



# CITY OF LA PINE, OREGON

## REGULAR CITY COUNCIL MEETING

Wednesday, February 10, 2021 at 5:30 PM  
La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

---

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.*

---

## AGENDA

### 1. CALL TO ORDER

### 2. ESTABLISH A QUORUM

### 3. PLEDGE OF ALLEGIANCE

### 4. PUBLIC COMMENTS

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

### 5. ADDED AGENDA ITEMS

*Any matters added to the Agenda at this time will be discussed during the "Other Matters" portion of this Agenda or such time selected by the City Council*

### 6. CONSENT AGENDA

*Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.*

[1.](#) 1.27.2021 Regular City Council Meeting Minutes

[2.](#) Visitor's Center Q2 Report- TRT Payment

### 7. APPOINTMENT OF COUNCILORS AND CITIZENS TO COMMITTEES

### 8. FUTURE INDUSTRIAL PARK ADVERTISING/BROKER OF RECORD - CONSIDERATION

### 9. DRAFT RFP – LA PINE SPEC. BUILDING

### 10. CITY MANAGERS REPORT

### 11. OTHER MATTERS

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

**12. PUBLIC COMMENTS**

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

**13. STAFF COMMENTS**

**14. MAYOR & COUNCIL COMMENTS**

**15. ADJOURNMENT**

---

**Pursuant to ORS 192.640:** This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the City Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend.

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

Wednesday, January 27, 2021 at 5:30 PM  
La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

---

**MINUTES**

**1. CALL TO ORDER**

Meeting called to order at 5:32 p.m.

Mayor Richer notes that Councilor Henderson chose to leave the meeting before it was called to order because he refused to wear his face mask according to standard health guidelines over his mouth and nose, when prompted by Mayor Richer.

**2. REAFFIRMATION OF OATH**

Mayor Daniel Richer and Councilor Alisha Powell reaffirm oath.

**3. ESTABLISH A QUORUM**

PRESENT

Mayor Daniel Richer  
Councilor Colleen Scott  
Councilor Mike Shields  
Councilor Alisha Powell

ABSENT

Councilor Scott Henderson

STAFF

City Manager Geoffrey Wullschlager  
Public Works Manager Jacob Obrist  
Assistant Planner Alexa Repko  
City Recorder Robin Neace

**4. PLEDGE OF ALLEGIANCE**

**5. PUBLIC COMMENTS**

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

None.

**6. ADDED AGENDA ITEMS**

*Any matters added to the Agenda at this time will be discussed during the "Other Matters" portion of this Agenda or such time selected by the City Council*

Councilor Scott added Agenda Item to discuss the City holiday decorations calendar.

**7. CONSENT AGENDA**

*Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.*

1.13.2021 Regular City Council Meeting Minutes

Motion to pass the Consent Agenda made by Councilor Powell, Seconded by Councilor Scott.

Voting Yea: Councilor Scott, Councilor Shields, Councilor Powell

**8. CITIZEN AGENDA ITEM**

1. Ms. Pat Stone – Route 31 Cascade East Transit

Presentation by citizen Pat Stone.

**9. PRESENTATION OF 2019-2020 FISCAL YEAR AUDIT**

Presentation by Auditor Steve Tuchscherer.

**10. LETTER OF APPEAL TO GOVERNOR KATE BROWN (RE-INTRODUCTION)**

Staff report from City Manager Geoff Wullschlager.

**11. CITY MANAGER REPORT**

City Manager report by Geoff Wullschlager.

Mayor Richer proposes that City agree to work with Morgan CPS Group for planning assistance based on recommendation from City Manager.

Voting Yea: Councilor Scott, Councilor Shields, Councilor Powell

**12. OTHER MATTERS**

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

1. City Holiday Decoration Calendar

Request made by Councilor Scott for City staff to implement Holiday Decoration Calendar and to make holiday decorations a line item in the budget. Staff agreed to establish a calendar, with minor amendments to proposed calendar.

**13. PUBLIC COMMENTS**

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

Public Comment from Citizen Donald Greiner.

**14. STAFF COMMENTS**

Comments from Public Works Manager Obrist.

**15. MAYOR & COUNCIL COMMENTS**

None.

**16. OPEN EXECUTIVE SESSION**

**EXECUTIVE SESSION**

*The public will not be permitted to attend the executive session; provided, however, representatives of the news media and designated staff will be allowed to attend the executive session. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the executive session as previously announced. No decision will be made in the executive session.*

**17. CALL TO ORDER****18. ESTABLISH A QUORUM****19. ITEMS FOR DISCUSSION**

1. Executive Session - ORS 192.660(2)(e)- to conduct deliberations with person designated by the governing body to negotiate real property transactions.
2. Executive Session – ORS 192.660(2)(f)- to consider information or records that are exempt by law from public inspection.

