

BOARD OF COUNTY COMMISSIONERS MEETING

9:00 AM, WEDNESDAY, DECEMBER 11, 2024 Barnes Sawyer Rooms - Deschutes Services Building - 1300 NW Wall Street – Bend (541) 388-6570 | <u>www.deschutes.org</u>

AGENDA

MEETING FORMAT: In accordance with Oregon state law, this meeting is open to the public and can be accessed and attended in person or remotely, with the exception of any executive session.

Members of the public may view the meeting in real time via YouTube using this link: <u>http://bit.ly/3mmlnzy</u>. *To attend the meeting virtually via Zoom, see below.*

Citizen Input: The public may comment on any topic that is not on the current agenda. Alternatively, comments may be submitted on any topic at any time by emailing citizeninput@deschutes.org or leaving a voice message at 541-385-1734.

When in-person comment from the public is allowed at the meeting, public comment will also be allowed via computer, phone or other virtual means.

Zoom Meeting Information: This meeting may be accessed via Zoom using a phone or computer.

- To join the meeting via Zoom from a computer, use this link: <u>http://bit.ly/3h3oqdD</u>.
- To join by phone, call 253-215-8782 and enter webinar ID # 899 4635 9970 followed by the passcode 013510.
- If joining by a browser, use the raise hand icon to indicate you would like to provide public comment, if and when allowed. If using a phone, press *9 to indicate you would like to speak and *6 to unmute yourself when you are called on.
- When it is your turn to provide testimony, you will be promoted from an attendee to a panelist. You may experience a brief pause as your meeting status changes. Once you have joined as a panelist, you will be able to turn on your camera, if you would like to.



Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, call (541) 388-6572 or email <u>brenda.fritsvold@deschutes.org</u>.

Time estimates: The times listed on agenda items are <u>estimates only</u>. Generally, items will be heard in sequential order and items, including public hearings, may be heard before or after their listed times.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CITIZEN INPUT: Citizen Input may be provided as comment on any topic that is not on the agenda.

Note: In addition to the option of providing in-person comments at the meeting, citizen input comments may be emailed to citizeninput@deschutes.org or you may leave a brief voicemail at 541.385.1734..

CONSENT AGENDA

- <u>1.</u> Approval of Resolution No. 2024-056 to add 1.0 Onsite Wastewater Specialist FTE and transfer appropriations in the Community Development Department
- 2. Approval of Resolution No. 2024-057 to add 1.0 regular full-time Behavioral Health Specialist II FTE, adopt a supplemental budget and increase appropriations in the Health Services Fund
- <u>3.</u> Approval of Resolution No. 2024-058 to extend a .10 Limited Duration District Attorney FTE by one year and transfer appropriations within the Sheriff's Office
- <u>4.</u> Approval of a facilities easement agreement to Cascade Natural Gas
- 5. Consideration of Board signature on letters thanking Larry Bartlemay and appointing Crystal Clute for service on the Pinewood Country Estates Special Road District
- 6. Consideration of Board signature on letters thanking Carly Sanders and reappointing Lauren Kellogg and Peggy Kellogg for service on the OSU Extension / 4-H Advisory Council

ACTION ITEMS

- 7.9:05 AMProperty tax exemption application for the Huntington Apartments at
51771 Huntington Road in La Pine
- 8. 9:30 AM Sheriff's Office Request for Opioid Settlement Funds
- <u>9.</u> **9:45 AM** Shepherd's House grant agreement for use of ARPA funds

OTHER ITEMS

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

EXECUTIVE SESSION

At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories.

Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

ADJOURN



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Approval of Resolution No. 2024-056, adding 1.0 Onsite Wastewater Specialist FTE and transferring appropriations in the Community Development Department

RECOMMENDED MOTION:

Move approval of Resolution No. 2024-056 transferring appropriations and adding 1.0 FTE within the 2024-25 Deschutes County Budget.

BACKGROUND AND POLICY IMPLICATIONS:

On December 4, 2024, the Board of County Commissioners approved the addition of one (1.00) full-time regular position in the Onsite Wastewater Division to perform investigation of environmental issues and inspections of onsite wastewater systems. This is a budget adjustment to increase Material and Services expenditures by \$3,000, increase Personnel expenditures by \$41,450 and decrease Contingency by \$44,450.

BUDGET IMPACTS:

Increase Program Expense appropriations by \$44,450 and decrease Contingency by the same amount within the Community Development Department Fund.

ATTENDANCE:

Cam Sparks, Budget and Financial Planning Manager

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Increasing FTE and	*	
Appropriations Within the	*	RESOLUTION NO. 2024-056
2024-25 Deschutes County Budget	*	

WHEREAS, the Community Development Department presented to the Board of County Commissioners on 12/4/2024, with regards to a request to add 1.00 regular Onsite Wastewater Specialist, I or II FTE, and

WHEREAS, ORS 294.463 allows the transfer of Contingency within a fund when authorized by resolution of the governing body, and

WHEREAS, it is necessary to reduce Contingency by \$44,450 and increase Program Expense appropriations by the same amount within the Community Development fund, and

WHEREAS, Deschutes County Policy HR-1 requires that the creation of or increase in FTE outside the adopted budget be approved by the Board of County Commissioners; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

<u>Section 1.</u> That the following amounts be appropriated in the 2024-25 County Budget:

Community Development Fund		
Program Expense	\$	44,450
Contingency		(44,450)
Total Community Development	<u>\$</u>	0

<u>Section 2.</u> That the Chief Financial Officer make the appropriate entries in the Deschutes County Financial System to show the above appropriations:

<u>Section 3.</u> That the following FTE be added:

Job Class	Position Number	Туре	Effective Hiring Date	FTE
Onsite Wastewater Specialist I or II (1300 or 1301)		Regular	3/1/2025	1.00
Total FTE				1.00

<u>Section 4.</u> That the Human Resources Director make the appropriate entries in the Deschutes County FTE Authorized Positions Roster to reflect the above FTE changes.

DATED this _____ day of December, 2024.

BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ATTEST:

ANTHONY DEBONE, Vice-Chair

Recording Secretary

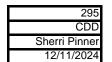
PHIL CHANG, Commissioner

Deschutes County Appropriation of New Grant

REVE	NUE								
	Line Number								
Item	Project Code	Segment 2	Org	Object		Description	Current Budgeted Amount	To (From)	Revised Budget
TOTAL									
	DPRIATION Line Number				Category	Description			
					(Pers, M&S, Cap Out,		Current Budgeted		
Item	Project Code	Segment 2	Org	Object	Contingency)	Temp Help, Computer Hardware)	Amount	To (From)	Revised Budget
			2954150		Personnel	Salary	\$ 377,334	\$ 23,283	+/-
			2954150		Personnel	Taxes	39,025	1,781	40,806
			2954150		Personnel	Health Insurance	65,619	10,267	75,886
			2954150		Personnel	PERS	121,836	5,564	127,400
			2954150		Personnel	Life Insurance	2,346	54	2,461
			2954150		Personnel	Long-Term Disability	2,346	61	2,461
			2954150 2954150		Personnel	Unemployment Worker Benefit Fund	1,710	328 19	2,038
			2954150		Personnel Personnel	Paid Family Leave	7,422	93	7,441
\vdash			2954150	420801		Computers & Peripherals	2,500	2,500	2,077 5,000
┝──┼			2954150	460610		Tools & Equipment	1.000	2,300	1,500
			2950150		Contingency	Contingency	915,985	(44,450)	871,535
<u> </u>				001071		TOTAL	\$ 1,539,107		\$ 1,138,605

Move \$44,450 from Contingency to Personnel & M&S for a 1.00 Onsite Wastewater Specialist FTE.

Fund: Dept: Requested by: Date:





BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Approval of Resolution No. 2024-057, adding 1.0 regular full-time Behavioral Health Specialist II FTE, adopting a supplemental budget and increasing appropriations in the Health Services Fund

RECOMMENDED MOTIONS:

Move approval of Resolution No. 2024-057 increasing appropriations and adding 1.00 FTE within the 2024-25 Deschutes County Budget.

BACKGROUND AND POLICY IMPLICATIONS:

On December 4, 2024, the Board of County Commissioners approved the acceptance of a grant from the Oregon Health Authority for the Older Adult Behavioral Health program. This is a supplemental budget adjustment to recognize grant revenue of \$96,667, increase Material and Services expenditures by \$32,923, and increase Personnel expenditures by \$63,744.

BUDGET IMPACTS:

Recognize grant revenue of \$96,667 and increase Program Expense appropriations by the same amount within the Health Services Fund.

ATTENDING:

Cam Sparks, Budget and Financial Planning Manager

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Increasing Appropriations *
And Adding FTE Within the *
2024-2025 Deschutes County Budget
*

WHEREAS, the Health Services Department presented to the Board of County Commissioners on 12/4/24, with regards to the Oregon Health Authority Older Adult Behavioral Health Grant Award acceptance, which will fund a 1.00 regular Behavioral Health Specialist (BHS) II FTE position, and

WHEREAS, ORS 294.471 allows a supplemental budget adjustment when authorized by resolution of the governing body, and

WHEREAS, it is necessary to recognize Grant revenue and increase Program Expense appropriations by \$96,667 within the Health Services Fund, and

WHEREAS, Deschutes County Policy HR-1 requires that the creation of or increase in FTE outside the adopted budget be approved by the Board of County Commissioners; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

<u>Section 1.</u> That the following revenue be recognized in the 2024-25 County Budget:

Health Services Fund	
State Grant	<u>\$ 96,667</u>
Health Services Fund Total	<u>\$ 96,667</u>

<u>Section 2.</u> That the following amounts be appropriated in the 2024-25 County Budget:

<u>Health Services Fund</u> Program Expense	¢	96,667
	<u>\$</u>	
Health Services Fund Total	\$	<u>96,667</u>

Section 3.	That the following position be added:	
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Job Class	Position Number	Туре	Effective Hiring Date	FTE
Behavioral Health Specialist II (1161)	n/a	Regular	1/1/2025	1.00
Total FTE				1.00

<u>Section 4.</u> That the Chief Financial Officer make the appropriate entries in the Deschutes County Financial System to show the above appropriations.

