



Location: City Hall – Council Chambers
Date: June 28, 2022
Time: 6:00 PM

City Council Meeting Agenda

Mayor Jason Beebe, Council Members Steve Uffelman, Janet Hutchison, Patricia Jungmann, Gail Merritt, Jeff Papke, Raymond Law and City Manager Steve Forrester
ATTEND TELEPHONICALLY BY CALLING 346-248-7799 Meeting ID: 947 5839 2608 Passcode: 123456

Call to Order

Flag Salute

Additions to Agenda

Consent Agenda

- [1.](#) Regular Meeting Brief 6-14-2022

Visitors, Appearances and Requests

Council Presentations

2. Retirement Recognition for Steve Reynolds - Zach Lampert
3. EDCO Update - Kelsey Lucas

Council Business

- [4.](#) Republic Disposal Rate Increase Request - Susan Baker

Staff Reports and Requests

5. City Manager's Report - Presented by Casey Kaiser

Committee Reports

Ordinances

- [6.](#) Ordinance No 1275 - Vacating a Portion of Alley (**SECOND PRESENTATION**) - Casey Kaiser

Resolutions

- [7.](#) Resolution No 1527 - Declaring the City of Prineville's Election to Receive State Revenue Sharing (**PUBLIC HEARING**) - Lori Hooper
- [8.](#) Resolution No 1528 - Adopting Budget Appropriation Adjustments for BN 2021-2023 - Lori Hooper



- [9.](#) Resolution No 1529 - Adopting a Supplemental Budget for BN 2021-2023 (**PUBLIC HEARING**) - Lori Hooper
- [10.](#) Resolution No 1530 - Established Fees and Charges for FY 2022-2023 (**PUBLIC HEARING**) - Lori Hooper
- [11.](#) Resolution No 1531 - Approving a Personal Services Agreement with TRM Energy Solutions - Caroline Ervin

Visitors, Appearances and Requests

Adjourn

Agenda items maybe added or removed as necessary after publication deadline



CITY OF PRINEVILLE
Regular Meeting Brief
387 NE Third Street – Prineville, OR 97754
541.447.5627 ph 541-447-5628 fax

Full Meeting Recordings Available at:
<http://cityofprineville.com/meetings/>

City Council Meeting Brief
June 14, 2022

Council Members Present:

Patricia Jungmann
Steve Uffelman
Janet Hutchison

Jason Beebe
Jeff Papke
Ray Law

Council Members Absent

Gail Merritt

Additions to the Agenda

None.

Consent Agenda

1. Regular Meeting Brief 5-24-2022
2. Neat Repeat Second Hand License Renewal

Councilor Papke made a motion to approve consent agenda as presented. Motion seconded. No discussion on motion. Motion carried.

Visitors, Appearances and Requests

None.

Council Presentations

None.

Council Business

3. **Public Hearing to Consider Draft Findings for Personal Services Contract (PUBLIC HEARING)** - Caroline Ervin

Caroline Ervin, Capital Projects Manager distributed the TRM proposal and Prineville Renewable Energy Project (PREP) brochures.

Mrs. Ervin went through a power point presentation that highlighted background information on project, history of working with TRM, wanting a third party analysis of the project, prior funding successes so far, a site being selected for the facility, and now being in the launch and permitting phase of the project.

There were no questions.

Rob Broberg of TRM talked about the permitting process and how of all the projects like this he has worked on internationally, this project is by far the best for being positioned to be a very successful project.

There were no further questions.

Mayor Beebe opened the public hearing portion of the meeting.

There were no written comments, and no one came forward.

Mayor Beebe closed the public hearing portion of the meeting.

Councilor Hutchison made a motion to approve the findings as presented. Motion seconded. No discussion on motion. All in favor, motion carried.

4. Intent to Award 2022 Street Rehabilitation Project – Justin Severance

Justin Severance, Street Supervisor presented the staff report explaining that costs have increased significantly mostly due to fuel and oil prices. The city was able to identify additional funding in other places to make up the difference and move ahead with the project.

Councilor Papke made a motion to approve the intent to award to Seven Peaks Paving in the amount of \$565,995.00. Motion seconded. No discussion on motion. All in favor, motion carried.