**20. AJOURN EXECUTIVE SESSION****21. SETTLEMENT AGREEMENT- STATE OF OREGON DEPARTMENT OF TRANSPORTATION**

Motion to accept and approve Settlement Agreement between City of La Pine and the State of Oregon, acting by and through its Department of Transportation dated 12/18/2020 regarding US 97: Sunriver Interchange- OR 31 - Drainage Swale Construction made by Councilor Scott, Seconded by Councilor Shields.

## ROLL CALL VOTE

Councilor Scott- Yea

Councilor Shields- Yea

Councilor Powell- Yea

**22. SETTLEMENT AGREEMENT- STATE OF OREGON DEPARTMENT OF TRANSPORTATION**

Motion to decline to act in response to letter from citizen at 16652 Dillon way made by Councilor Powell; Seconded by Councilor Shields.

Voting Yea: Councilor Scott, Councilor Shields, Councilor Powell

**23. ADJOURNMENT**

Meeting adjourned at 7:08.



PO Box 616  
51429 Huntington Road  
La Pine OR 97739  
541-536-9771  
director@lapine.org \* www.lapine.org

January 12, 2021

**BOARD  
OF  
DIRECTORS  
2021  
\*\*\*\*\***

City of La Pine  
TRT Report for 2nd Quarter, FY 2020/2021

Greetings Mayor, Councilors, and City Manager:

**Jeremy Johnson  
President**

Of course we are still dealing with the ramifications of dealing with the pandemic.

**Alexander Nelson  
Vice-President**

The La Pine Chamber of Commerce are continuing in our role of clearing house for COVID information coming from the Governor's office as well as administrative duties for additional grants being made available to small businesses.

**Aaron Schofield  
Treasurer**

We are moving forward with the publishing of the regular big Visitor Guide. Selling advertising has been very encouraging and we have extended the number of pages and included more areas for visitors to explore. It should be even more popular than the last one published in 2019. We are anticipating a May 2021 roll-out.

**Mary Thorson  
Secretary**

**Rex Lesueur**

**Tiffany Zeiler**

Visitor count has of course leveled out, but we still have folks coming into town from out of the area. It will be interesting to see the final count of the TRT funds actually collected for the year, versus last year. We still are receiving requests for travel information as well as relocation information. The 2nd quarter we sent information to states such as Virginia, Pennsylvania, Alabama, Illinois and Washington. We gave out 10 welcome bags and over 100 state maps were picked up from our outside kiosk.

**Danielle Baughman**

**Stacia Ash**

**Julie Put**

**Executive  
Director  
Ann Gawith**

**Executive  
Assistant  
Teri Myers**

**La Pine Chamber of Commerce Visitor Center  
Summary of Profit Loss Financial Report  
2nd Quarter \* October - December 2020**

**INCOME**

TRT from City of La Pine	\$16,500.00
Resale Items Total *	\$1,826.45
* Reflects sales, vendor payments & merchandise bought	
Visitor Guide 2020	<u>\$5,675.00</u>
<b><u>TOTAL INCOME</u></b>	<b>\$24,001.45</b>
Hold-over	<u>-\$4,234.15</u>
<b>TOTAL</b>	<b>\$19,767.30</b>

**EXPENSES PAID**

	<b><u>Total Paid</u></b>	<b><u>TRT Funds used</u></b>	<b><u>% paid by TRT</u></b>
Advertising - General	\$2,341.94	\$2,341.94	100.00%
Crater Lake Country, American Road Mag, Snowgoer			
Grants - none	\$0.00	\$0.00	100.00%
Payroll Taxes & Expenses	\$6,467.05	\$3,875.76	60.00%
Salaries - Executive Director	\$8,709.67	\$4,841.79	60.00%
Salaries - Administrative Assist.	\$3,461.94	\$2,077.14	60.00%
Salaries - Part-time Staff	\$2,316.16	\$1,389.68	60.00%
Rent	\$3,523.00	\$2,025.00	65.00%
* Includes all utilities & garbage, phone, internet, maintenance, snowplowing, etc.			
Insurance - Genl. Liability/WC/Auto	\$743.55	\$480.58	60.00%
Accounting Fees	\$2,100.00	\$1,260.00	60.00%
Credit Card Processing, bank charges	\$206.11	\$93.50	45.00%
Contract Services (tax prep.etc.)	\$965.25	\$572.62	45.00%
Volunteer Appreciation	\$19.00	\$11.40	60.00%
Office Equip. & Supplies, repairs	\$551.77	\$276.90	40.00%
Printer Lease	\$597.51	\$350.90	60.00%
Copies	\$220.50	\$170.09	60.00%
<b><u>EXPENSE TOTALS</u></b>	<b>\$32,223.45</b>	<b>\$19,767.30</b>	<b>Avg. 55%</b>



# City of La Pine

## Advisory Committee Application

Which Committee would you like to apply for? Please check as many as are applicable.