<u>Section 5.</u> That the Human Resources Director make the appropriate entries in the Deschutes County FTE Authorized Positions Roster to reflect the above FTE changes.

DATED this _____ day of December, 2024.

BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ATTEST:

ANTHONY DEBONE, Vice-Chair

Recording Secretary

PHIL CHANG, Commissioner

REVENUE

Line Number											
							Current				
						E	udgeted				
Project Code	Segment 2	Org	Object		Description		Amount	То	(From)	Revise	ed Budget
HSADLTINT	HS23510G	2743152	334012		State Grant	\$	10,498	\$	96,667	\$	107,165
					TOTAL	\$	10,498	\$	96,667	\$	107,165
	Line Number Project Code	Line Number Project Code Segment 2	Line Number Project Code Segment 2 Org	Line Number Display Project Code Segment 2 Org Object	Line Number Image: Constraint of the segment of the	Line Number Image: Construction Project Code Segment 2 Org Object Description	Line Number Image: Constraint of the segment of the	Line Number Image: Constraint of the segment of the	Line NumberImage: Constraint of the segment of the segme	Line NumberImage: Constraint of the segment of the segme	Line NumberImage: Constraint of the segment of the segme

APPROPRIATION

	Line Number				Category	Description			
							Current		
					(Pers, M&S, Cap Out,	(Element-Object, e.g. Time Mgmt,	Budgeted		
Item	Project Code	Segment 2	Org	Object	Contingency)	Temp Help, Computer Hardware)	Amount	To (From)	Revised Budget
1	HSADLTINT	HS23510G	2743152	410101		Regular Employees	6,944	36,394	43,338
2	HSADLTINT	HS23510G	2743152	420101	Personnel	Health-Dental Ins (ISF)	2,465	15,271	17,736
3	HSADLTINT	HS23510G	2743152	420201	Personnel	PERS Employee-Employer	1,603	8,691	10,294
5	HSADLTINT	HS23510G	2743152	420301	Personnel	Taxes (FICA)	531	2,782	3,313
6	HSADLTINT	HS23510G	2743152	420401	Personnel	Workers' Comp Insurance	5	29	34
7	HSADLTINT	HS23510G	2743152	420501	Personnel	Unemployment Insurance	26	285	311
8	HSADLTINT	HS23510G	2743152	420601	Personnel	Life-Long Term Disability	35	147	182
9	HSADLTINT	HS23510G	2743152	420801	Personnel	Paid Leave Oregon	27	145	172
10	HSADLTINT	HS23510G	2743152	450020	M&S	Professional License/Fees	350	1	350
11	HSADLTINT	HS23510G	2743152	460640		Furniture & Fixtures - Office	-	5,000	5,000
12	HSADLTINT	HS23510G	2743152	460610	M&S	Computers & Peripherals	-	3,000	3,000
13	HSADLTINT	HS23510G	2743152	450094	M&S	Program Expense	-	8,453	8,453
14	HSADLTINT	HS23510G	2743152	450820	M&S	Travel & Training	-	3,681	3,681
15	HSADLTINT	HS23510G	2743152	450310	M&S	Phone/Pager	-	180	180
16	HSADLTINT	HS23510G	2743152	490501	Overhead	Allocation Adminstration (Indirect)	-	12,609	12,609
17	HSALL	HS10THER	2743151			Allocation Adminstration (Indirect)	-	(12,609)	(12,609)
18	HSALL	HS10THER	2743151	450094	M&S	Program Expense	-	12,609	12,609
						TOTAL	\$ 11,986	\$ 96,667	\$ 108,653

Supplemental budget to recognize grant revenue and increase program expense appropriations.

Fund:

Dept: Requested by: Date:

274
Health Services
Kara Cronin
12/4/2024



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Approval of Resolution No. 2024-058 to extend a .10 Limited Duration District Attorney FTE by one year and transfer appropriations within the Sheriff's Office

RECOMMENDED MOTION:

Move approval of Resolution No. 2024-058 extending a .10 limited duration FTE and transferring appropriations within the Sheriff's Office and the 2024-25 Deschutes County budget.

BACKGROUND AND POLICY IMPLICATIONS:

1. DCIMME Grant Program:

- Since 2018, the Sheriff's Office (SO) and the District Attorney's Office (DA) have partnered on the DCIMME grant program to address the harmful effects of illegal marijuana cultivation and distribution. The SO has received 2024 Supplemental Illegal Marijuana Market Enforcement grant funding from the Criminal Justice Commission to continue supporting this collaboration through December 31, 2025. The Board approved this grant on October 30, 2024.
- This grant funds a .10 Management Analyst FTE in the DA's Office, which is set to expire on December 31, 2024. This resolution extends the position for an additional year, through December 31, 2025. A budget adjustment is required to increase Transfer Out appropriations by \$55,000 in the SO budget to facilitate the transfer to the DA, covering the .10 FTE, overtime for the DA Investigator as well as training, travel, and equipment expenses for the DA team.

2. DA Veterans Intervention Strategy (VIS):

 In April 2024, the SO approved the transfer of \$1,500 to the DA's Veterans Intervention Strategy (VIS) to support volunteer recognition, as outlined in MOU 2024-374. A budget adjustment is required to increase Transfer Out appropriations by \$1,500 in the SO's budget to facilitate this transfer to the DA.

BUDGET IMPACTS:

The DA Office has budgeted for these expenditures; therefore, an adjustment isn't needed for the DA. This adjustment will reduce Program Expenses in the SO by \$56,500 and increase Transfer Out Appropriations by the same amount.

ATTENDANCE:

Cam Sparks, Manager, Budget & Financial Planning, Finance

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

A Resolution Increasing Appropriations *
And Extending FTE Within the *
2024-2025 Deschutes County Budget
*

WHEREAS, the Board of County Commissioners approved a Criminal Justice Commission Illegal Marijuana Market Enforcement grant on 10/30/24 for the Sherrif's Office, which will fund the extension of a .10 limited duration FTE position, and

WHEREAS, the Sheriff's Office approved MOU 2024-374 in April 2024 to support the DA Veterans Intervention Strategy (VIS), and

WHEREAS, ORS 294.473 allows appropriation transfers when authorized by resolution of the governing body, and

WHEREAS, it is necessary to reduce Program Expense appropriations by \$56,500 and increase Transfer Out appropriations by the same amount within the Sheriff's Office, and

WHEREAS, Deschutes County Policy HR-1 requires that the creation of or increase in FTE outside the adopted budget be approved by the Board of County Commissioners; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as follows:

<u>Section 1.</u> That the following amounts be appropriated in the 2024-25 County Budget:

Sheriff's Office Total	\$	<u> </u>
Transfers Out	φ	56,500
Program Expense	\$	(56,500)
Sheriff's Office		

<u>Section 2.</u> That the following position's duration be extended:

Chariff's Office

Job Class	Position Number	Туре	Duration if Limited Duration
Management Analyst (9126)	2888	.10 LTD	12/31/24 - 12/31/25
Total FTE		.10 LTD	

<u>Section 3.</u> That the Chief Financial Officer make the appropriate entries in the Deschutes County Financial System to show the above appropriations.

<u>Section 4.</u> That the Human Resources Director make the appropriate entries in the Deschutes County FTE Authorized Positions Roster to reflect the above FTE changes.

DATED this _____ day of December, 2024.

BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ATTEST:

ANTHONY DEBONE, Vice-Chair

Recording Secretary

PHIL CHANG, Commissioner

Deschutes County Supplemental Budget

REVENUE

						C	Current			
						Bu	udgeted			
ltem	Project Code	Segment 2	Org	Object	Description	A	mount	To (From)	Revised	l Budget
1			0011150	334012	State Grant	\$	445,577	\$ (56,500)	\$	389,077
2			0011150	391255	Transfer In - Sheriff's Office		7,600	56,500		64,100
3										
					TOTAL	\$	453,177	\$-	\$	453,177

APPROPRIATION

					Category	Description					
					(Pers, M&S, CapEx,		(Current			
					Transfers,	(Object, e.g. Time Mgmt, Temp Help,	В	udgeted			
ltem	Project Code	Segment 2	Org	Object	Contingency)	Computer Hardware)	A	Amount	To (From)	Revi	ised Budget
1			2553350	410101	Personnel	Regular Employees	\$	2,246,059	\$ (55,000)	\$	2,191,059
2			2553450	410101	Personnel	Regular Employees		7,688,996	(1,500)		7,687,496
3			2553350	491001	Transfers	Transfer Out - General Fund		7,600	56,500		64,100
						TOTAL	\$	9,942,655	\$-	\$	9,942,655

Items previously approved require budget adjustments.

Fund:	255 & 001
Dept:	SO & DA
Requested by:	Cam Sparks
Date:	12.11.24



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Approval of a facilities easement agreement to Cascade Natural Gas

RECOMMENDED MOTION:

Move approval of Document No. 2024-932 to grant a facilities easement agreement to Cascade Natural Gas.

BACKGROUND AND POLICY IMPLICATIONS:

In November of 2021, the Solid Waste Department issued a Request for Proposals soliciting for the beneficial use of methane gas generated at Knott Landfill. A proposal review and selection committee consisting of staff from the Solid Waste, Road and Finance departments, Commissioner Chang and a technical consultant reviewed the proposals and elected to move forward with negotiation of a landfill gas sales agreement with Cascade Natural Gas Corporation (CNGC).

The Gas Sales Agreement (Agreement) between Deschutes County and Cascade Natural Gas was executed on April 15, 2023. As part of the Agreement, CNGC will construct a Renewable Natural Gas Production Facility (Facility) consisting of +/- 1.78-acres on a portion of property at Knott Landfill located at 61050 SE 27th Street, Bend for the conditioning and extraction of methane from the landfill gas. CNGC will also construct a transmission pipeline (Pipeline) consisting of +/- 23,280 square feet through Knott Landfill to a connection point in their local natural gas distribution network for consumption by CNGC's local customers.

