

TOWN OF LAKEVIEW, OREGON

RESOLUTION NO. 1185

A RESOLUTION AUTHORIZING THE SOLICITATION AND RECEIPT OF PROPOSALS FOR POTENTIAL REDEVELOPMENT OF THE RED ROCK PLANT SITE

WHEREAS, the Town of Lakeview (the "Town") holds a lien against the property commonly known as the Red Rock Plant (the "Site"), and the Town Council recognizes its responsibility to preserve and protect the Town's legal and financial interests in connection with any proposed redevelopment or transfer of ownership; and

WHEREAS, the owner of record, NXTclean/Lakeview RNG voluntarily signed an agreement with the Town of Lakeview guaranteeing payment of loan expenses tied to the Red Rock Plant site and also satisfying back taxes as a condition of receiving certain benefits from the State of Oregon; and

WHEREAS, the Town Council desires that the Site be repurposed in a manner that creates jobs and advances the local economy and serves the long-term best interests of the Town and its residents; and

WHEREAS, the Town Council wishes to explore, through an open, transparent, and nonexclusive solicitation process, opportunities for the future use and redevelopment of the Site without prejudging any proposal, prospective owner, or transaction; and

WHEREAS, the Town wishes to examine proposals for sustainable and commercially viable reuse of the Site, including continued industrial use where appropriate, while giving due consideration to existing water and sewer infrastructure and associated financing; and

WHEREAS, the Town has incurred indebtedness in connection with infrastructure supporting the Site, and the Town Council recognizes the importance of protecting the Town's financial position, including its obligations to Business Oregon, while distinguishing those obligations from any amounts legally recoverable from an owner or successor; and

WHEREAS, certain past-due property taxes and other outstanding financial obligations have been identified in connection with the Site, including property taxes originally deferred in connection with the Site's development and the Town Council acknowledges that whilst the past due taxes were deferred as a condition of supporting the original development of the Site such obligations may affect the feasibility of potential redevelopment; and

WHEREAS, the Town Council has made no determination to abate, defer, waive, subordinate, release, or compromise any debt, tax, lien, claim, or other obligation, and any such action shall require separate consideration, appropriate legal and financial review, and approval by the duly authorized public body, to the extent permitted by applicable law; and

WHEREAS, the Town Council has considered the potential economic, financial, legal, environmental, and community impacts of authorizing a preliminary solicitation, including the protection of public resources and the Town's existing rights and obligations; and

WHEREAS, the Town Council has consulted with the Town's legal counsel regarding the contemplated solicitation process and the Town's relevant rights and obligations, and has considered that advice in deciding to authorize the solicitation; and

WHEREAS, the Town Council has determined that soliciting proposals, without committing to any particular transaction or concession, is a prudent step in the best interests of the Town and its residents; and

WHEREAS, the Town Council intends that any future proposal materially affecting the Town's rights, obligations, or financial interests be subject to further due diligence, legal review, and any approvals required by law;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEVIEW, OREGON, AS FOLLOWS:

Section 1. Authorization. The Town Council authorizes the Town Manager, or another official designated by the Council, to publish and administer an invitation for proposals from interested parties concerning potential redevelopment or reuse of the Site. The solicitation shall identify the Site, submission procedures, and principal evaluation criteria. Proposals must be received at Town Hall, 525 N. 1st Street, Lakeview, Oregon 97630 by 5:00 p.m. Pacific Time on November 19, 2026, or through any additional submission method specified in the published solicitation.

Section 2. Receipt and disclosure. The Town may receive and consider timely proposals, and may share information or proposals with the owner(s) of record as legally appropriate, subject to applicable public records requirements, lawful protections for confidential information, and the integrity of the solicitation process. Nothing in this Resolution promises confidential treatment that the Town cannot lawfully provide.

Section 3. Nonexclusive process. The Town may communicate with the current owner(s), prospective owners, operators, and other stakeholders to explore feasible outcomes, but does not endorse any prospective purchaser, commit to support a transfer of ownership, or guarantee that any proposal will be selected. Nothing in this Resolution authorizes the Town to market, sell, transfer, or otherwise dispose of property interests belonging to a third party, or to represent that the Town has authority to bind the owner or owners of record.

Section 4. Evaluation and due diligence. In assessing proposals, the Town shall have regard to the principal evaluation criteria identified in the published solicitation, which may include financial feasibility, proponent qualifications and financing capacity, employment and economic benefits, environmental and regulatory requirements, infrastructure obligations, and the protection of the Town's existing legal and financial interests. The Town may request additional information, seek independent professional advice, reject any or all proposals, or take no further action.

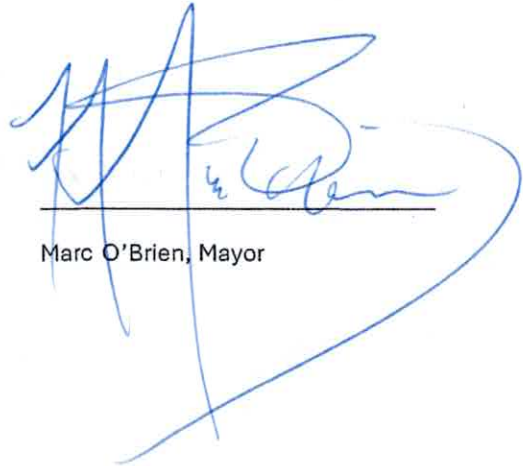
Section 5. Reservation of rights. The solicitation, receipt, discussion, or evaluation of proposals does not authorize or constitute approval of any purchase, sale, property transfer, contract, tax abatement, debt restructuring, release or subordination of lien, compromise of claims, expenditure of funds beyond amounts lawfully appropriated for the administration of the solicitation, or other legally binding commitment. All existing Town rights, remedies, claims, security interests, and financial protections are reserved. Any later action shall require separate review and authorization by the appropriate public body and compliance with applicable law.

Section 6. Legal review. Before any proposed agreement, commitment, modification of Town rights or obligations, or other action materially affecting the Town's legal or financial interests is presented for final Council approval, the Town shall consult its legal counsel and undertake appropriate legal and financial review.

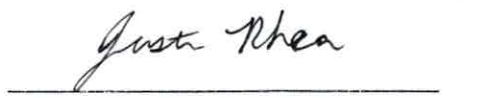
Section 7. Implementation. The Town Manager or designated official is authorized to take ministerial steps consistent with this Resolution to issue the solicitation, receive proposals, maintain appropriate records, and report the results to the Council. No official is authorized by this Resolution to bind the Town to any redevelopment transaction.

PASSED AND ADOPTED by the Town Council of the Town of Lakeview, Oregon, at a duly noticed meeting held on October 27, 2026.

Vote: 4 In Favor
1 Opposed
_____ Abstained
_____ Absent



Marc O'Brien, Mayor



Attest: Justin Rhea, Acting Town Recorder