- Urban Renewal Agency Board**
- Planning Commission**
- Public Works Committee**
- City of La Pine Budget Committee (must be a City Resident)**
- Urban Renewal District Budget Committee (must be a City Resident)**

### General Information

Name: Donald Greiner

Address: 16489 CHARLOTTE DAY DR

City: LA PINE State: OR Zip Code: 97739 Phone Number: 541-536-4466 Cel

Email Address: DRAY161@GMAIL.COM

Do you reside within the city limits of La Pine? Yes

Statement indicating reason you would like to serve on this voluntary board, committee, or commission: \_\_\_\_\_

I HAVE SPENT SEVEN YEARS AS A COUNSELLOR FOR THE CITY OF LA PINE. I HAVE BEEN ON THE URBAN RENEWAL AGENCY BOARD SINCE IT WAS FORMED

Special skills, interest, and/or hobbies that you believe would bring value to your ability to serve on this board, committee, or commission: \_\_\_\_\_

Current Occupation: Retired

### Volunteer History

Other volunteer committee, board, or commission experience: \_\_\_\_\_

LA PINE SENIOR CITIZENS INC

BY LAWS - VARIOUS OTHER PROJECTS

When: 2006 - To Present Organization: \_\_\_\_\_

Type of Organization: Volunteer

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Role: \_\_\_\_\_

Describe activities and achievements: \_\_\_\_\_



When: \_\_\_\_\_ Organization: LOYAL ORDER OF MOOSE

Type of Organization: FRATERNAL

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Role: \_\_\_\_\_

Describe activities and achievements: 50+ year member as both a Volunteer and Paid Employee Life member - Pilgrim degree

When: \_\_\_\_\_ Organization: \_\_\_\_\_

Type of Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Role: \_\_\_\_\_

Describe activities and achievements: \_\_\_\_\_

**Other information/References**

How did you hear about this position? SERVE ON COUNCIL

Do you have any neighbors, friends, or relatives presently working for the City of La Pine? Yes  No. If yes, please

list: ALL CITY STATE

References: Name: \_\_\_\_\_ Number: \_\_\_\_\_

Name: \_\_\_\_\_ Number: \_\_\_\_\_

Name: \_\_\_\_\_ Number: \_\_\_\_\_

My signature affirms that the information contained in this application is true to the best of my knowledge. I understand and agree that any misrepresentation and/or omission of facts are cause for my removal from the board, committee, or commission to which I am appointed to. I further understand and agree that City policy requires disclosure of actual or potential conflicts of interest by persons appointed by the City Council to any committee. All information and/or documentation related to service on this board, committee or commission is subject to public records law disclosure, except as otherwise provided under applicable law.

Signature: Donald Greiner Date: 01-27-21

Printed Name: DONALD GREINER



Dear Members of Council,

One of the activities that I undertake as part of my role for the Sunriver La Pine Economic Development office is to market the La Pine Industrial Park. There are number of ways that I do that, including:

- Information on the city web site.
- Advertising the property on the Business Oregon Prospector web site.
- The La Pine Chamber of Commerce has information about the industrial park and economic development services available on its web site.
- Advertising the property on Loop Net. A widely used commercial and industrial web site where commercial realtors advertise available sites and buildings. I am able to list in one entry the entire industrial park with a description that there are multiple parcels available in varying sizes. The way the property is currently advertised, only commercial brokers can see it. In order for the general public to view the information, the cost is \$119/month. The SLED Board has not entertained this in the past.
- Recently, I executed a commercial realtor outreach project to promote the La Pine Industrial Park. I compiled a list of 57 commercial realtors from Central Oregon and sent the attached spec sheet and the text provided below. I received feedback from a number of them inquiring about the La Pine Industrial Park. A commercial broker from Compass Commercial contacted me to inquire whether the city might be interested in entering into a broker of record arrangement with him and his team for marketing and selling the property.

Here is the information from his email: I am curious, have you and the City considered engaging a broker of record to help facilitate these sales? As I am sure you are aware, Compass Commercial is the largest commercial brokerage firm in central Oregon. About 50% of commercial transactions in the region are handled through our office. We have access to marketing tools that could greatly help in your outreach, such as premium memberships to LoopNet, CoStar and MLS, a proprietary email list of around 10,000 business owners and investors, broker to broker email channels, and the relationships that 17 brokers have built over the last couple of decades in the business – folks like Brooks Resources, Kevin Spencer, Dennis Pahlisch and Hayden Watson to name a few. We have a dedicated marketing staff that helps us produce incredible collateral so that we can focus our time and energy on outreach and transacting deals.

Currently, the city provides licensed realtors a commission of 3% for the sale of property in the park. Under the broker of record scenario, Compass Commercial would charge an additional 3% for this service. If the city were to enter this type of arrangement, it may require that a request for proposal be sent out to commercial real estate firms with a follow up evaluation. There are currently 169 acres of property for sale owned by the city or county. If all of the property was sold at the current asking price of \$1.75/sq ft by a realtor, the commission would be \$386,486 at 3% at \$772,972 at 6%. Many of the parcels have been sold by the city, SLED or its predecessor without paying a real estate commission.

