

**RESOLUTION NO. 1372**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF PRINEVILLE AND OREGON DEPARTMENT OF LAND CONSERVATION  
AND DEVELOPMENT (DLCD)**

WHEREAS, the Oregon Department of Land Conservation and Development (DLCD) identified the City of Prineville as a potential recipient of a housing needs planning project; and


WHEREAS, the City applied and was selected to be part of the housing project administered by DLCD to update the City's buildable lands inventory and housing needs analysis; and

WHEREAS, the parties have negotiated a Memorandum of Understanding setting out each party's objectives and obligations regarding the management of the project; and

WHEREAS, City staff recommends the Memorandum of Understanding between the City and DLCD be approved;

NOW, THEREFORE, the City of Prineville resolves that the MOU attached to this Resolution between the City and DLCD is hereby approved and that the Mayor is authorized and instructed to sign such Agreement on behalf of the City.

Approved by the City Council this 25<sup>th</sup> day of September, 2018.

  
Betty J. Roppe, Mayor

ATTEST:

  
Lisa Morgan, City Recorder

# **Memorandum of Understanding between the Oregon Dept. of Land Conservation and Development and the City of Prineville**

## **Oregon Housing Planning Project – Housing Needs Analysis**

This Memorandum of Understanding explains and memorializes a no-cost working relationship between the Oregon Department of Land Conservation and Development (DLCD) and Prineville (City). The purpose of this collaboration is to update the City's Housing Needs Analysis (HNA).

### **I. BACKGROUND**

Every region of Oregon is experiencing housing availability or affordability problems, or both. In some cases, the comprehensive plan for the urban area is out of date so housing needs have not been determined. In other cases, the need may be known but the zoning code presents barriers to the development of needed housing or does not allow a variety of housing types to meet the diverse needs of residents.

DLCD will provide technical assistance (via a Consultant) to the City for the purpose of increasing the supply and affordability of housing within the boundaries of the City. Technical assistance will be provided to complete products needed to update comprehensive plans and zoning codes, or adopt other housing strategies, to help ensure that the City can satisfy its housing needs. DLCD will hire consultants to also provide a code audit or code update to help ensure the zoning code allows, and does not include barriers to, development of needed housing.

DLCD has received a special appropriation of funds for 2018-2019 to assist cities in updating their comprehensive plans and land use regulations to promote housing availability and affordability. The Oregon Housing Planning Project (Project) is financed with State of Oregon General Funds. State funds are paid under this Agreement by DLCD to ECONorthwest (Consultant), who will assist the City as described in the Scope of Work below. No funds will be given to the City for tasks outlined in this MOU or any expenses incurred by the City as a result of this Project.

### **II. PROJECT OBJECTIVE AND MAJOR DELIVERABLES**

The primary objective of this Project is to prepare hearings-ready draft comprehensive plan amendments to update the HNA for the City. This includes the completion of the following deliverables:

- A housing needs projection
- A BLI (Buildable Lands Inventory)
- An RLNA (Residential Lands Needs Analysis)
- Identification of measures for accommodating needed housing

City adoption of the amendments is not anticipated to occur during the Project. The specific tasks and deliverables for the City of Prineville are outlined below in Section 5.

### III. ROLES AND RESPONSIBILITIES

**City:** Overall management of the Project will be the responsibility of the City. City will appoint a Project Manager to be the City's principal contact person for DLCD's Contract Administrator and the Consultant on all matters dealing with the Project.

Specific project management duties of the City will include:

- a. Coordinating project schedule and deliverables with Consultant;
- b. Coordinating City staff and Consultant work;
- c. Ensuring the timely delivery of supporting data/information to Consultant;
- d. Reviewing and editing Consultant work;
- e. Appointing one or more project advisory committee(s);
- f. Noticing, scheduling, and managing advisory committee meetings and public official work sessions and public hearings, if any. Activities include preparing and distributing meeting notices, agendas, and summaries; and assisting the Consultant with meeting facilitation.