A Facilities Easement Agreement (Easement) for the Facility and the Pipeline will need to be granted by the County to CNGC prior to installation. The Agreement also provides for cooperative operation and expansion of the landfill gas collection (LFG) system at Knott Landfill, as well as regulatory permitting and reporting under the Solid Waste Department's Title V Air Quality Permit.

BUDGET IMPACTS:

This project is expected to generate revenue starting in FY2026.

ATTENDANCE:

Tim Brownell, Solid Waste Director Jeff Merwin, Solid Waste Compliance & Infrastructure Manager Stephanie Marshall, Senior Assistant Legal Counsel Kristie Bollinger, Property Manager

FACILITIES EASEMENT AGREEMENT

The Facilities Easement Agreement ("Agreement") dated as of ______, 2024 is by and between Deschutes County ("County"), a political subdivision of the State of Oregon, and Cascade Natural Gas Corporation ("CASCADE"), a corporation organized under the laws of Washington

WITNESSETH:

WHEREAS, CASCADE and the County entered into a Landfill Gas Sales Agreement dated as of April 15, 2023, the ("Landfill Gas Agreement") pursuant to which the County granted CASCADE the right to extract, condition, transport and purchase methane gas from a landfill site located at Knott Landfill Recycling and Transfer Facility, 61050 SE 27th Street, Bend, Oregon 97702 ("Landfill") owned by the County, and

WHEREAS, the Landfill Gas Agreement requires that the County grant an easement to CASCADE in the form of this Agreement for purposes of installation and operation of equipment and piping, collectively defined in the Landfill Gas Agreement as "RNG Production Facility," to be installed and owned by CASCADE for the purpose of producing Renewable Natural Gas ("RNG"), and

WHEREAS, the Parties have agreed to separately delineate the easement areas associated with the RNG Production Facility (the "RNG Facility Easement") and the pipelines ("Pipeline Easement"). Any capitalized term used in this Agreement and not defined herein shall have the meaning assigned to such term in the Landfill Gas Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the Parties agree as follows:

1. Subject to the terms and conditions hereinafter set forth, the County hereby grants to CASCADE the right, privilege and easement, hereinafter referred to as "Easement," to use, operate, construct, reconstruct, repair, maintain and have access for the RNG Production Facility and related pipeline and facilities (collectively "Facilities") on, over, under and across that real property as described in Exhibits 1 and 2, attached hereto and incorporated herein, to as the "Landfill Site" including the right of ingress and egress from the real property CASCADE and its authorized agents shall further have the non-exclusive right to use forty (40) additional feet of County's property along and adjacent to said Easement during construction of the Facilities for the limited purpose of facilitating construction of the Facilities.

2. The Easement hereby granted shall be non-exclusive, and the County, its successors and assigns, shall reserve the right to use and to grant to others, subject to the terms hereof, the right to use the property encumbered by the Easement for any and all purposes, including the right to cross over or under the Easement for any purposes, provided that the exercise by County or others of such rights to use, and the use of the land encumbered by the Easement shall not be for the purpose of constructing or operating methane gas recovery facilities and shall not be inconsistent with the grant of the Easement to CASCADE. Subject to the limitations set forth in the foregoing sentence, but without otherwise limiting the foregoing, the County shall have the right to use the property encumbered by the Easement and to cross over the Easement for the operation and maintenance of its Landfill consistent with the terms and conditions of the Landfill Gas Agreement.

3. CASCADE covenants and agrees that it will not permit or suffer any lien to be put upon or to arise on or accrue against the Easement in favor of any person or persons, individual or corporate, furnishing either labor or material in connection with any work done or permitted to be done by

Page 1 of 9 – FACILITIES EASEMENT AGREEMENT: CASCADE NATURAL GAS Deschutes County Document No. 2024-932

CASCADE on the Facilities, and CASCADE further covenants and agrees to hold the County harmless against and to keep the Easement free from any and all liens or claims of liens which may or might arise or accrue or be based upon any mechanic's lien law of the State of Montana, now in force or hereinafter enacted, by reason of CASCADE's exercise of the rights and privileges granted hereunder, and in the event any such lien shall arise or accrue against the Landfill Site, CASCADE agrees to promptly cause the release of same.

4. Provided that CASCADE is in full compliance with the terms and conditions of the Landfill Gas Agreement and this Agreement, the County agrees that CASCADE may enforce this Agreement by a suit for specific performance.

5. In the event of damage to or destruction of the Facilities, CASCADE agrees to promptly repair and restore the same. CASCADE shall keep the Facilities and the Easement free of any trash or debris.

6. Notwithstanding the grant of the Easement, but subject to the provisions of the Landfill Gas Agreement, CASCADE shall at all times and at its sole cost and expense keep the Facilities in good repair and in compliance with all applicable governmental rules and regulations. CASCADE shall procure, at its sole cost and expense, any permits or licenses necessary for the use and operation of the Facilities and will pay any and all taxes assessed thereon or attributable thereto.

7. The Easement hereby granted shall cease and terminate in its entirety (except as to any indemnities or warranties herein contained) upon the first to occur of the following:

- a. the mutual agreement of the County and CASCADE,
- b. non-use of the Facilities for a period of two consecutive years, or
- c. the date which is twelve months after the expiration or termination of the Landfill Gas Agreement.

8. Upon any such termination, CASCADE agrees to: (i) execute such waivers, releases or other instruments in recordable form as may be necessary to evidence such termination, (ii) release any interest which CASCADE may have in and to the Easement by reason of this Agreement, and (iii) remove the Facilities from the Landfill Site and restore the Landfill Site to its pre-construction condition.

9. This Agreement and the covenants and conditions herein contained shall run with the land and shall be binding upon the successors and assigns of the parties hereto.

10. Except as otherwise provided in this Agreement, neither party shall assign this Easement or any of its rights or obligations hereunder except with the consent of the other party, which consent shall not be unreasonably withheld. Any such assignment is subject to the written assumption by the assignee of the obligations of such party hereunder. Any company or other entity succeeding by purchase, merger or consolidation to the properties, substantially as an entity, of CASCADE shall be entitled to the rights and be subject to the obligations of its predecessor under this Agreement without the necessity of obtaining the consent of the County.

11. Any notice, demand or election under this Agreement shall be deemed properly given if sent by United States mail and addressed as follows:

If to the County:	Deschutes County Solid Waste 61050 SE 27 th Street Bend, OR 97702 Attn: Director of Solid Waste
With Copy to:	Deschutes County Property Management PO Box 6005 Bend, OR 97708-6005 Attn: Property Manager
If to CASCADE:	Cascade Natural Gas Corporation 555 S. Cole Road Boise, ID 83709 Attention: EVP Business Development and Gas Supply or as otherwise provided by notice given as herein provided.

12. This Agreement may not be modified or amended except by written agreement of the parties.

13. This Agreement and the rights and obligations or the Parties shall be governed by and interpreted in accordance with the laws of the State of Montana andnot, by the application of choice of law principles, the laws of any other state.

[Signature Pages Follow]

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be executed and delivered as of the date first above written.

Dated this _____ of _____, 2024

BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

ANTHONY DEBONE, Chair

PATTI ADAIR, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

STATE OF OREGON)) ss. County of Deschutes)

Personally appeared before me this ______day of ______, 2024, PATTI ADAIR, ANTHONY DEBONE and PHIL CHANG the above-named BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON and acknowledged the foregoing instrument on behalf of Deschutes County, Oregon.

By:

Notary Public for Oregon My Commission expires:

[Signature Page Follows]

Cascade Natural Gas Corporation

	By:
	Title:
	Date:
STATE OF) COUNTY OF)	5
On this day of	, 2024, before me personally appeared known to me to be the
of Cascade Natural Gas	s Corporation, and acknowledged to me that such

(SEAL)

Notary Public Signature

EXHIBIT 1 – RNG FACILITY EASEMENT



AKS ENGINEERING & FORESTRY 2777 NW Lolo Drive, Suite 150, Bend, OR 97703 P: (541) 317-8429

AKS Job #10710

EXHIBIT A

Easement Area

A portion of Parcel 2 of Partition Plat No. 2007-62, located in the Northeast Quarter of Section 14, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, and being more particularly described as follows:

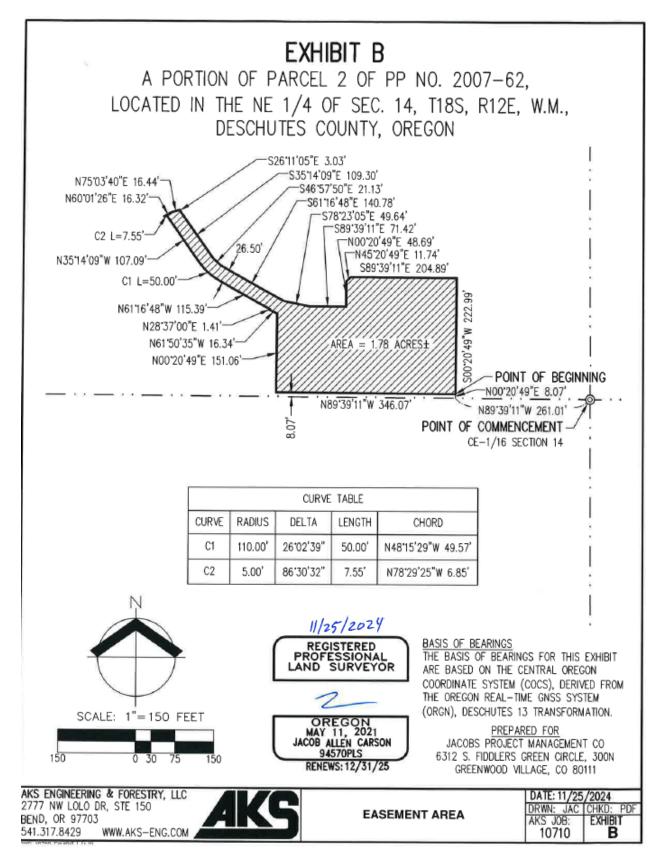
Commencing at the Center-East 1/16th corner of said Section 14; thence along the east-west center section line, North 89°39'11" West 261.01 feet; thence at a right-angle to said center section line, North 00°20'49" East 8.07 feet to a line parallel with and 8.07 feet north of said center section line, and the Point of Beginning; thence along said parallel line, North 89°39'11" West 346.07 feet; thence at a right-angle, North 00°20'49" East 151.06 feet; thence North 61°50'35" West 16.34 feet; thence North 28°37'00" East 1.41 feet; thence North 61°16'48" West 115.39 feet; thence along a curve to the right, with a Radius of 110.00 feet, a Central Angle of 26°02'39", an Arc Length of 50.00 feet, and a Chord of North 48°15'29" West 49.57 feet; thence North 35°14'09" West 107.09 feet; thence along a curve to the left, with a Radius of 5.00 feet, a Central Angle of 86°30'32", an Arc Length of 7.55 feet, and a Chord of North 78°29'25" West 6.85 feet to a point of non-tangency; thence North 60°01'26" East 16.32 feet; thence North 75°03'40" East 16.44 feet; thence South 26°11'05" East 3.03 feet; thence South 35°14'09" East 109.30 feet; thence South 46°57'50" East 21.13 feet; thence South 61°16'48" East 140.78 feet; thence South 78°23'05" East 49.64 feet; thence South 89°39'11" East 71.42 feet; thence at a right-angle, North 00°20'49" East 48.69 feet; thence North 45°20'49" East 11.74 feet; thence South 89°39'11" East 204.89 feet; thence at a right-angle, South 00°20'49" West 222.99 feet to the Point of Beginning.