Please let me know if you have any questions or would like to explore any of the options presented.

Sincerely,  
Patricia Lucas  
SLED Director for City of La Pine



La Pine Oregon Industrial Park Spec. Building Recruitment  
Request for Proposals

City of La Pine  
16345 Sixth St.  
La Pine, OR 97739  
[www.lapineoregon.gov](http://www.lapineoregon.gov)



### Introduction and La Pine Profile:

The City of La Pine lies at the foot of Cascade Range in southern Deschutes County. Minutes from the great outdoors, La Pine is celebrated for its access to year-round activities such as destination skiing, mountain biking, rafting, fishing, the world-renowned Sun River Resort, and the Central Oregon Golf Trail.

Incorporated in 2006, La Pine is Oregon's newest city that has a resident population of 2,005, and an area population 12,000+. As the anchor of southern Deschutes County, La Pine is also a member of Oregon's fastest growing county, with access to a regional population cresting 200,000, and Central Oregon's area capital of Bend (92,840) 28 miles to the north. Oregon's business hub of Portland is only 198 miles northwest along major highways, and the state's secondary hubs of Salem (161 mi.), Eugene (108 mi.), and Medford (143 mi.) situated along the I5 corridor, are all a short distance reachable via major U.S. and state highway systems.

Situated along Hwy. 97, the principle eastern transportation route between California and Washington, La Pine is easily accessible for transport and distribution. And with access to Central Oregon's primary commercial airport in Redmond (45 mi. north), all the benefits of an urban community are at your doorstep, surrounded by a natural playground abundant in resources and opportunity.

### The Opportunity:

The City of La Pine and Deschutes County created the La Pine Industrial Park program through an intergovernmental agreement in 20XX. Boasting 330 developable acres, building sites are shovel ready, with city and regional utility services such as water, sewer, low-cost power, fiber-optics, and natural gas at the ready. The City of La Pine also has no park SDC costs associated with development

To offer an expansion opportunity as a catalyst to the park, the City and County are ready to covey a building site to an organization that endeavors to become a keystone member of La Pine's growing business community through the Spec. Building RFP.

For the organization that is ready to expand, or relocate its operations, the project will provide turnkey access to developed infrastructure and a zero-cost building site within the park in exchange for owner/occupier development of the Spec. Building. And with acreage for sale at the lowest cost per sq. ft. in the Central Oregon region, the City anticipates robust and sustained development in the park over the next decade.



## Project Description:

The following is a project summary, and scope of services necessary to construct a new multi-tenant, industrial lease space building in La Pine, OR. The information contained herein is based on a typical speculative building construction (a site-built structure), with typical/standard internal and external amenities, and not a tenant specific design. All submittals will be subject to the CC&R's contained within Deschutes County Executive Order 2017-033 and associated exhibits; Exhibit A. Items addressed herein are:

- Sites, Location Needs
- Design Preparation, Land Use Permit Applications, Timelines, and Fees
- Building Permit and Contractor Selection
- Site Work and Building Construction Costs
- Management and Overhead
- Projected Revenue

The project includes the construction of a 5,000 square foot (minimum) commercial lease space building, developed on an approximate .58-acre industrially zoned property, with associated parking, driveways, landscaping and other typical site amenities. Basic project assumptions include:

- An approximate .58-acre industrial property utilizing City owned industrial land
- 5,000 square foot (minimum) structure (meeting intended development standards in the industrial zone)
- Two separate spaces of 2,500 square feet (minimum) each
- Three separate spaces, with one space at 2,500 square feet, and two at 1,250 square feet (minimums)
- Necessary project consultants and contractor to be employed for land use and building permitting, and construction
- Estimated permitting and construction timelines
- Overall development costs
- Property management, overhead and operational requirements

Estimated permitting and construction timelines are also provided, however, all land use permitting processes are subject to public noticing and public review which can ultimately affect the timeline for a final land use decision. Included with the permitting analysis timelines is the time necessary by private consultants to prepare the permit application materials, as well as the anticipated review timeframe by the City of La Pine and the La Pine Design Review Committee. Following the land use permitting and architectural design review processes, final building permit approval is also required. Both the land use/architectural design review and building permitting timelines will affect the



beginning of the construction schedule, which can be further affected by winter weather constraints common in La Pine. Lastly, the consultant costs, project construction costs, property management costs and projected revenue are based on current market conditions and trends.

### Property Description:

The Park is conveniently located near U.S. Highway 97 east of the City's downtown corridor. The project Property is flat, unimproved, and approximately .58-acres. Please see [Attachment B](#).

