood by the other public entities that the City of La Pine will be contributing in other ways and that a \$1,000 monetary contribution had been discussed. She also said she would like to wait to determine which Councilor will be on the core stakeholders group to represent La Pine until Councilor Ward is able to participate and that would probably be at the July 22nd Council Meeting. Mayor Shields stated that Tom Blust will probably be the project manager for the group. It was also discussed that City Recorder Damerval, Tom Blust and Peter Russell would be determining traffic “calming” measures to assist

with the problem in the short term.

The Council gave consensus for City Attorney Green to produce the MOU for the core stakeholders group. City Attorney Green also stated, in regard to a question from Councilor Moilanen at the BOCC/Joint Meeting on July 7th regarding the SDCs, that the response they received yesterday was very different than the response they received in the past and will result in further investigation. City Attorney Green said he was told in the past that they were no longer going to collect SDC funds and that there were no monies in that fund. Mayor Shields said it was very helpful to have the full County Commission there as well as having two Deschutes County staff members, Dave Kenner and Tom Anderson, during the SDC discussion.

Mayor Shields discussed a letter and conversation she recently had with Mr. Lundgren regarding a horse manure problem with a neighbor. She said Councilor Ward has also brought up this manure nuisance issue in the past. City Attorney Green stated that it would be considered a nuisance ordinance. He also suggested that every other month, during a work session, that the Council review the project list and determine if they need to be re-prioritized. Mayor Shields instructed City Recorder Damerval to be sure to put that on the work session schedule. She also said that financially it would be better for the City to put together a number of ordinances rather than just do them piecemeal. City Attorney Green said that the Council would need to have tailored specifically to the City of La Pine. He also recommended that the nuisance ordinance be put on the mid-term priority list. Mayor Shields discussed that fines could be imposed as part of the enforcement.

Councilor Moilanen asked about a training session for the Council about SDCs. City Attorney Green said that he had done a training session once for the Council and he could e-mail the information on that session. He also said he could do another training session that could include the Planning Commission, staff from the County and also ODOT.

City Recorder Damerval asked about the date for swearing in of the Planning Commission. Mayor Shields asked City Recorder Damerval to ask the Planning Commission if they would like to be sworn in at their first meeting.

Mayor Shields also said to remember to add to the City Recorder's job description that she is the responsible official for finances.

13. Adjourn

The meeting was adjourned at 7:36 pm with an Executive Session to start immediately afterward.

Mayor Kitty Shields

Attest:

City Recorder Luana Damerval