Staff Reports and Requests:

5. City Manager's Report– Steve Forrester

Mr. Forrester went through his City Manager report that covered highlights from each department and added that Sherptek is now at the old Woodgrain Mill site and will be having a grand opening and maybe some tours in the near future. Councilors Uffelman, Hutchison, Jungmann and himself were able to meet yesterday with Peter Parker from Martin Selig and get a solar project update yesterday which is complete now, and they will be able to start commissioning now.

Councilors Uffelman, Hutchison and Jungmann all commented that the meeting with Martin Selig was very good and productive.

Mr. Forrester continued his Manager's Report with an Ochoco Irrigation District (OID) update stating that it looks like by strategic delivery, they may be able to keep irrigation going into September. This is good for some crops, but won't help the longer season crops.

Mayor Beebe remarked that an educational piece about how the delivery of irrigation water is determined from snow pack through crops would be good.

Mr. Forrester added that there are some wells up Juniper Canyon that are failing and he has had conversations with the County about how they can possibly help.

There were no further discussions.

6. Quarterly Financial Report – Lori Hooper

Lori Hooper, Accounting Manager went through a power point presentation that highlighted activity in each of the funds for the last quarter and profit / loss statements for the airport, railroad and Meadow Lakes.

There were no questions.

Committee Reports

Councilor Uffelman attended an ODOT Committee meeting where he learned that the city may be eligible for some DEQ funding. Eric Klann and he attended an Oregon Department of Energy (ODOE) meeting and did a presentation. There are several state legislators that are interested in learning more about the hydro project at Bowman Dam.

There were no other committee reports.

Ordinances:

7. Ordinance No. 1275 - Vacating a Portion of Alley (FIRST PRESENTATION) - Josh Smith

Josh Smith, Planning Director provided the background information explaining that nothing has changed since the public hearing at the last Council meeting.

There were no questions.

Councilor Hutchison made a motion to approve the first presentation of Ordinance No. 1275. Motion seconded. No discussion on motion. All in favor, motion carried.

Resolutions**8. Resolution No. 1526 - Authorizing an Amendment to the Cooperative Improvement Agreement with ODOT for the Improvements to the Third Street Corridor - Casey Kaiser**

Casey Kaiser, Public Works Director/Senior Planner provided the background information on the original agreement with ODOT that resulted from HB2017 where the city was allocated funding for the Third Street corridor improvements.

Abbey Driscoll, ODOT further discussed the Intergovernmental Agreement (IGA) and referred to her white paper that was included in the council packet. Ms. Driscoll proceeded with an overview of the changes to the scope of work.

Discussions continued regarding storm water, what happens if the amendment isn't agreed to, timing regarding disruption of traffic on Third Street, having to reduce streetscaping, if anything would have to be retro-fitted since it's being done in phases now, and the increase in cost of project since HB2017. There is a significant gap in funding now.

Ms. Driscoll explained that there will be no throw away features and that it is a good project to set the stage for phase 2 and continued with the project schedule and next steps.

There were no further discussions.

Councilor Uffelman made a motion to approve Resolution No. 1526. Motion seconded. No discussion on motion. All in favor, motion carried.

Visitors, Appearances and Requests:

No one came forward.

Councilor Papke stepped down and addressed Council as a Crooked River Round Up Board member. Mr. Papke announced that this is the 76th rodeo and they anticipate a very large event. They have added a dignitary event that will give a behind the scenes look at the rodeo, everything it takes to put on an event like this, and visit with the four legged athletes.

Adjourn

Councilor Papke made a motion to adjourn the meeting. Motion seconded. No discussion on motion. All in favor, motion carried.

Meeting adjourned at 7:32 P.M.

Motions and Outcomes:

Motion:	Outcome	Beebe	Hutchison	Jungmann	Law	Merritt	Papke	Uffelman
Consent Agenda	PASSED	Y	Y	Y	Y	-	Y	Y
Consider Draft Findings for Personal Services Contract (TRM Energy Solutions)(PUBLIC HEARING)	PASSED	Y	Y	Y	Y	-	Y	Y
Motion to Approve the Intent to Award the 2022 Street Rehabilitation Project to Seven Peaks Paving in the amount of \$565,995.00.	PASSED	Y	Y	Y	Y	-	Y	Y
Ordinance No. 1275 - Vacating a Portion of Alley (FIRST PRESENTATION)	PASSED	Y	Y	Y	Y	-	Y	Y
Resolution No. 1526 - Authorizing an Amendment to the Cooperative Improvement Agreement with ODOT for the Improvements to the Third Street Corridor	PASSED	Y	Y	Y	Y	-	Y	Y
Adjourn Meeting	PASSED	Y	Y	Y	Y	-	Y	Y

Public Records Disclosure

Under the Oregon public records law, all meeting information, agenda packets, ordinances, resolutions, audio and meeting briefs are available at the following URL:

<https://www.cityofprineville.com/meetings> .