### Zoning and Land Use:

1. The Property is zoned Industrial ("I"). The I zone is intended to provide suitable locations for a range of light and heavy industrial uses and jobs in the traded sectors of manufacturing, processing, warehousing, distribution, and similar activities. Two industrial zoning districts, one for light industrial uses and one for general industrial uses provide for the full range of planned industrial land uses within the city. Both districts are intended to provide for efficient use of land and public services, provide a high-quality environment for business, offer a range of parcel sizes and locations for industrial site selection, avoid encroachment by incompatible uses, provide transportation options for employees and customers, and facilitate compatibility between dissimilar uses.

Light Industrial Zone (LI). The LI zone is intended to allow for a mix of industrial and manufacturing businesses alongside industrial services, research and development, and small-scale retail and professional services.

Industrial Zone (I). The I zone allows for the same uses as the LI zone, but also provides suitable locations for more intensive industrial uses, such as those with processing, manufacturing, assembly, packaging, distribution, or other activities.

2. The property is subject to certain development standards which allow for development flexibility, within parameters, that support the intended characteristics of the Industrial Zone. These include, but are not limited to, landscaping and screening requirements, in addition to shielding requirements for noise and light commonly found in Industrial Zoning. Emissions are subject to Oregon DEQ requirements. Residential uses are prohibited. For permitted use categories, reference [Exhibit C](#).
3. Utilities: The Property is currently served by the following utilities: City of La Pine water and sewer, Midstate Electric Co-Op, Bend Broadband, CenturyLink, Republic Services (refuse), and Cascade Natural Gas.



## Development Goals:

The City of La Pine envisions the development of a Spec. Building by an industrial user as an impetus for further economic development within the Industrial Park. The initial owner may select to be the sole occupant or may exercise the option to welcome additional entrepreneurial ventures to utilize the space in concert with their operations. The guiding principals are the development of traded sector businesses within La Pine to grow and expand the City's business environment and job opportunities for area residents.

## Proposal Contents:

The following minimum requirements as to the form and manner of submitting a proposal must be strictly observed; variance from these requirements may result in rejection of the proposal. An individual interested in developing the Property must submit a written sealed proposal to the City containing the following information.

1. Cover Letter: The cover letter must include, without limitation, the proposer's name, address, contact information, and the name of the primary contact in reference to the proposal. The letter must be signed by an authorized individual.
2. Development Concept: Each proposal must include a development concept that identifies the type of development the proposer envisions with the City. The development concept must include, without limitation, the following information:
  - a. A narrative of the proposed development, including, without limitation, a description identifying how the development will meet the requirements and conditions of this RFP and associated CC&R's, Exhibit A, and, as applicable, a detailed description of how the proposer will satisfy the development requirements described in this RFP and associated CC&R's. The concept should clearly exhibit a development that is consistent the intensions of the La Pine Industrial Park, the overarching zone requirements and the La Pine Comprehensive Plan. Please include a statement that displays the developer's knowledge of regional economic needs and how the development will become a model for other ventures in the industrial park. Please also include describe how the developer might partner with the City and regional economic development efforts and boards.
  - b. Proposals should include a narrative and associated projections describing the development's expected short-term and long-term goals. In addition, the development concept should also detail the number of jobs, by category/type, and period by which such jobs will be created as a result of development. Please include any supporting studies, business plans, and or projections and methodologies to support these claims.



c. Any proposal to develop the property after conveyance, must include, without limitation the following:

1. A description of the proposed development to be constructed on the Property that meets the requirements of this RFP the associated CC&R's, Exhibit A, the La Pine Development Code, and the La Pine Comprehensive Plan. In accordance with **section XX of the CC&R's, within XX months** after the closing date of the purchase of the Property, the purchaser will, at the purchaser's cost and expense, obtain all necessary permits, consents, certificates, and approvals to commence construction of an industrial building at the Property (the "Building"), including, without limitation, any design, conditional use, engineering, and building permit review(s) required under the CC&R's, the La Pine Development Code, and the La Pine Comprehensive Plan. **Within XX months** after the closing date the purchaser must complete construction of the Building; provided, however, City may, in the City's sole discretion, extend the deadline to complete construction to XX months after the closing date. City will have the option, but not the obligation, to repurchase the Property for the development cost (less the City's costs and expenses incurred to repurchase the property), and any associated real estate costs or brokerage fees realized by the City to date, if the purchaser fails to proceed or complete to a status of Certificate of Occupancy, constructing the Building in accordance with the Agreement (defined below) and the associated CC&R's. City will require a deposit or performance bond to secure timely and proper construction of the Building. City's right to retain the deposit or the result of an execution of a performance bond, will be in addition to, and not in lieu of, any other right and or remedy/available to City, including without limitation, City's right to repurchase the Property as defined in this section. The development covenant described herein will be a post-closing condition of the transaction.

d. The development concept must include a construction and project schedule for the proposed development, including, without limitation, a timeline for the proposer to meet the development requirements.