The above tract of land contains 1.78 acres more or less.

The basis of bearings for this description are based on the Central Oregon Coordinate System (COCS), derived from the Oregon Real-Time GNSS System (ORGN), Deschutes 13 Transformation.



EXHIBIT 1 – RNG FACILITY EASEMENT



Page 7 of 9 – FACILITIES EASEMENT AGREEMENT: CASCADE NATURAL GAS Deschutes County Document No. 2024-932

EXHIBIT 2 – PIPELINE EASEMENT



AKS ENGINEERING & FORESTRY 2777 NW Lolo Drive, Suite 150, Bend, OR 97703 P: (541) 317-8429

AKS Job #10710

EXHIBIT A

Easement Area

A portion of Parcel 2 of Partition Plat No. 2007-62, located in the Northeast Quarter, the Southeast Quarter, and the Southwest Quarter of Section 14, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, and being more particularly described as follows:

Commencing at the Center-East 1/16th corner of said Section 14; thence along the east-west center section line, North 89°39'11" West 253.07 feet; thence at a right-angle to said center section line, North 00°20'49" East 21.21 feet; thence North 90°00'00" West 229.20 feet; thence at a right-angle, North 00°00'00" East 35.52 feet; thence at a right-angle, North 90°00'00" West 25.57 feet to the Point of Beginning; thence at a right-angle, South 00°00'00" East 54.13 feet; thence along a curve to the right, with a Radius of 8.33 feet, a Central Angle of 90°00'00", an Arc Length of 13.08 feet, and a Chord of South 45°00'00" West 373.11 feet to the easterly right-of-way line of SE 27th Street (varying in width from centerline); thence along said right-of-way line, North 02°23'07" East 19.56 feet; thence leaving said right-of-way line, North 33°07'36" East 357.20 feet; thence along a curve to the right, with a Radius of 8.33 feet, a Central Angle of 56°52'24", an Arc Length of 8.27 feet, and a Chord of North 61°33'48" East 7.93 feet; thence North 90°00'00" East 1,898.08 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 1,898.08 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North 00°00'00" East 52.46 feet; thence at a right-angle, North

The above tract of land contains 23,280 square feet more or less.

The basis of bearings for this description are based on the Central Oregon Coordinate System (COCS), derived from the Oregon Real-Time GNSS System (ORGN), Deschutes 13 Transformation.



Page 8 of 9 – FACILITIES EASEMENT AGREEMENT: CASCADE NATURAL GAS Deschutes County Document No. 2024-932

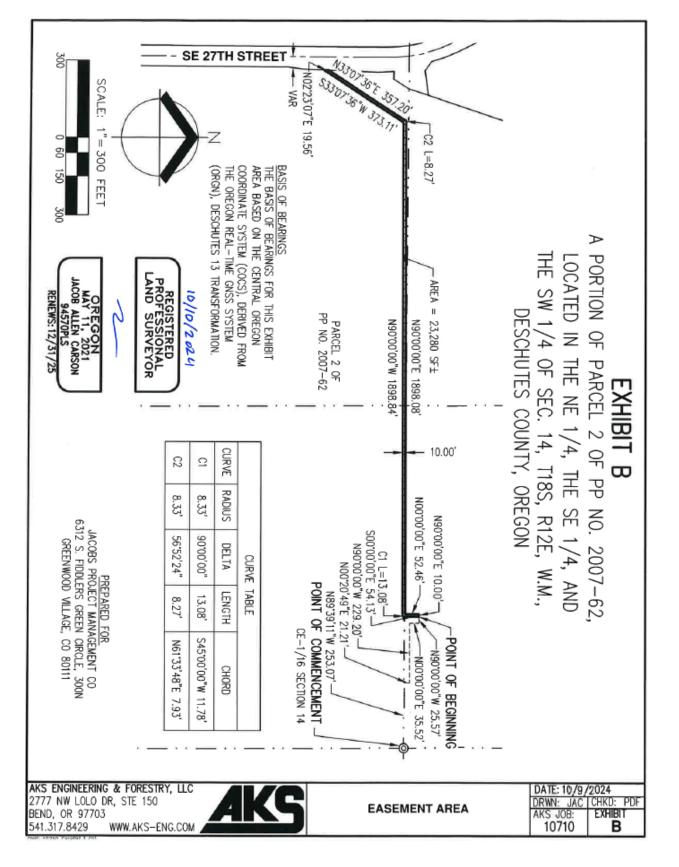


EXHIBIT 2 – PIPELINE EASEMENT

Page 9 of 9 – FACILITIES EASEMENT AGREEMENT: CASCADE NATURAL GAS Deschutes County Document No. 2024-932



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Property tax exemption application for the Huntington Apartments at 51771 Huntington Road in La Pine

RECOMMENDED MOTION:

Consider the application from Danco Communities for a property tax exemption relating to the Huntington Apartments at 51771 Huntington Road in La Pine.

BACKGROUND AND POLICY IMPLICATIONS:

ORS 307.515 and ORS 307.518 allow for property tax exemptions for certain rental housing developments serving low-income households.

The Huntington Apartments project proposes a 60-unit affordable housing development which will offer apartments for rent to persons earning at or below 60% of the area median income (AMI). This project is utilizing the Oregon Affordable Housing Tax Credit Program, which allows the rents to drop closer to 50% AMI levels while keeping the income threshold at 60% AMI.

The development will consist of nine two-story buildings on 4.7 acres. All utilities will be paid by the property owner, and NeighborImpact will provide a wide range of resident services focusing on adult and child education, financial literacy and stability, and health and wellness. The Latino Community Association is also a partner in this project.

All of the value captured by the tax exemption would be passed through to rent reductions, allowing the project to offer new class A apartments at or below 60% AMI rent levels.

According to information submitted by the applicant, a property tax exemption for the property and future improvements is a critical piece of the affordable housing finance structure that would make this project feasible to develop. The net operating income is at the minimum allowed by lenders, and would result in a debt service coverage ratio of 1.20. The property tax exemption is required to maintain this underwriting standard and project viability.

The property will be owned by La Pine Huntington Road LP, of which Engage NW is the managing general partner. Engage NW is a 501(c)3 non-profit organization whose

mission is to support affordable housing developments with administrative and resident services work.

In order for this project to qualify for the tax exemption, it must be approved by the boards which represent at least 51% of the combined levy of taxing districts. Thus far, this application has been approved by the Deschutes County Library District, COCC, the La Pine Park & Recreation District, High Desert Educational Service District and the La Pine Rural Fire District. The application will be presented to the Bend-La Pine School District on December 10th.

BUDGET IMPACTS:

Grand Total

This project is estimated to receive a total 10-year tax exemption of approximately \$948,500 based on an estimated building value of \$12.8 million. Total tax collection for the 10-year exemption period of the site will be about \$24,900 if the project is not constructed.

The table below demonstrates the tax collection that would take place on the site in year 11, after the exemption period in both a no-build and build scenario of the project. The table demonstrates the tax benefits to all districts starting in Year 11 if this project is approved and moves forward.

100.0% \$ 2,914

\$114,111

		No	Proposed
	% of Tax	Project is	Project is
Taxing District	Levy*	Built	Built
Deschutes County	7.7%	\$ 225	\$ 8,808
Countywide Law Enforcement	7.5%	220	8,613
Rural Law Enforcement	9.4%	273	10,679
County Extension/4H	0.1%	4	155
9-1-1	2.2%	64	2,494
Deschutes County Total	26.9%	785	30,748
Bend La Pine School District**	40.0%	1,165	45,630
Oty of La Pine	20.1%	587	22,971
COCC	4.3%	125	4,898
CountyLibrary	5.4%	157	6,144
Dept of Forestry Fire Patrol	0.9%	25	987
High Desert ESD* *	0.6%	17	665
La Pine Park & Recreation	1.8%	53	2,067
Other District Total	73.1%	2,129	83,363

Forecasted Tax Collection by Taxing District in Year 11

* These tax collection percentages include division of taxes and local levies.

**** The Bend/La Fine School District and the High Desert Education Service District are funded though per pupil allocations from the State School Fund which is comprised of many sources, including property tax revenues. The State Legislature sets the per pupil allocations and funds the State School Fund accordingly. Therefore, tax exemptions have an "indirect" impact on the funding for local districts. Tax exemptions throughout the state all have an impact on the State School Fund.