REPUBLIC
SERVICES



June 8, 2022

Steve Forrester
City Manager
City of Prineville
387 NE Third Street
Prineville, OR 97754

Dear Steve,

Thank you for meeting with us last week to discuss the 2021 franchise report and our request to submit a rate adjustment for 2022.

Based on the 2021 actual and 2022 financial projection, we are requesting a 7% rate increase to go in effect August 1st. The 7% rate adjustment would increase residential rates by the following:

35-gallon cart - \$1.03 per month
65-gallon cart - \$1.64 per month
95-gallon cart - \$ 2.12 per month

Republic Services submitted a rate request with the 2020 financial report and was asked to wait and review the following year. There were some service issues to resolve due to staffing shortages and a global pandemic.

We added resources to help navigate through these unrepresented times. We have been able to provide consistent, reliable service with little interruption for our customers. In addition, we recently implemented a market wage adjustment to remain competitive in the market as we compete in the scarce labor pool.

Continued increases in costs due to inflation, wages, fuel, and equipment are the main factors for our rate request. Please let me know if you need additional information or have any questions.

Thank you for your consideration.

Sincerely,

Joseph Dear
General Manager
Republic Services

ORDINANCE NO. 1275

AN ORDINANCE VACATING THE ALLEY IN BLOCK 4 OF THE MONROE HODGES PLAT OF PRINEVILLE.

Whereas, pursuant to provisions of ORS Chapter 271, on the City of Prineville City Council’s own motion, the City of Prineville (“City”) intends to vacate the alley in block 4 of the Monroe Hodges Plat of Prineville, hereinafter “alley,” which is more specifically described on Exhibit A, attached hereto and incorporated herein; and

Whereas, an adjacent property owner, Crook County, requested the proposed vacation to accommodate the development of a Justice Center and the re-plat of the entire block.

Whereas, utilities within the alley have been re-located and City staff has reviewed the proposal and determined that there is no current or future necessity for this alley; and

Whereas, notice of the proposed vacation and hearing was published in the Central Oregonian newspaper on May 10, 2022 and May 17, 2022; and

Whereas, a public hearing considering the vacation was held by the City Council on May 24, 2022, to allow an opportunity for any interested person to appear and present comment.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

1. The alley in block 4 of the Monroe Hodges Plat of Prineville described in Exhibit A is hereby vacated with equal portions of property being conveyed to the adjacent landowners.
2. That the City shall not have any further obligation to maintain the vacated area.

Presented for the first time at a regular meeting of the City Council held on June 14th, 2022 and the City Council finally enacted the foregoing ordinance this ____ day of June, 2022.

Rodney J. Beebe
Mayor

ATTEST:

Lisa Morgan, City Recorder

EXHIBIT A

The alley in Block 4 of Monroe Hodges Plat of Prineville, according to the official plat thereof, recorded July 31, 1883 in Plat Book 1, Page 1, on file and of record in the office of the County Clerk for Crook County Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Patrick Gage Cole 4/25/22

OREGON
JULY 10, 2007
PATRICK GAGE COLE
79157

EXPIRES: 12/31/23

RESOLUTION NO. 1527

A RESOLUTION DECLARING THE CITY OF PRINEVILLE’S ELECTION TO RECEIVE STATE REVENUE SHARING

WHEREAS, the Legislature of the State of Oregon has provided for the apportionment of certain revenues to the cities of the State of Oregon; and

WHEREAS, such legislation provides that a city, in order to participate in the sharing of those certain revenues, must express an election to receive such funds, which election must be made prior to June 30 of the fiscal year; and

WHEREAS, the City of Prineville desires to receive a portion of such funds;

NOW THEREFORE, the City of Prineville resolves as follows:

1. Pursuant to ORS 221.770, the City of Prineville does hereby elect to receive its proportionate share of the revenues to be apportioned to the cities by the State of Oregon for the fiscal year 2022-23, and the City Manager of the City of Prineville is directed to take such steps as are necessary to carry out the intent of this Resolution.