3. Proposer Team. Identification of the entities (and team members) involved in your project team, their professional background, the roles they will play, an integrated description of how team members will work in concert to meet project goals. Provide a CV or bio for each principal or key member of your project team. Ensure that the document makes clear what capabilities each team member brings to the project and group.

4. Proposer Experience and Capability. Provide information concerning the proposer's experience with





similar projects (e.g., similar commercial and/or industrial developments). Provide a description, site plan, and photos of at least three (3) and up to five (5) projects your team, has completed which represent the type of development you foresee on the Property. Description should include number of units, square feet of office, commercial, and/or other uses, the date of construction, and any other information you think will help City understand the project. Relevant information may include, without limitation, phasing schedule including construction dates, project costs, time to stabilized occupancy, and rate of turnover for non-residential tenants. If your team has not completed three projects together, provide information for at least two projects each from at least two principals, not exceeding five total projects. Each proposal must list references from three (3) projects identified in this section. Clearly identify references with valid contact information.

5. Proposer Financial Capability.

- a. Each proposer must submit sufficient evidence establishing the proposer's financial ability to complete the development proposed in the proposal. Examples of evidence of financial capability may include, without limitation, the following: (a) a conditional financing agreement; (b) formal letters of interest from non-residential tenants; (c) for purchase proposals, a pre-approval letter from a lender, or proof of available funds letter from a bank, and/or, (d) a performance bond, or (e) such other evidence, acceptable to City, evidencing the proposer's financial capability to plan the Property development, lease the Property, and/or otherwise complete the proposed development (as applicable).
  - b. Each proposer must provide evidence showing sources and proposed uses of funds for the proposed development. Each proposal must include a completed proposer statement of financial capability on the form attached hereto as **Exhibit C.**
  - c. City will attempt to maintain the confidentiality of materials marked "Confidential" to the extent required under Oregon Public Records Law. If it is necessary to submit trade secrets and/or other confidential information in order to comply with the terms and conditions of this RFP, each Proposer must label any information that it desires to protect from disclosure to third parties as a trade secret under ORS 192.345(2) and/or confidential under ORS 192.355(4) with the following: "This material constitutes a trade secret under ORS 192.345(2) [and/or confidential information under ORS 192.355(4)] and is not to be disclosed except as required by law." Each page containing the trade secret and/or other confidential information must be so marked.
6. Additional Transaction Terms. Each proposal must contain the following information (to the extent applicable): (a) describe any contingency(ies) to the development; (b) a proposed closing date, for the conveyance of the property from Deschutes County; and (c) any other information



the proposer believes is relevant to its proposal.

**Submission of Proposals:**

To be considered, please submit your sealed proposal to Geoff Wullschlager, City Administrator, via email at [gwullschlager@clapineoregon.gov](mailto:gwullschlager@clapineoregon.gov), or by mail or hand delivery to the address provided below:

City of La Pine  
16435 Sixth St.  
La Pine, OR 97739

The proposal must be submitted in a sealed envelope and clearly labeled on the outside of the envelope (or fill the email subject line with) “La Pine Industrial Park Spec. Building Recruitment”. Proposals must be received by City on or before 4:30 p.m., Pacific Time, on XXXX XX, 2021.

Proposals received after the deadline date/time will not be considered. On XXXX XX, 2021, at 1 p.m., Pacific Time, the city administrator will open all proposals that have been timely submitted. If the city administrator finds any proposal to be ambiguous, the city administrator may request that the proposer submit further information in order to clarify the proposer’s proposal. If the city administrator does not request any such clarification, the ambiguous proposal may be rejected.

**Proposal Evaluation:**

All responsive proposals will be evaluated by the city administrator and a committee comprised of the City Council and Deschutes County appointees. The committee will score each proposal by reviewing and evaluating the proposal content requirements outlined above. The following table indicates how the total points in the scoring will be assigned by required proposal item. Each item will be evaluated as follows:

<u>Criteria</u>	<u>Maximum Points</u>
Development Concept	20
Prosper Team	20
Prosper Experience and Capability	20
Prosper Financial Capability	20
References	20
<b>Total</b>	<b>100</b>

The city administrator will conduct references and may seek outside expertise to assist in evaluating proposals. The city administrator and committee will score and rank the proposals



based on the information submitted according to the evaluation criteria and point factors. Based upon proposal scoring, and the results of reference checks, proposers will be given final ranking by the evaluation committee.

### Negotiations; Award of Agreement:

After the opening and evaluation, the city administrator will notify the apparent successful proposer and may commence negotiations toward an agreement. If such negotiations are unsuccessful, the city administrator will notify the next highest-ranking acceptable proposer and may similarly attempt to negotiate the disposition of Property transmittal. If mutually acceptable terms are agreed upon, City and the selected proposer will enter into an agreement concerning the transfer, use, and/or occupancy of the Property (the "Agreement").