**DLCD:** DLCD will provide financial, administrative, and technical assistance to the Project. DLCD will participate in advisory committees. Additional technical assistance may be provided as requested by the City or Consultant. DLCD will review and approve Consultant's work, invoices, and progress reports. DLCD will review the Consultant's performance and deliverables with the City prior to paying invoices received by the Consultant. DLCD will assist in the mediation of Consultant/City conflicts, or issues with the project or deliverables.

### IV. KEY CONTACTS

#### City of Prineville

Joshua Smith                      jsmith@cityofprineville.com  
Planning Director                      541-447-2367  
387 NE 3<sup>rd</sup> St.  
Prineville, OR 97630

#### Department of Land Conservation and Development

##### *Project Manager*

Kevin Young    [kevin.young@state.or.us](mailto:kevin.young@state.or.us)  
635 Capitol St. NE Ste 150                              503-934-0030  
Salem, OR 97301

##### *Regional Representative*

Scott Edelman    [scott.edelman@state.or.us](mailto:scott.edelman@state.or.us)  
1011 SW Emkay Dr., Suite 108                              541-306-8530  
Bend, OR 97702

#### Consultant

Matt Hastie    mhastie@angeloplanning.com

## **V. SCOPE OF WORK**

This Project for the City of Prineville is composed of the following tasks. The City and Consultant must create interim project deadlines as needed to manage the Project (see Task 1). All Consultant work must be completed no later than June 30, 2019. Requests by the City or Consultant to change the Scope of Work outlined in this MOU, intended to modify the tasks or deliverables of the Consultant, must be reviewed and approved by DLCD.

*\*\*For informational purposes only, the primary Consultant deliverables are shown for each Task listed below.*

### **Task 1: Project Kick-Off**

The purpose of the project kick-off is for Consultant to become familiar with local conditions and with City's planning documents, for the parties to confirm the objectives of the project and refine the project schedule, and for the City to prepare for the Project. Consultant will contact City via a conference call to ask preliminary questions to establish project expectations and familiarize itself with city-specific concerns. Consultant will verify the action items identified through this initial conference call with the participating City and will develop and share a proposed schedule for the actions required for the completion of all tasks. The level of detail required for the proposed project schedule should be determined and with mutual agreement by the City and the Consultant.

#### *Task 1 Consultant Deliverables:*

- Summary of major tasks and action items for the Project
- Proposed Project schedule

#### *Task 1 City Deliverables:*

- 1.1 Copy of relevant comprehensive plan and code sections
- 1.2 Building permit and housing data to support the HNA.

*Deadline:* Kick-Off to be held within 30 days of completion of consultant contract and MOU

### **Task 2: Housing Needs Projection**

Consultant will prepare a draft housing needs projection consistent with OAR chapter 660, division 8. The housing needs projection will be used to determine the City's residential land need in Task 4. The housing needs projection will be developed based on discussion with a project advisory committee at one or more committee meetings.

City will schedule, and provide notice and an agenda, for one or two advisory committee meetings to review the draft housing needs projection product. Consultant will coordinate with

City on meeting arrangements and facilitate the advisory committee meetings. The advisory committee may consider more than one deliverable at a meeting.

*Task 2 Consultant Deliverables:*

- Draft housing needs projection
- Presentation materials to explain preliminary analyses and findings to the advisory committee, the public, and interest groups
- Advisory committee meeting notes

*Task 2 City Deliverables:*

2.1 Advisory committee appointments

2.2 Advisory committee meeting notices and agendas

*Deadline:* Draft projection and advisory committee meeting to be held on or before November 30, 2018

**Task 3: Buildable Lands Inventory (BLI)**

Consultant will prepare a draft inventory of buildable land consistent with OAR chapter 660, division 8. The BLI will be used to determine the City's residential land need in Task 4. The BLI will be developed based on discussion with a project advisory committee at one or more committee meetings.

City will schedule and provide notice and an agenda for one or two advisory committee meetings to review the draft BLI product. Consultant will coordinate with City on meeting arrangements and facilitate the advisory committee meetings. The advisory committee may consider more than one deliverable at a meeting.