Approved by the City Council this 28th day of June, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

I, Lisa Morgan, City Recorder, certify that a public hearing before the Budget Committee was held on June 14th, 2022, and a public hearing before the City Council on June 28th, 2022, giving citizens an opportunity to comment on use of State Revenue Sharing.

Lisa Morgan, City Recorder

**RESOLUTION NO. 1528
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION APPROVING APPROPRIATION ADJUSTMENTS TO THE BN
2021-2023 BUDGET FOR THE FOURTH QUARTER OF THE FIRST FISCAL
YEAR**

Whereas, The following appropriation adjustments to the BN 2021-2023 Budget for the fourth quarter of the first fiscal year of the biennium are required to provide for unexpected needs or to expend certain funds not anticipated at the time the budget was adopted, and hereby authorized in accordance with ORS 294.463(2), renumbered from 294.450(2):

General Fund	Increase	Decrease
Police Department	729,900	
Non – Departmental Contingency	1,234,700	1,956,600
	1,956,600	1,956,600

To provide for dollars needed in the Police Department largely for additional personnel services for retainage and accrued leave payouts, and in Non-Departmental for water well support, the Peoples Irrigation Ditch project, the biomass project, the Community Development Block Grant (CDBG) for housing rehabilitation and transient lodging taxes being paid to the Chamber of Commerce. These unanticipated costs will be offset in revenue through a CDBG, ARPA funds, increased transient lodging taxes collected and contingency.

Emergency Dispatch Fund	Increase	Decrease
Materials and Services	54,700	
Capital Outlay	93,000	
Personnel Services		147,700
	147,700	147,700

To provide for additional capital outlay dollars needed for the tower and equipment upgrades and unanticipated material and services expenses associated with the implementation of Priority Dispatch and decrease the personnel services budget to cover the needed funds for these costs. Dispatch was short staffed during FY 22 allowing for the decrease in the personnel services budget.

Golf Course Fund	Increase	Decrease
Golf Course	81,600	
Waste Disposal	116,200	
Debt Service	257,420	
Contingency		455,220
	<hr/> 455,220	<hr/> 455,220

To provide for additional dollars needed for the Golf Course and Waste Disposal Departments due to additional activity at the golf course and the retirement of a 30-year employee and to provide additional dollars for debt service due to a refinancing. These costs will be covered through a decrease in contingency and increased collections in charges for services and debt proceeds.

Now, therefore, the City of Prineville Resolves as follows:

1. The Prineville City Council approves the total budget appropriation adjustments of \$2,559,520.00 as set out within this Resolution.

Approved by the City Council this ____ day of June, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

**RESOLUTION NO. 1529
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET AND MAKING
APPROPRIATIONS FOR 2021-2023 BN**

Whereas, the City of Prineville is in need of a supplemental budget for the biennial budget 2021-23, commencing July 1, 2021, and

Whereas, discussion to adopt the supplemental budget was held before the City Council on June 28, 2022; and

Whereas, now is the proper time to pass a resolution adopting the supplemental budget and making appropriations.

Now, therefore, the City of Prineville resolves as follows:

1. That the City of Prineville does hereby adopt the supplemental budget in the sum total of \$14,654,300.
2. That the additional amounts for the fiscal year beginning July 1, 2021, and for the purposes shown below are hereby appropriated as follows:

Summary of Supplemental Budget BN 2021-2023

Amounts shown are revised appropriation totals in those funds being modified.

Transportation SDC Fund

Expenditures (proposed changes)		
Capital Outlay	\$	3,400,000
Transfers	\$	75,000
Contingency	\$	269,745
Revised Total Fund Expenditures	\$	3,764,745
Resources (proposed changes)		
Intergovernmental Revenue	\$	1,400,000
System development charges	\$	900,000
Revised Total Fund Resources	\$	3,764,745

To adjust expenditures for transfers to capture the five percent administration fee and to adjust capital outlay for the Main and Peters road safety improvements. These costs will be covered from additional revenue collected from SDC's and Intergovernmental revenue from HB 5006.