Notwithstanding anything contained in this RFP to the contrary, the Agreement will contain terms and conditions required under applicable law and will otherwise be in form and content satisfactory to City. Without otherwise limiting the generality of the immediately preceding sentence, the Agreement will include terms and conditions concerning, among other things, condition of the Property, compliance with laws, indemnification, and representations and warranties. Any conveyance of the Property will be "AS-IS" and "WITH ALL FAULTS" and the Property will be transferred and conveyed subject to all encumbrances of record, including, without limitation, all applicable covenants, conditions, and restrictions of the City of La Pine.

### Additional Information:

#### 1. Due Diligence:

- a. Prior to submitting a proposal, interested parties are strongly encouraged to (a) review the CC&R's (and all other Property related documents), and (b) visit and inspect the Property in order to evaluate the condition of the Property. Notwithstanding anything contained in this RFP to the contrary, City makes no representations, warranties, and/or covenants of any kind or nature whatsoever, whether express or implied, with respect to the Property, including, without limitation, the warranty of merchantability, the warranty of fitness for a particular purpose, and any warranties that may have arisen from course of dealing or usage of trade. Without otherwise limiting the immediately preceding sentence, City makes no representations, warranties, and/or covenants concerning the accuracy or completeness of the Property information contained in this RFP.
- b. For purposes of this RFP, "CC&R's" means that certain Amended Declaration of Covenants, Conditions, and Restrictions for Newberry Business Park, recorded on September 13, 2018, in the Deschutes County Official Records as Document No. 2017-37409. The CC&Rs may be viewed at City's website (<https://www.lapineoregon.gov>).



2. Confidential Information:

- a. Any proposal submitted may be subject to public information requests as permitted by Oregon Public Records Law. The City of La Pine will attempt to maintain the confidentiality of materials marked "Confidential" to the extent required under Oregon Public Records Law. If it is necessary to submit trade secrets and/or other confidential information in order to comply with the terms and conditions of this RFP, each Proposer must label any information that it desires to protect from disclosure to third parties as a trade secret under ORS 192.501(2) and/or confidential under ORS 192.501(4) with the following: "This material constitutes a trade secret under ORS 192.501(2) [and/or confidential information under ORS 192.501(4)] and is not to be disclosed except as required by law." Each page containing the trade secret and/or other confidential information must be so marked.
  - b. The City of La Pine will take reasonable measures to hold in confidence all such labeled information, but in no event will City or County be liable for release of any information when required by law or court order to do so, whether pursuant to the Oregon Public Records Law or otherwise and will also be immune from liability for disclosure or release of information as provided under ORS 646.473(3).
  - c. In submitting a proposal, each Proposer agrees that the City and County may (a) reveal any trade secret and/or other confidential materials contained in the proposal to City staff and to any City consultant, and (b) post the proposal on City's intranet or internal network for purposes related to its evaluation and ranking. By responding to this RFP, each Proposer agrees to defend, indemnify, and hold harmless City, each City officer, employee, representative, and agent from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the Proposer has designated as a trade secret and/or as confidential information. Any Proposer that designates its entire proposal as a trade secret may be disqualified.
3. Response Costs. Proposers responding to this RFP do so at their own expense and City is not responsible for any costs and/or expenses associated with the preparation and/or submission of any proposal. City will not, under any circumstances, be responsible for any costs or expenses incurred by any proposer. In addition, each proposer agrees that all documentation and materials submitted with a proposal will remain the property of City, subject to applicable law.
4. Reservation of Rights. Notwithstanding anything contained in this RFP to the contrary, if in City's best interest, City reserves the right to (a) amend and/or revise this RFP in whole or in part, (b)



cancel this RFP, (c) extend the submittal deadline for responses to this RFP, (d) waive minor informalities and errors in such proposals, and/or (e) reject all proposals for any reason and/or without indicating reasons for rejection. Further, City reserves the right to seek clarification(s) from any proposer and/or require supplemental information from any proposer. This RFP does not obligate City to award a contract and/or to otherwise sell or transfer, lease, and/or enter into an agreement concerning the Property.

### Questions:

Proposers may submit to the Geoff Wullschlager, City Administrator, questions and/or requests for additional information, including, without limitation, inquiries related to substantive portions of the RFP, timing, clarification related to definition or interpretation of this RFP, and/or questions concerning potential developments. If you have any questions regarding this RFP, or to arrange a site visit, please contact Mr. Wullschlager via email ([gwullschlager@lapineoregon.gov](mailto:gwullschlager@lapineoregon.gov)). All questions and/or requests must be submitted on or before 5:00 p.m. on XXXX XX, 2021. All requests for additional information must clearly reference "La Pine Industrial Park Spec. Building Recruitment ". City/County will respond to a timely submitted question and/or request for clarification by issuing addenda and/or response on or before 4:30 p.m., Pacific Time on XXXX XX, 2021. Any addenda and/or response (including without limitation, any amendments to the RFP timeline) will be posted on City's website at: <https://www.lapineoregon>.