City will schedule one public workshop or open house to present draft housing needs and buildable lands data and findings. City will solicit input from the public on the draft deliverables. Consultant will coordinate with City on meeting arrangements and facilitate the public meeting(s).

*Task 3 Consultant Deliverables:*

- Draft BLI
- Presentation materials to explain preliminary analyses and findings to the advisory committee, the public, and interest groups
- Advisory committee meeting notes
- Public meeting summary

*Task 3 City Deliverable:*

3.1 Advisory committee meeting notices and agendas

3.2 Public meeting notice(s)

*Deadline:* Draft BLI, advisory committee meeting, and public meeting to be held on or before February 28, 2019

#### **Task 4: Residential Land Needs Analysis (RLNA)**

Based on the outcomes of Tasks 2 and 3, Consultant will prepare a draft RLNA that addresses how much land and what zoning the City needs to accommodate its Housing Need, comparing the demand and supply provided in the deliverables produced in Tasks 2 and 3. The RLNA will be developed based on discussions with a project advisory committee at one or two committee meetings.

If the analysis shows that the Housing Need cannot be accommodated by the City's existing comprehensive plan, the RLNA will be developed concurrently with Task 5 in order to consider accommodating Housing Needs through changes to the comprehensive plan and land use regulations as required by OAR chapter 660, divisions 8 and 24.

City will schedule and provide notice and an agenda for one or two advisory committee meetings to review the draft RLNA product. Consultant will coordinate with City on meeting arrangements and facilitate the advisory committee meetings. The advisory committee may consider more than one deliverable at a meeting.

##### *Task 4 Consultant Deliverables:*

- Draft RLNA
- Presentation materials to introduce preliminary residential land need analyses and findings to the advisory committee, the public, and interest groups
- Advisory committee meeting notes

##### *Task 4 City Deliverable:*

4.1 Advisory committee meeting notices and agendas

*Deadline:* Draft RLNA and advisory committee meeting to be held on or before March 31, 2019

#### **Task 5: Measures to Accommodate Needed Housing**

Consultant will identify options for changes to the City's comprehensive plan and land use regulations to address housing and residential land needs determined in previous tasks. This task may be completed concurrently with Task 4.

City will schedule and provide notice and an agenda for one or two advisory committee meetings to review the housing-accommodation product. Consultant will coordinate with City on meeting arrangements and facilitate the advisory committee meetings. The advisory committee may consider more than one deliverable at a meeting.

City will schedule one public workshop or open house to present draft residential land need and housing accommodation data, findings, and recommendations. City will solicit input from the public on the draft deliverables. Consultant will coordinate with City on meeting arrangements and facilitate the public meeting(s).

*Task 5 Consultant Deliverables:*

- Options for changes to City’s comprehensive plan and land use regulations to address housing and residential land needs
- Presentation materials to introduce housing accommodation recommendations to the advisory committee, the public, and interest groups
- Advisory committee meeting notes
- Public meeting summary
- Final draft hearings-ready HNA

*Task 5 City Deliverables:*

- 5.1 Advisory committee meeting notices and agendas
- 5.2 Public meeting notice(s)

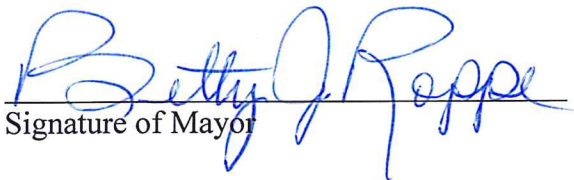
*Deadline:* Conclusions and Recommendations Report, advisory committee meeting, and public workshop to be held on or before June 15, 2019

**VI. OTHER CONSIDERATIONS**

This agreement will be effective as of the date of the last signature. The termination of this document may occur by mutual consent of the parties with 60 days written notice.

Except as provided herein, nothing in this Memorandum of Understanding shall be construed as obligating the other party to expend funds or obligate future payment of money authorized by law and administratively available for this work.

City of Prineville

  
 Signature of Mayor

Sept. 25, 2018  
 Date

Betty J. Roppe  
 Printed Name

Department of Land Conservation & Development

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Jim Rue, Director

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Date