Water SDC Fund

Expenditures (proposed changes)	
Capital outlay	\$ 3,145,000
Transfers	\$ 947,200
Contingency	\$ 590,359
Revised Total Fund Expenditures	\$ 4,682,559
Resources (proposed changes)	
System development fees	\$ 1,300,000
Transfers	\$ 1,200,000
Intergovernmental Revenue	\$ 1,500,000
Revised Total Fund Resources	\$ 4,682,559

To adjust expenditures to cover additional costs for capital improvements associated with the Water Master Plan update and the ASR well project, and to adjust transfers to the administrative funds to capture the five percent administrative fee for additional dollars collected. These costs will be covered by a transfer from the General Fund, Intergovernmental Revenue associated with the passage of the Omni Bill and additional SDC's collected, not anticipated at budget time.

Wastewater SDC Fund

Expenditures (proposed changes)	
Capital outlay	\$ 275,000
Transfers	\$ 444,000
Contingency	\$ 13,660
Revised Total Fund Expenditures	\$ 752,660
Resources (proposed changes)	
System development fees	\$ 640,000
Revised Total Fund Resources	\$ 752,660

To adjust expenditures to cover costs in capital outlay for the Wastewater Master Plan update and the planning and design phase for a hypochlorite plant, and increase transfers to the administrative funds to capture the five percent administrative fee for additional dollars collected. These costs will be covered by additional SDC's collected not anticipated at budget time and contingency.

Water Fund

Expenditures (proposed changes)	
Materials and Services	\$ 1,862,800
Capital outlay	\$ 1,055,000
Debt Service	\$ 2,547,500
Contingency / Other Requirements	\$ 852,018
Revised Total Fund Expenditures	\$ 9,353,318
Resources (proposed changes)	
Debt Proceeds	\$ 1,915,100
Revised Total Fund Resources	\$ 9,353,318

To adjust expenditures to cover additional materials and services costs not anticipated at budget time associated with consulting for Central Oregon Cities Organization water subcommittee support, water rights, and treatment supplies. To allow for unanticipated capital expenditures associated with the Habitat Conservation Plan and Crooked River Concepts and to adjust debt service due to the refinancing. These costs will be covered by debt proceeds and contingency.

Wastewater Fund

Expenditures (proposed changes)	
Materials and Services	\$ 3,254,500
Capital outlay	\$ 1,256,600
Debt Service	\$ 6,904,700
Contingency / Other Requirements	\$ 1,392,224
Revised Total Fund Expenditures	\$ 17,229,524
Resources (proposed changes)	
Charges for Services	\$ 8,644,300
Transfers	\$ 511,300
SDC - Reimbursement Fees	\$ 371,000
Debt Proceeds	\$ 4,961,500
Revised Total Fund Resources	\$ 17,229,524

To adjust expenditures to cover additional material and services costs, capital outlay and debt service not anticipated at budget time largely associated with the Peoples Irrigation Ditch project, additional required testing, short lived asset replacement and debt refinancing. These costs will be covered by increased collections in charges for services, a transfer from the General Fund, SDC - reimbursement fees, debt proceeds and a decrease in contingency.

Building Facilities / Property Fund

Expenditures (proposed changes)	
City Hall Facility	\$ 1,509,100
Police Facility	\$ 1,163,200
CDBG - Senior Center	\$ 15,000
Public Works Facility	\$ 76,000
Barnes Butte Facility	\$ 1,323,300
Contingency /Other requirements	\$ 564,128
Revised Total Fund Expenditures	\$ 4,650,728
Resources (proposed changes)	
Intergovernmental	\$ 411,000
Miscellaneous	\$ 433,500
Debt Proceeds	\$ 986,800
Revised Total Fund Resources	\$ 4,650,728

To adjust expenditures to cover additional costs not anticipated in the Police Facility largely associated with sidewalk improvements. Other expenditures requiring an adjustment are in the Barnes Butte Department largely for the payoff of debt associated with the property, in the City Hall Facility for the refinancing, in the CDBG - Senior Center for the new steam table, and in the Public Works Facility for increases in utilities. These costs will be covered by an increase in intergovernmental revenue associated with the CDBG, miscellaneous revenue from the sale of property, debt proceeds and contingency.