Danco Communities

Phone:(707) 822-9000 Fax: (707)8229596 www.danco-group.com

5251 Ericson Way Arcata, CA 95521

December 3, 2024

Deschutes County Board of County Commissioners Commissioner Patti Adair, Chair Commissioner Tony DeBone, Vice Chair Commissioner Phil Chang

RE: La Pine Huntington Road Limited Partnership Request for Approval of NONPROFIT TAX EXEMPTION Application for the Project at 51771 Huntington Road, La Pine OR

To the Deschutes County Board of County Commissioners:

In accordance with City of La Pine Resolution 2023-09 and Resolution 2024-01, Danco Communities and La Pine Huntington Road Limited Partnership are applying for the Nonprofit Property Tax Exemption for the property at 51771 Huntington Road, La Pine, OR. The Partnership is currently under construction on a low-income tax credit project on this site. The project is comprised of 60 family units of unit sizes between 1 and 3 bedrooms and AMI levels of 60%. The project will support local families in need of clean, safe housing at a level of affordability that is suitable for their income.

The Partnership is a tax-exempt entity as its managing general partner is EngAGE La Pine LLC, whose sole member/manager is EngAGE Northwest which is a 501(c)3 non-profit corporation. The administrative general partner is an entity related to Danco Communities, an experienced developer with 38 affordable housing projects developed.

EngAGE Northwest is an organization specializing in creating community for all ages through their intergenerational and art-focused programing in affordable housing projects and beyond. EngAGE Northwest takes a whole-person approach to creative, healthy living by providing high quality arts, wellness, and lifelong learning programs to residents of all ages in affordable housing communities. Classes are professionally led and complemented by community-building activities and celebrations as well as intergenerational connections.

EngAGE Northwest was founded in 2016 after community members and local developers sought to bring the award-winning resident services model created by EngAGE, Inc. (southern California), to the Pacific Northwest. EngAGE was founded in 1999 and is consistently recognized as a leader in the arts, intergenerational programs, and community-building work. EngAGE serves thousands of residents of all ages.

The project will have ongoing resident services offered by the local organizations NeighborImpact and Laino Community Association.

Danco Communities is based in Humboldt County CA, and was started in 1986 as a small construction company. Over time the business grew to encompass development, construction, and property management. Danco Communities has been developing affordable housing projects for almost 20 years,



Danco Communities

Phone:(707) 822-9000 Fax: (707)8229596 www.danco-group.com

5251 Ericson Way Arcata, CA 95521

which started from the local need for affordable housing in the North Coast region. Danco has since completed over 1500 affordable units and maintained a great majority under property management. It is Danco Communities' mission to bring safe, affordable, and inspiring housing to our communities.

The Partnership is requesting your support for our Nonprofit Tax Exemption Application for this lowincome property which will consist in 60 units of housing, 59 of which will be affordable at or below 60% AMI to serve the rapidly growing rural community in Deschutes County.

All funds not paid in taxes will benefit our tenants by being applied to maintaining low rents, property maintenance, and continued provision of a robust supportive services program.

Sincerely,

Daniel J. Johnson President, Danco Communities

Application for Property Tax Exemption

Applicant name: Danco CommunitiesApplicant address: 5251 Ericson Way Ste A, Arcata, CA 95521Email: mdibble@danco-group.comPhone: 707-672-4002Project Name: Huntington ApartmentsProject Location: 51771 Huntington Rd. La Pine, OR 97739

Developer and Administrative General Partner: Danco Communities General Contractor: Danco Builders Property Manager: Danco Communities Managing General Partner: Engage NW Resident Services Provider: NeighborImpact & Latino Community Association Funding Agency: Oregon Housing and Community Services

A subsidiary of Danco Homes, LLC dba Danco Communities, a private entity, proposes to purchase the property and construct an affordable housing development. The project is referred to as Huntington Apartments.

1. A description of the property or a portion of the property for which the exemption is requested;

Huntington Apartments is an affordable housing development located in La Pine, OR. The project will deliver 60 units for rent to persons earning at or below 60% of the area median income (AMI). This project is utilizing the Oregon Affordable Housing Tax Credit Program (OAHTC), which allows the rents to drop closer to 50% AMI levels, while keeping the income threshold at 60% AMI. The development will consist of nine 2-story buildings, spanning the entirety of the 4.7-acre parcel. The garden style community will provide a community building, resident service program rooms, community gardens, tot lot, sport court, and ample parking. With Danco's expertise in sustainable development, this project will include the latest in sustainable building tech and practice, allowing ownership to pay all utilities for the future residents. We have partnered with NeighborImpact to provide a wide range of resident services at the property, focusing on adult and child education, financial literacy and stability, and health & wellness. NeighborImpact will work with the Latino Community Association, a local non-profit dedicated to serving Latino families in Central Oregon, in an effort to make the community program culturally relevant to all.

Unit Mix:		Schedule:
1 Bedroom- 16	5	OHCS Closing: 10/25/23
2 bedroom- 24		Construction Start: 11/1/23
<u>3 bedroom- 20</u>)	Construction Finish: 6/1/25
Total- 60)	Stabilization: 9/1/25

2. A description of the purpose of the project and whether all or a portion of the property is being used for that purpose;

The purpose of the Huntington Apartments project is to provide a quality living environment for low-income individuals and families in a region that has experienced rapid increases to the cost of living. We hope that the use of the OAHTC rent reduction and owner paid utilities will further reduce the burden of living in Central Oregon. The resident services plan developed by NeighborImpact and Latino Community Association will provide essential services tailored to the resident's specific needs. The ongoing resident services will help residents integrate into the surrounding community, connect to additional support networks, and become a contributing member of the La Pine community.

3. A certification of income levels of low income occupants;

Not applicable for new construction projects. See OHCS award letter for future requirements.

4. A description of how the tax exemption will benefit project residents;

Property tax exemption for the property and future improvements is a critical piece of the affordable housing finance structure that makes this project, and many like it, feasible to develop. The Net Operating Income (NOI) is at the minimum allowed by lenders in the space, making for a debt service coverage ratio (DSCR) of 1.20. The property tax exemption is required to maintain this underwriting standard and project viability. Given this current state, all of the value captured by the property tax exemption will be passed through to rent reductions, allowing the project to offer new class A apartments at or below 60% AMI rent levels.

5. If the exemption is an exemption described in ORS 307.518 (Alternative criteria for exemption), evidence satisfactory to the governing body that the corporation is a nonprofit corporation and meets the criteria for a public benefit corporation or a religious corporation;

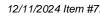
The property will be owned by La Pine Huntington Road LP, of which Engage NW is the Managing General Partner. <u>Engage NW</u> is a 501(c)3 non-profit organization whose mission is to support affordable housing developments with administrative and resident services work. See attached Certificate of Limited Partnership and Agreement of Limited Partnership.

6. A description of the plans for development of the property if the property is being held for future low-income rental housing development; and

See question 1. An exemption is being requested for the entire property to be developed.

7. A description of how the applicant and the property, respectively, meet any additional criteria adopted by the governing body pursuant to ORS 307.517 (Criteria for exemption) (2) or 307.518 (Alternative criteria for exemption) (2).

No additional criteria have been adopted for this project. If and when any are adopted, we will supplement this Application with a response to each additional criteria.





ITY OF LA PINE

16345 Sixth Street — PO Box 2460 La Pine, Oregon 97739 TEL (541) 536-1432 — FAX (541) 536-1462 <u>www.lapineoregon.gov</u>

November 21, 2024

Deschutes County Board of Commissioners 1300 NW Wall Street Bend, Oregon 97703

Dear County Commissioners,

On March 29, 2024, City of La Pine staff presented to the Board of County Commissioners that the City would be considering a Low-Income Rental Housing Tax Exemption to support existing and planned affordable housing developments. Oregon's legislature enacted the Low-Income Rental Housing Tax Exemption in 1985 (ORS 307.515 -307.523) to benefit low-income renters by easing property tax burden on those organizations providing affordable rental housing. The City Council adopted by resolution its "Policy on Low-Income Rental Housing Tax Exemption" under La Pine Resolution No. 2023-09, "A RESOLUTION OF THE LA PINE CITY COUCIL ADOPTING THE PROVISINS OF OREGON REVISED STATUTE 307.515 TO 307.523 ALLOWING PROPERTY TAX EXEMPTION FOR LOW-INCOME RENTAL HOUSING" with applications being eligible for exemptions for tax years beginning on or after July 1, 2023. Under La Pine Resolution 2023-09, an organization meeting the criteria for exemption under the "Policy on Low-Income Rental Housing Tax Exemption", and ORS 307.515 to ORS 307.523, may apply for a property tax exemption for affordable housing developments, including bare land holding intended to be developed into affordable housing which must commence construction within twelve months of the day of exemption approval provided by the City of La Pine and receive any and all final inspections for, public improvements, conformance with building, electrical, structural, or plumbing code and all other final occupancy certificates and be habitable no later than eighteen months from the day of exemption approval. The qualified housing must be limited to households at 60 percent Area Median Income (AMI) or less. If approved by 51 percent of the taxing districts, then the exemption applies to 100 percent of the property taxes.

The required Low-Income Rental Housing Tax Exemption application must be filed on or before March 1. Within 60 days of the applications filing, City Council must determine whether the applicant meets the requirements under La Pine Resolution 2023-09 and its associated policy. If the applicant meets the requirements, then the City will bring the property tax exemption before the County Assessor and certify the property is exempt from property taxation by the April 1 deadline pursuant to ORS 307.515 – 307.523.

The City of La Pine has received an application for a Low-Income Rental Housing Tax Exemption from La Pine Huntington Road Limited Partnership. The Partnership is a tax-exempt entity as its managing general partner is EngAGE La Pine LLC, whose sole member/manager is EngAGE Northwest, an Oregon 501(c)3 non-profit corporation. The Partnership is currently under construction on a low-income tax credit project comprised of 60 family units of unit sizes between 1 and 3 bedrooms and AMI levels of 60%. On March 27, 2024, the City of La Pine approved Resolution No. 2024-01, providing conditional approval of the Low-Income Rental Housing Tax Exemption from La Pine Huntington Road Limited Partnership.