## City Manager's Report – February 10th, 2021

### **Administration:**

The City Administration has been focused on three areas of operations since the last report, The Spec. Building Economic Development Project, Staffing matters and re-filling the City Recorder position, and land use processing. Below is a summary of each operational matter.

a. Economic Development (Spec. Building & Industrial Park)

City Administration recently completed a draft RFP (Request for Proposal) that you will find as an action item in your packet. This draft incorporates the desires of the project, scope and size, while including a list of criteria by which City Administration and Council might measure applicants in the consideration of award of parcel in the industrial park.

This draft has elements of past County projects, neighboring community projects, and original material generated by the City of La Pine as baselines for recruiting potential developers. It is also of note that the document has not been reviewed by our attorneys yet, but it is anticipated that there will be minimal adjustments as most of the contractual language comes from other previously used RFP's,

Council should be prepared to offer their input on the RFP, and in particular, the measurement criteria by which we will select an applicant. Administration welcomes all thoughts on this as it is important that the process reflects the wishes of Council in this most important of next steps. This document has also been shared with the SLED Board (Sun River La Pine Economic Development) for their input, but it should be noted that any suggestions from this body are purely voluntary for staff to include. Upon approval we anticipate having this go live within two weeks pending attorney review and approval.

With respect to the Industrial Park as a whole, our SLED representative has asked the City to consider listing our currently available county/city lots on the city website. This could also include any privately held buildings that are available on previously owned county/city land. Administration suggests that we seek attorney consideration before approval to ensure that we are adhering to equal opportunity provisions.

There is also a consideration in the packet for future advertising of available industrial lands, and the concept of initiating a relationship with a broker of record. This process would also require an equal opportunity RFP process which we can discuss during our meeting.

b. Staffing

City Administration has contracted with a recruitment firm to assist in the backfilling of Ms. Neace's position. Our primary concern right now is maintaining uninterrupted operations, with particular focus on accounts payable as this is one of the primary tasks of the current recorder.

We are also critically concerned with finding the right combination of both hard and soft skills in refilling the position, and as such, are (at this juncture) using the recruitment firm platform as it allows us to onboard a candidate with an attached contract period, if desired. During this time, we are not responsible to the employee contractually which allows us to ensure that we are bringing on someone who will be the appropriate choice for the organization. It is also placing the search function with the recruiter who knows our area market and candidate pool.

Given that our need is immediate, we provided the recruiters with three candidate target levels, there is an explanation attached to each as follows:

Low End (Temp only): We would need a temporary employee who can handle front office duties, phone systems, customer service ++, and who has some experience with either a utility billing platform or taking payments for enterprise accounts. Higher end of the scale will be reserved for any candidate who has AP experience.

Middle of the road (Temp-Temp to Hire): Office Manager who is familiar with supporting a board, or executive team. Good AP/AR and reconciliation, month end, payroll, and full cycle accounting familiarity. Minutes or meeting generation standalone employee with self-starter capacity. Someone who can exercise authority (even if they have no direct reports), and one who has good to strong MS office, typing, and grammatical usage capacity. Some college preferred, College degree a big plus.

Top Tier (Temp – Temp to Hire - for the right candidate, potential direct hire): Operations Manager/Office Director/Bookkeeper/Finance lead/Staff Accountant with strong accounting skills, full cycle. This individual could also be a former finance director. HR and staff development standalone individual with proven track record of direct report management. College degree strongly preferred, and major + for any prior governmental experience and high-end accounting/budget skills. This individual would need to be ready to take on all accounting duties.

We have indicated the sense of urgency in attaining a candidate, preferably, on a contract basis so that we may have a lot for cross over with Ms. Neace before her departure. We also endeavor for this candidate to be able to take on payroll duties pending my Neace's departure. If we cannot fill this task in the next few weeks, adjustments will be made to have our contract accountants manage payroll for the near term.

c. Land Use Processing

We have entered our contract with Morgan CPS, the land use consultant previously introduced to the Council at our last meeting. We will be meeting on Monday and in the coming weeks, assigning open applications for review and disposition. All Type I and II decisions levied by the consultant will be reviewed by staff to ensure that we maintain consistency with our ministerial decision process.

As we develop the relationship, we will be introducing the consultant in a capacity to audit our processes and build in efficiencies for our land use program going forward. This will be revisited as we start the budget process for FY 21/22.

d. Conclusion

As we adjust to operational challenges, please let administrative staff and management know if you have any questions or concerns. It is our goal to create a more fluid and functional environment going forward as we adapt to our current circumstances.

Sincerely,

A handwritten signature in cursive script, appearing to read "Geoff Wullschlager".

Geoff Wullschlager