Airport Fund

Expenditures (proposed changes)		
Personnel Services	\$	329,000
Materials and Services	\$	1,678,000
Contingency /Other requirements	\$	94,136
Revised Total Fund Expenditures	\$	2,540,436
Resources (proposed changes)		
Charges for Services	\$	1,874,000
Revised Total Fund Resources	\$	2,540,436

To adjust expenditures to cover additional costs not anticipated at budget time in both personnel services and materials and services. These unanticipated expenditures are largely associated with needed accrued leave adjustments and fuel costs. These costs will be covered by an increase in charges for services from fuel sales.

TOTAL SUPPLEMENTAL BUDGET	\$	14,654,300
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Approved and Adopted by the City Council this ____ day of June, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

**RESOLUTION NO. 1530
CITY OF PRINEVILLE, OREGON**

**A RESOLUTION ESTABLISHING FEES AND CHARGES FOR THE
CITY OF PRINEVILLE FOR FISCAL YEAR 2022-2023**

The Prineville City Council specifically finds that:

Whereas, various City Ordinances and state statutes allow the City of Prineville (“City”) to establish certain fees by Resolution; and

Whereas, the City desires to establish and recover certain City costs from fees and charges levied in providing City services, products, and regulations; and

Whereas, the City Manager has caused review of all City fees and charges and determined the costs of such fees and charges; and

Now, Therefore, the City of Prineville Resolves as follows:

1. That the fee and charge schedule attached as Exhibit A, which is incorporated herein, is hereby adopted with said fees and charges to be effective July 1, 2022 and continue in effect until modified by the Prineville City Council.

Approved by the City Council this ____ day of June, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder

		Base 22-23																		
		Charge	Additional Charges / Comments																	
7.0	Franchise Fees and Other Taxes																			
7.1	Transient Room Tax																			
7.1.1	Transient Room Tax	8.50%																		
7.2	Franchise Fees																			
7.2.1	Cascades Natural Gas	5.00%																		
7.2.2	Crestview Cable	5.00%																		
7.2.3	Pacific Power	5.00%																		
7.2.4	Prineville Disposal	5.00%																		
7.2.5	CenturyLink	7.00%																		
7.3	Privilege Tax																			
7.3.1	Third-party Electricity / Natural Gas Suppliers	5.00%																		
		Base 22-23																		
		Charge	Additional Charges / Comments																	
8.0	Administrative Fees and Charges																			
8.1	Photocopies / Printed Reports	0.40	Per page after first five pages																	
8.2	Fax Charges																			
8.2.1	First Page	2.50																		
8.2.2	Each Additional Page	1.30	Per page																	
8.3	Public Records Fees (Non-Police)																			
8.3.1	Transmitted by Email (per page to 10MB in Size)	5.00	For records relating to the Police Department, refer to fees in section 1.0																	
8.3.2	Transmitted by Fax (First Page)	2.50																		
8.3.3	Transmitted by Fax (Each Additional Page - 10 Page Limit)	1.30																		
8.3.4	Records Copied to CD (each CD)	5.00																		
8.3.5	True Copy Certification	5.00																		
8.4	NSF Charges	33.00																		
8.5	Notary Fee	10.00	Per page notarized																	
8.6	Research / Accounting		Actual cost incurred																	
8.7	Lien Search Fee	25.00																		
		Base 22-23																		
		Charge	Additional Charges / Comments																	
9.0	Citywide Standard Hourly Billing Rate																			
9.1	Multiplier	2.75	x employee hourly pay rate																	

**RESOLUTION NO. 1531
CITY OF PRINEVILLE, OREGON**

A RESOLUTION APPROVING A PERSONAL SERVICES AGREEMENT WITH TRM ENERGY SOLUTIONS, LLC, FOR LAUNCH AND PERMITTING PHASES OF PRINEVILLE RENEWABLE ENERGY PROJECT

RECITALS:

- A. City of Prineville (“City”) Resolution No. 1266 authorizes the City Council acting as the Contract Review Board for the City to award personal service contracts according to specific criteria that are applicable to the services provided.
- B. The City requires the assistance of a consultant for the delivery to City the proposed launch and permitting phases of the Prineville Renewable Energy Project (“PREP”).
- C. Consultation services are considered personal services pursuant to City Resolution 1266.
- D. A public notice was published in the June 7, 2022, edition of the Central Oregonian setting the June 14, 2022, Prineville City Council meeting as the time and place to comment on the City’s draft findings for awarding a personal services contract to TRM Energy Solutions, LLC (“TRM”) regarding the launch and permitting phases of PREP.
- E. A public hearing was held June 14, 2022, at the Prineville City Council meeting to allow an opportunity for any interested person to appear and present comment. No interested person was present nor were any comments made.
- F. Pursuant to City Resolution No. 1266, the City Council makes the following findings as their basis for exemption from City’s competitive bidding requirement and the selection of TRM for a personal services contract:
1. Total costs to the City for delivery of services:
 - The total costs are estimated to be \$300,000.00. It is anticipated that grant funding will be available in late summer 2022 through the Oregon State Fire Marshal to reimburse the City for expenditures. Afterward, TRM will pursue the remaining funding required. Part of the costs will include funding work for TRM to pursue funding opportunities that will provide the necessary resources to complete the remainder of the phases outlined without expected additional investment from the City.
 2. Expertise of TRM in the required area of specialty:
 - TRM has a highly qualified team with experience that includes four projects of similar scope and scale to the PREP. One involved full project entitlement and successfully negotiating a power purchase agreement with PGE in 2019. TRM is

accustomed to the unique permitting challenges in Central Oregon and has recent, applicable project experience in neighboring La Pine, Oregon. Past experience includes mitigation of water impact of projects in extremely sensitive water basins; fuel logistics, procurement, and transactional experience across the forest products industry over the last 14 years in and around Central Oregon and the I-5 corridor; and development of bankable fuel supply agreements to support a PPA with Portland General Electric. TRM's team also has expertise in taking very complex projects from concept through design, funding, construction, and to implementation, which also includes management of teams and budgets of up to \$50,000,000.00 per year. TRM's team has secured over \$28,600,000 in grants since 2008 for a variety of municipal projects.

3. References regarding prior work done by the TRM:

- TRM has references from Wellons Group, TSS Consultants, and Ken Kauffman Law.

4. Capacity and capability to perform the work, including any specialized services within the time limitations for the work:

- During the launch phase, TRM will secure the PREP's financial foundation by working with the data centers, the City, PacificCorp and other stakeholders to align interests and deliver a framework that will be used to negotiate a power purchase agreement. TRM will also apply for, secure, and manage funding to forward the project towards completion. As stated above, the TRM team has the capacity and capability to work with these stakeholders based on years of experience within the forestry industry and working with municipalities. During the permitting phase, TRM will oversee all permitting required to construct the project.

5. Educational and professional records, including past records of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability in schedules, and contract administration, where applicable:

- See Factors 2 and 8.

6. Availability to perform the assignment and familiarly with the area in which the specific work is located:

- TRM is available to perform the work. TRM has extensive experience and contacts within the forestry and renewable energy fields as set forth in Factor 2.

7. Timelines of delivery of service:

- TRM is able to deliver the services requested within the timeline required by the City.

8. Experience in working with the City:

- TRM successfully provided the City with a PREP feasibility study. City staff found TRM’s work highly satisfactory, timely provided, and reasonably priced.

9. Knowledge of the City’s needs and desires related to the Contact:

- TRM and City have discussed the project in detail and TRM is fully aware of the City’s needs and desires related to the project. As TRM conducted the feasibility study, it already has the institutional knowledge regarding the City’s needs and desires regarding PREP.

NOW, THEREFORE, based on the above Recitals and findings of fact, the Prineville City Council, sitting as the Contract Review Board for the City of Prineville, hereby resolves as follows:

1. That the City Council, serving in its role as the Local Contract Review Board for the City, hereby approves the City entering into a personal services contract with TRM Energy Solutions, LLC for the launch and permitting phases Prineville Renewable Energy Project and authorizes the City Manager to execute, on behalf of the City, such contract and any other related documents.

Approved by the City Council this ____ day of June, 2022.

Rodney J. Beebe, Mayor

ATTEST:

Lisa Morgan, City Recorder