This project is estimated to receive a total 20-year tax exemption of approximately \$2,223,282 based on an estimated building value of \$12.8 million. Total tax collection for the 20-year exemption period of the site will be about \$58,255 if the project is not constructed. The table below demonstrates the tax collection that would take place on the

site in year 21, after the exemption period in both a no-build and build scenario of the project. The table demonstrates the tax benefits to all districts starting in Year 21 if this project is approved and moves forward.

Forecasted Tax Collection by Taxing District in Year 20						
		No	Proposed			
	% of Tax	Project is	Projectis			
TaxingDistrict	Levy*	Built	Built			
Deschutes County	7.7%	\$ 293	\$ 8,808			
Countywide Law Enforcement	7.5%	287	8,613			
Rural Law Enforcement	9.4%	356	10,679			
County Extension/4H	0.1%	5	155			
9-1-1	2.2%	83	2,494			
Deschutes County Total	26.9%	1,024	30,748			
Bend La Pine School District**	40.0%	1,520	45,630			
City of La Pine	20.1%	765	22,971			
сосс	4.3%	163	4,898			
CountyLibrary	5.4%	205	6,144			
Dept of Forestry Fire Patrol	0.9%	33	987			
High Desert ESD* *	0.6%	22	665			
La Pine Park & Recreation	1.8%	69	2,067			
Other District Total	73.1%	2,778	83,363			
GrandTotal	100.0%	\$ 3,802	\$ 148,888			

Forecasted Tax Collection by Taxing District in Year 20

*These tax collection percentages include division of taxes and local levies.

****The Bend/La Pine School District and the High Desert Education Service District are funded though per pupil allocations from the State School Fund which is comprised of many sources, including property tax revenues. The State Legislature sets the per pupil allocations and funds the State School Fund accordingly. Therefore, tax exemptions have an "indirect" impact on the funding for local districts. Tax exemptions throughout the state all have an impact on the State School Fund.

EngAGE Northwest is an organization specializing in creating community for all ages through their intergenerational and art-focused programing in affordable housing projects and beyond. EngAGE Northwest takes a whole-person approach to creative, healthy living by providing high quality arts, wellness, and lifelong learning programs to residents of all ages in affordable housing communities. Classes are professionally led and complemented by community-building activities and celebrations as well as intergenerational connections.

EngAGE Northwest was founded in 2016 after community members and local developers sought to bring the awardwinning resident services model created by EngAGE, Inc. (southern California), to the Pacific Northwest. EngAGE was founded in 1999 and is consistently recognized as a leader in the arts, intergenerational programs, and communitybuilding work. EngAGE serves thousands of residents of all ages. The project will have ongoing resident services offered by the local organizations NeighborImpact and La©no Community Association.

Danco Communities, the administrative general partner for La Pine Huntington Road Limited Partnership, is based in Humboldt County CA, and was started in 1986 as a small construction company. Over time the business grew to encompass development, construction, and property management. Danco Communities has been developing affordable housing projects for almost 20 years, which started from the local need for affordable housing in the North Coast region. Danco has since completed over 1500 affordable units and maintained a great majority under property management. It is Danco Communities' mission to bring safe, affordable, and inspiring housing to our communities.

The Partnership requests the Board of County Commissioner's support for its Low-Income Rental Housing Tax Exemption application. All funds not paid in taxes will benefit low-income renters by maintaining low rents, resident services and property maintenance.

Please let me know when the Partnership may be able to make such a request to the Board. If you have any further questions, don't hesitate to contact me.

Sincerely,

Jacque L. Constructed again

Geoff Wullschlager City Manager City of La Pine

RESOLUTION NO. 2024-01

A RESOLUTION PROVIDING CONDITIONAL APPROVAL OF THE LOW-INCOME RENTAL HOUSING TAX EXEMPTION APPLICATION SUBMITTED BY LA PINE HUNTINGTON ROAD LIMITED PARTNERSHIP AND CERTIFYING TO THE DESCHUTES COUNTY TAX ASSESSOR THAT ALL OF THE PROPERTY TAX FOR THE PERIOD OF 2025-2045 TAX YEARS SHALL BE EXEMPT FROM THE AD VALOREM TAX LEVY OF THE CITY OF LA PINE UPON PASSAGE

WHEREAS, in accordance with ORS 307.515 - ORS 307.523, and in an effort to provide a mechanism through which the La Pine City Council can contribute to and support the development of low-income rental housing in La Pine, the City of La Pine established procedures to provide a property tax exemption for qualifying low-income rental housing by its adoption of Resolution No. 2023-09 (the "Tax Exemption Program"); and

WHEREAS, on December 26, 2023, the La Pine Huntington Road Limited Partnership, an Oregon domestic limited partnership (the "Partnership"), whose principal address is 17890 SW Elsner Rd, Sherwood, OR 97140 and mailing address is 5251 Ericson Wy, Arcata, CA 95521, submitted an application under the Tax Exemption Program for a low- income rental housing tax exemption for 2025-2045 tax years; and

WHEREAS, the Partnership's application for exemption concerns a certain 60-unit affordable apartment complex commonly known as the La Pine Apartments (the "Apartment Complex"), which Apartment Complex is under construction on certain real property located at 51761 Huntington Rd., La Pine, Oregon 97739, more particularly described as follows:

Lot 100 of Newberry Neighborhood 1, recorded in Deschutes County on October 15, 2003, and listed as Map and Taxlot: 221011CB00100 of Deschutes County, Oregon; referred herein to as the "Property"; and

WHEREAS, pursuant to ORS 307.523 and the Tax Exemption Program, the City Council must adopt a resolution or ordinance approving or denying the Partnership's application for exemption within 60 days of the time of filing; and

WHEREAS, pursuant to ORS 307.523 the tax exemption has been approved pursuant to an application filed before July 1, 2030; and

WHEREAS, the housing units on the property were constructed after the local governing body adopted the provisions of ORS 307.515 307.523; and

WHEREAS, the City Council for the City of La Pine has reviewed the Partnership's application and made findings attached in Exhibit A., and has determined that, subject to the terms and conditions provided below, the Apartment Complex and Property are eligible for tax exemption under the Tax Exemption Program; and

WHEREAS, the City Council for the City of La Pine does hereby certify to the Deschutes County Tax Assessor that all of the property tax for the period of 2025-2045 tax years shall be exempt from the ad valorem tax levy of the City of La Pine upon passage of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by and through the City Council for the City of La Pine, the following:

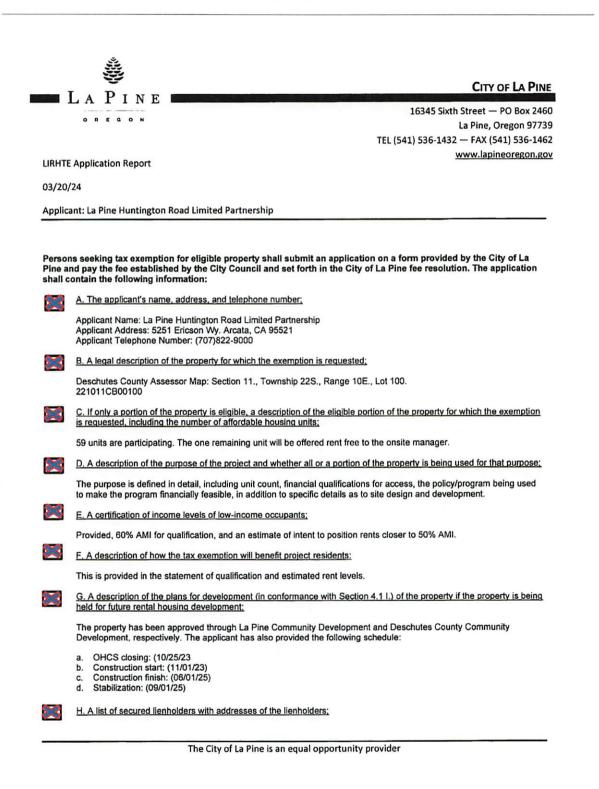
- 1. The City Council approves the Partnership's application for the Apartment Complex and Property's tax exemption for the 2025-2045 tax years subject to the following conditions:
- (a) The Partnership's payment of the \$1,000.00 Low-Income Rental Housing Tax Exemption (LIRHTE) Application fee established by the City under Resolution 2023-09.
- (b) The Partnership's payment of the \$5,977.00 legal fees associated with review of the proposal and application established by the City under the City of La Pine Master Fee Schedule and Resolution 2023-10.
- (c) The Partnership's payment of the \$123,764.94.00 Community Contributions established by the City under Resolution 2023-09 and the associated Policy on Low-Income Rental Housing Tax Exemption.
- (d) The Partnership's completion of construction of the Apartment Complex on or before June 30, 2025. The Apartment Complex's construction will be deemed complete upon Deschutes's County's issuance of a Certificate of Occupancy.
- (e) This conditional approval is made subject to any and all applicable laws, rules, regulations, ordinances, and resolutions concerning or related to the Tax Exemption Program, including, without limitation, ORS 307.15 ORS 307.523.
- (f) The Partnership's signing all other documents and taking all other actions the City determines reasonably necessary to approve the Partnership's application for tax exemption.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the La Pine City Council on this 27th day of March 2024.

Daniel Richer, Mayor

ATTEST: manda Metcalf, City Recorder

EXNIBIT A.



- Oregon Housing and Community Services Department 725 Summer St., NE, Ste. B. Salem, OR 97301 a.
- Oregon State Treasury 867 Hawthorne Ave. SE, Salem, OR 97301 Umpqua Bank One SW Columbia St., Ste. 1170 Portland, OR 97258 b.
- C.

I. A burden of proof statement demonstrating how the applicant has met the criteria as established in Section 4. of this policy.



A. The property is: Offered for rent

The property, if occupied, is occupied solely by low-income persons with non-material exceptions .: R

The property is under construction and will only be occupied by low-income persons when completed. C. The required rent payment reflects the full value of the property tax exemption.:

Property tax exemption for the property and future improvements is a critical piece of the affordable housing finance structure that makes this project, and many like it, feasible to develop. The Net Operating Income (NOI) is at the minimum allowed by lenders in the industry, making for a debt service coverage ratio (DSCR) of 1.20. The property tax exemption is required to maintain this underwriting standard and project viability. Given this current state, all of the value captured by the property tax exemption will be passed through to rent reductions, allowing the project to offer new class A apartments at or below 60% AMI rent levels.

Units	100	Monthly expense at 100% AMI (Forecasted as 140%)	of 60%)	Month	y Yield	An	nual Yield
1 bedroom	16	\$ 1,	268.40	\$	20,294.40	\$	243,532.80
2 bedroom	23	\$ 1,	520.40	\$	34,969.20	\$	419,630.40
3 bedroom	20	\$ 1.	755.60	\$	35,112.00	\$	421,344.00
Total	59	\$ 4,	544,40	\$	90,375.60	\$	1,084,507.20
Units	-	Monthly expense at 60% AMI (Per OHCS App Max. Rent)		Montly Yield		Annual Yield	
1 bedroom	16	\$	905.00	\$	14,480.00	\$	173,760.00
2 bedroom	23	\$ 1,	086.00	\$	24,978.00	\$	299,736.00
3 bedroom	20	\$ 1,	254.00	\$	25,080.00	\$	300,960.00
Total	59	\$ 3,	245.00	\$	64,538.00	\$	774,456.00

The required monthly rent payments are as follows, based on City estimates.

100% AMI: \$90,375.60 60%AMI: \$64,538.00

Difference: \$25,821.60 (monthly)

The forecasted property tax (annual) for year 1 is: \$25,787.49 The forecasted property tax (monthly) is: \$2,148.96

Finding: The Required Rent Payment under the 60% AMI maximum rent cost reflects the full value of the property tax exemption.

D. The forecasted rent reduction (savings) materially exceeds the forecasted property tax exemption.

The annual market rate rental income was estimated in the project appraisal at \$1,348,800. This appraisal was produced by an appraiser and market study consultant approved by OHCS (Oregon Housing and Community Services) which oversees LIHTC applications and conformance.

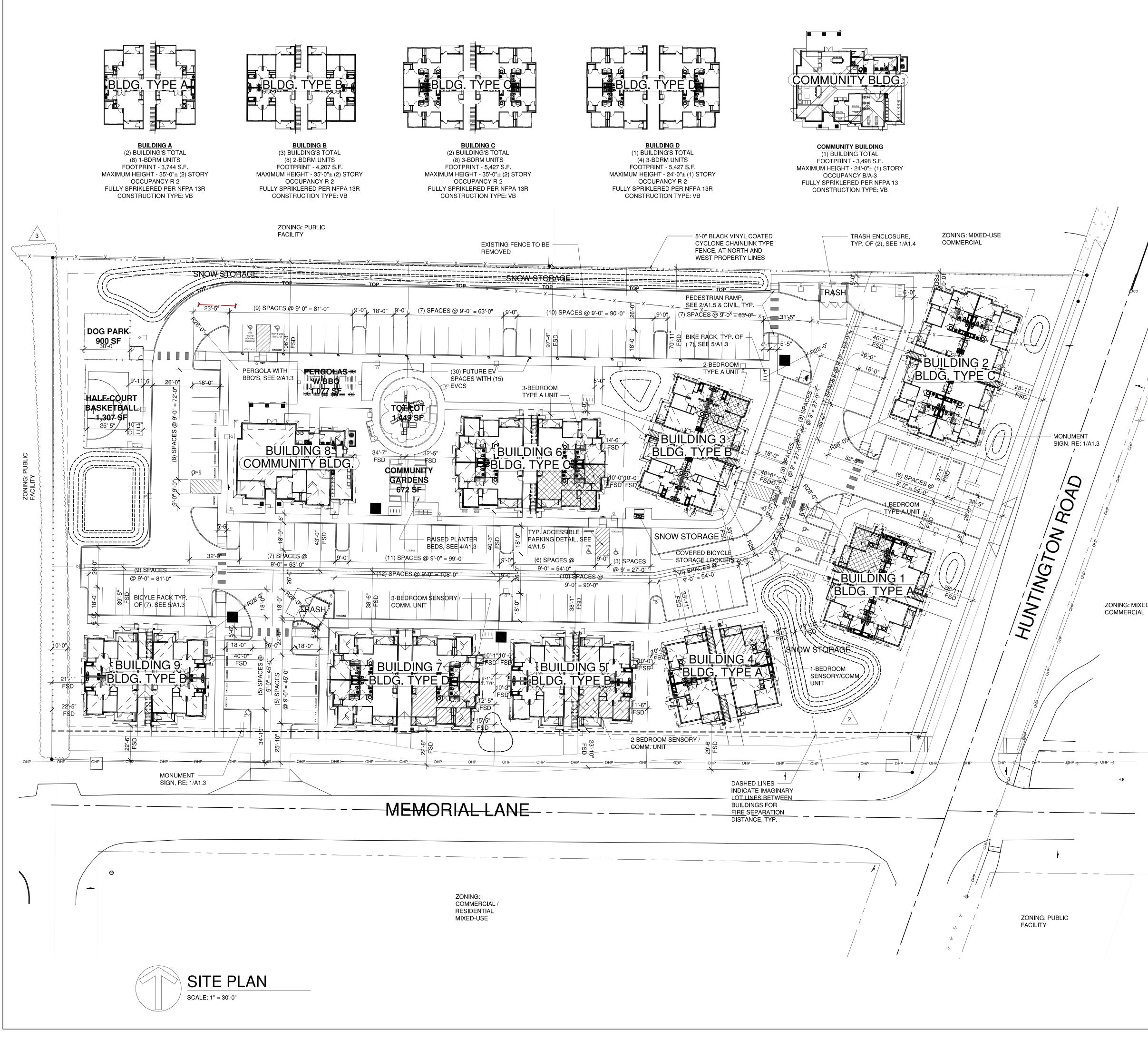
The annual restricted rental income of the project is projected to start at \$774,456.00 after subtracting the OAHTC passthrough that will occur. This forecasted rent reduction of \$559,548 per year materially exceeds the amount of the requested property tax exemption.

The estimated annual market rate rental income as a function of 100% of AMI, calculated in the table under question C., shows an estimated amount of \$1,084,507.20. Additionally, the annual restricted rental income (maximum) displayed in the OHCS application is derived to equate to \$774,456.00. Thus, the forecasted rent

The City of La Pine is an equal opportunity provider

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The City of La Pine is an equal opportunity provider



APPLICANT DANCO GROUP CHRIS DART 5251 ERICSON WAY ARCATA, CALIFORNIA 95521 (707) 822-9000

ARCHITECT

DG GROUP ARCHITECTURE, PLLC DOUGLAS GIBSON, AIA 430 E. STATE STREET, SUITE 100 EAGLE, IDAHO 83616 (208)-461-0022 X3021

ACCESSIBILITY	# OF UNITS	PERCENTAGE
VISITABLE UNITS / TYPE B (ALL GRND. FLR. NO TYPE A / ADA FULLY ACCESSIBLE UNITS (5% T SENSORY COMMUNICATION UNITS (2% TOTAL	OTAL) 3	5.0% 5.0% 5.0%

UNIT MIX SUMMARY	C	CONDITIONED SQ. FOOTAGES
 (16) 1-BEDROOM UNITS (12) 2-BEDROOM UNITS (12) 2-BEDROOM-A UNITS (12) 3-BEDROOM UNITS (8) 3-BEDROOM-A UNITS (60) UNITS TOTAL 	(16) x 659 S.F. = (12) x 765 S.F. = (12) x 749 S.F. = (12) x 1,052 S.F. = (8) x 1,037 S.F. =	10,544 S.F. 9,180 S.F. 8,988 S.F. 12,624 S.F. 8,296 S.F. 49,632 S.F.
COMMUNITY BUILDING		3.289 S.F.

FIRE SPRINKLER

AUTOMATIC FULLY SPRINKLERED SYSTEM WITH CENTRAL CALL STATION, OFF-SITE MONITORING AND FDC'S

52,921 S.F.

/ 1 \

SITE SIZE 204,730 S.F.± (4.699 ACRES* ±)

TOTAL

12.77 DWELLING UNITS/ACRE

ZONING MIXED USE COMMERCIAL

SITE COVERAGE	SQ. FT.	PERCENTAGE
BUILDING FOOTPRINTS	40,097 S.	F. 19.59%
ON-SITE ASPHALT CONCRETE PAVING	63,332 S.	F. 30.93%
SITE AMENITIES (PERGOLAS, TOT LOT, DOG PARK		
HALF COURT BASKETBALL, COMMUNITY GARDEN	S) 5,489 S	F. 2.68%
CONCRETE WALKS & PADS	22,264 S	.F. 10.87%
LANDSCAPE, OPEN SPACE	73,548 S.	F. 35.93%
TOTAL AREA	204,730 S	.F. 100%

NOTE: * ALL NUMBERS PROVIDED ARE ESTIMATED FOR SITE COVERAGE

PARKING SUMMARY

TOTAL MULTI-FAMILY REQUIRED BY CITY OF LA PINE DEVELOPMENT CODE TABLE 15.86-1

(16) 1-BDRM UNITS X 1 =	16 SPACES REQUIRED	
(24) 2-BDRM UNITS X 1 =	24 SPACES REQUIRED	
(20) 3-BDRM UNITS X 1 =	20 SPACES REQUIRED	
TOTAL SPACES REQUIRED:	60 SPACES	

TOTAL PROVIDED: 142 (INCLUDING 9 ADA SPACES WHICH INCLUDE 3 VAN SPACES, AND 1 USPS SPACE) ∕ 1 ∖

BICYCLE PARKING: 46 SPACES TO BE PROVIDED (INCLUDING 4 LONG TERM BICYCLE LOCKERS)

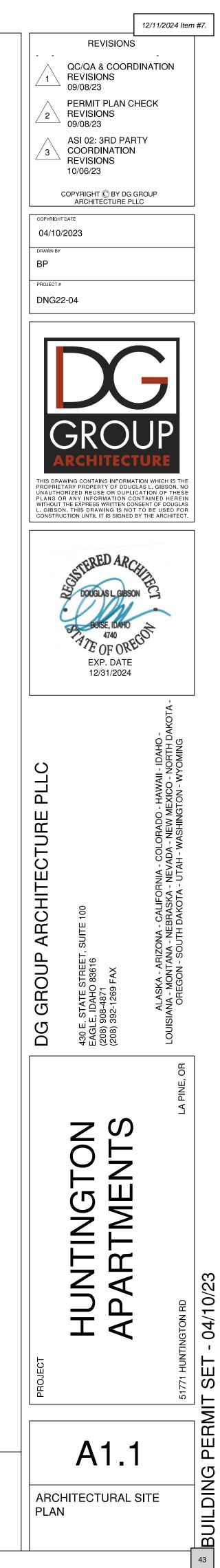
FUTURE ELECTRIC VEHICLE CHARGING STATIONS (EVCS): (142) PARKING SPACES * 0.20 = (29) REQUIRED
 (30) FUTURE EV SPACES PROVIDED, INCLUDING (1) FUTURE ADA EVCS SPACE
 AND (1) FUTURE VAN ADA EVCS SPACE

ZONING: MIXED-USE





VICINITY MAP





BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Sheriff's Office Request for Opioid Settlement Funds

RECOMMENDED MOTION:

Move approval of the requested use of \$283,000 in opioid settlement funds by the Sheriff's Office.

BACKGROUND AND POLICY IMPLICATIONS:

In 2021, a nationwide settlement resolved all opioid claims brought by states and local political subdivisions, awarding \$26 billion for distribution over 18 years. The settlement amount Deschutes County is expected to receive is estimated at \$7.9 million over that time.

To date, Deschutes County Sheriff's Office (DCSO) has not requested any of the opioid settlement funds received by the County. DCSO requests \$283,000 of this funding to cover the cost of one Registered Nurse and to fill the gap between what will be received with grant funding and the actual cost of medication administered through the jail's Medication Assisted Treatment (MAT) program. These additional funds will ensure the operation of the MAT program through June 30, 2025.

BUDGET IMPACTS:

\$283,000 in revenue to the DCSO in FY25. If approved, a resolution will be submitted to adjust the budget to recognize the additional revenue and increase DCSO expense appropriations.

ATTENDANCE:

Michael Shults, Captain Eden Aldrich, Medical Director Jessica Vanderpool, Sr. Management Analyst



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 11, 2024

SUBJECT: Shepherd's House grant agreement for use of ARPA funds

RECOMMENDED MOTION:

Move to approve parameters as discussed to the grant agreement with Shepherd's House (Document No. 2024-909).

BACKGROUND AND POLICY IMPLICATIONS:

On November 13, 2024, the Board of Commissioners allocated \$225,000 from the General Fund ARPA reserve funds for Shepherd's House expansion of Abi's House, a program which houses women and children. These funds support the purchase of a one-bedroom home.

Upon Legal Counsel's review of the draft grant agreement, counsel offered the option to include parameters regarding the use of the home, such as a deed restriction when the property is purchased, or for the County to have a reversionary interest in the property, if the property were to cease being utilized for the stated purpose within a specified time period. Staff is seeking Board direction on desired parameters of the agreement, if any. The original Shepherd's House request is attached to this memo for reference. Legal Counsel Kim Riley will be available during the meeting to discuss the options presented.

BUDGET IMPACTS:

None

ATTENDANCE:

Laura Skundrick, Management Analyst

12/11/2024 Item #9.

Discretionary Grant Program Application

Items with a red asterisk are required fields. Deschutes County, Oregon Applicants Only.



Before you Begin - Requirements

To ensure all the requirements are met prior to filling-out this form, please read the information provided on the Deschutes County Discretionary Grant web page here.

If you have any questions, please contact: grants@deschutes.org.

Applicant Information

Name of Applicant/Organization * Shepherd's House Ministries			Tax ID Number* 75-320-7723			
Street Address/PO Box * PO Box 5484		City* Bend		State Oregon	Zip Code* 97708	
Contact Name* Jerry Kaping			E-mail Address* jerryk@shministries.org			
Telephone Number* 541-480-8068			Fax Number N/A			
Project Information						
Project Name* Epand Abi's House for Women & Children						
Project Begin Date* 2024-09-01	Project End Date* 2024-11-30		Amount Requested * \$225,000.00		Date Funds Needed * 2024-11-30	

Applicant/Organization Description*

Our mission is to feed the hungry and shelter the homeless. Our purpose is to help those struggling with homelessness to access housing and services, to be transformed and transition into secure housing. We were founded in Bend in 2006 as a long-term recovery program for men and later added a long-term women's recovery program. 10 years ago we launched low-barrier winter shelter programs in Bend and Redmond and in the last 3 years expanded these shelters to full-time, including operating the Lighthouse Navigation Center, the Franklin Center (both in Bend) and our new Redmond Center. Our services include:

1. Meals for the homeless (about 200,000 meals each year) 2. Long-term recovery communities for men, women, and children, including housing, meals, case management, drug and alcohol counsel, mentors, education, and support. 3. Low-barrier shelters: We operate the Lighthouse Navigation Center, Franklin Shelter and our new Redmond Center as low-barrier navigation centers include housing, meals, case management, and counselling. We partner with over 25 other agencies to provide wrap around services for those in need. We serve about 200 people per night in these locations. 4. SHARE: This is our client focused mobile outreach program in Bend and Redmond. We provide

food, clothes, mobile showers, connection referrals, and access to shelters, other programs, and housing. 5. Extended Living: T housing and support for program graduates to transition back into society.

We are governed by a volunteer board comprised of business men and women form central Oregon, and led by our Executive Director, Curt Floski and local Program Directors who oversee each of our program sites.

Our primary activities are to provide overnight shelter, daily meals, case management, counseling and education for houseless, addicted and abused men and women with children. Our staff of over 80 people directly operate local shelters, long-term and transitional housing, food programs and mobile outreach. Hundreds of volunteers serve in a variety of capacities in our programs including meal services and direct client care.

Please describe the applicant organization, including its purpose, leadership, structure, and activities.

Project Description*

We plan to expand services for houseless women and children by expanding , Abi's House, our home for women and children. Abi's house only has room for eight (8) residents. Our plan is to purchase seven (7) homes bordering Abi's House to serve as transitional, affordable homes for an additional 24 women and children. This will expand our capacity from 8 to 32 residents. Each women and her children will have access to safe, affordable housing, case management, counseling and supportive services.

These new homes will be transitional, affordable homes where women work towards independent living. Women will be able to access these homes rent free, or for a subsidized rate based on low-income for those who are able to work towards employment. All residents will have stable, affordable housing, meals and supportive services.

The total cost to acquire these 7 new homes will be \$2.375M. We have begun fundraising and are seeing very strong private donor and foundation interest in this project. We have already secured \$1,065,000.

Specifically, for this project, we are asking for your help to purchase a 1 bedroom home at a cost of \$285,000. This home will house up to 2 women or a women and her children.

Please describe the proposed project or activity.

Timeline Description*

We are moving very quickly on this project as the seller has asked us to close in October/November. We have put up \$30,000 in earnest money to hold and then purchase this first home for \$285,000. We hope to secure your grant of \$225,000 for this purchase and we will cover the \$30,000 remaining balance. We will close as soon as your funds are available. We have women waiting to access homes, so as soon as we close we can furnish and place residents in the new home.

Please provide a timeline for completing the proposed project or activity.

Benefit Identification*

Houseless, addicted and abused women or women with children will be the primary beneficiaries of this project. The majority of the women we serve are no income or extremely low income and will transition from Abi's House or our low-barrier shelters into this supportive transitional housing community. Here they will be able to access affordable housing, meals, case management and other supportive services. Their children will have a stable home and be able to go to day care or school, and also receive supportive services including counseling as needed. Women who are able will be able to get jobs and work towards independent living. Abi's House, within easy walking distance, will serve as a hub for supportive services for each resident. This will directly benefit each woman and each child by providing secure housing and supportive services.

Please identify the specific communities or groups that will benefit.

Impact*

We currently provide over 200 people a night with low-barrier shelter or recovery services, but it is very difficult for these people to transition to affordable housing. The primary impact will be that 24 women and children will be able to access secure, affordable housing and supports. These women will be able to address the issues that led to homelessness and work towards independent living. Having secure housing with supports and food security are key social determinants of health.

Please explain how the project or activity will impact the community or groups.

Fund Use Description*

We are asking for \$225,000 to purchase the first home. The total cost to purchase is \$285,000 for a 1 bedroom home, which is a tremendous value in central Oregon. We have just begun fundraising for this home and will be able to fund the \$60,000 balance through individual and foundation gifts (\$30,000 already paid in Earnest Funds).

Please describe how grant funds will be used and include the source and amounts of matching funds or in-kind contributions, if any. Applicants may be contacted to provide a complete line-item budget.

Previous Grant Funding*

Has your organization previously received grant funding from Deschutes County for the project you are applying for?

454.62KB

Ongoing Project Sustainability

This is a one-time cost to purchase the home, and on-going operating costs will be low. We will provide supportive services and home maintenance through our general operating fund supported by individuals, foundations, businesses and churches. In addition, some women may pay a subsidized rental amount as they are able. However, this and the other 6 homes will only be for no income or low income women and women with children.

If the grant will support an ongoing activity, explain how it will be funded in the future.

Grant Funding in Last Two Years*

Yes No

Has your organization received grant funding from Deschutes County in the last two years?

Grant Funding in the Last Two Years Detail*

Other ARPA Grants

City of Bend – ARPA Community Assistance \$50,000, 2022 (Shower Truck and COVID care related) Deschutes County – ARPA SLRF Award \$300,000, 2022 (Redmond Center Kitchen Remodel)

Please describe the amount and purpose of the grant award(s) received in the last two years.

Non-Profit Status File Upload*

TSH 501(c)(3) Determination Ltr.pdf

Please upload proof of the applicant/organization's non-profit status. PDF format desired. Other file formats supported: pdf,png,jpg,jpeg,gif,bmp,rtf,doc,docx. 25mb file limit.