

CITY of LA GRANDE
City Council Regular Session
Wednesday, April 7, 2021

AGENDA

The meeting will be available for viewing via the City's scheduled Charter Communications channel 180 that will begin at 6:00 p.m. on April 7, 2021, on the La Grande Alive website at <https://lagrandealive.tv/city-events/> or on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

Any person may submit written comments or questions in advance of the meeting. Written comments must be received by 5:00 p.m. on Tuesday, April 6, 2021. The written comments will be read during the public comment section of the respective Agenda Item. Please email Public Comments to rstrope@cityoflagrande.org.

1. WELCOME to this REGULAR SESSION of the LA GRANDE CITY COUNCIL

- a. Call to Order
- b. Roll Call

- Per ORS 192.670(1), Councilors will be participating in this Regular Session by electronic communication.

2. AGENDA APPROVAL

3. CONSENT AGENDA

The Consent Agenda includes routine items of business which may be approved by one Motion of the Council. Any Councilor so desiring may by request remove one or more items from the Consent Agenda for individual consideration under the Unfinished or New Business portion of the Agenda.

- a. **Consider:** Approval of Regular Session Minutes; March 3, 2021

4. PUBLIC COMMENTS

Written comments received will be read during this portion of the Agenda for non-Agenda items. Written comments for Agenda items will be read when those items are considered.

- a. Tree City USA Awards & Presentation of the Community Forestry Volunteer Award

5. PUBLIC HEARINGS

- a. **Consider:** Ordinance, First Reading; *Accepting Final Sidewalk LID, 2019*

[Carpenter]

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. **Consider:** Resolution: Initiating Vacation Proceedings, Establishing a Public Hearing Date
- b. **Consider:** Resolution: Establishing Fees for Ambulance Services
- c. **Consider:** Approval of Hiring Incentive for Qualified Police Officer Candidates
- d. **Consider:** Transfer of 2013 Ford Interceptor Police Car; *City of Nyssa*
- e. **Consider:** Allocating Current COVID-19 Loan Program Funding to Community Connections to Provide Grants for Utility Bills

[Boquist]

[Cornford]

[Bell]

[Bell]

[Strope]

8. UNION COUNTY COMMISSIONER'S UPDATE

9. STAFF COMMENTS

10. CITY MANAGER COMMENTS

11. CITY COUNCIL COMMENTS

12. ADJOURNED

Kayla M. Rock
City Recorder

The City Council is currently scheduled to meet again in a Regular Session on Wednesday, May 5, 2021, at 6:00 p.m. The City Council of the City of La Grande reserves the right to convene an Executive Session for any purpose authorized under ORS 192.660. Persons requiring special accommodations who wish to participate in the City Council Meeting are encouraged to make arrangements prior to the meeting by calling 541-962-1309. The City of La Grande does not discriminate against individuals with disabilities.

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **April 7, 2021**

PRESENTER: Robert A. Strope, City Manager

COUNCIL ACTION: CONSIDER CONSENT AGENDA

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Entertain Motion

Suggested Motion: I move we accept the Consent Agenda as presented.

OR

Suggested Motion: I move we accept the Consent Agenda as amended.

- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Ask for the Vote

EXPLANATION: A Consent Agenda includes routine items of business with limited public interest, which may be approved by one Motion of the Council. Any Councilor may, by request, remove any item of business from the Consent Agenda.

- a. **Consider:** Approval of Regular Session Minutes; March 3, 2021

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

AGENCY ACTION (Office Use Only)

- Motion Passed
- Motion Failed; _____
- Action Tabled: _____
Vote: _____
- Resolution Passed
Effective Date: _____
- Ordinance Adopted
First Reading: _____
Second Reading: _____
Effective Date: _____

CITY of LA GRANDE
City Council Regular Session
March 3, 2021

The meeting was available for viewing via the City's scheduled Charter Communications channel 180, on the La Grande Alive website at <https://lagrandealive.tv/city-events/> and on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

MINUTES

COUNCILORS PRESENT:

Stephen E. Clements, *Mayor*
Gary Lillard, *Mayor Pro Tem*
John Bozarth, *Councilor*
David Glabe, *Councilor*
Nicole Howard, *Councilor*
Mary Ann Miesner, *Councilor*
Justin Rock, *Councilor*

COUNCILORS ABSENT EXCUSED:

STAFF PRESENT

Robert Strope, *City Manager*
Kayla Rock, *City Recorder*
Stacey Stockhoff, *Assistant to the City Manager*
Gary Bell, *Police Chief*
Mike Boquist, *Community Development Director*
Kyle Carpenter, *Public Works Director*
Emmitt Cornford, *Fire Chief*
Christine Jarski, *Economic Development Director*
Heather Rajkovich, *Finance Director*
Kip Roberson, *Library Director*
Stu Spence, *Parks and Recreation Director*

Per ORS 192.670(1), Councilors and Staff participated in this Regular Session by electronic communication.

CALL TO ORDER/ROLL CALL
AGENDA APPROVAL

Mayor CLEMENTS called to order this Regular Session of the Council at 6:00 p.m. Roll Call was taken and a quorum was determined to be present.

CONSENT AGENDA

- a. **Consider:** Approval of Regular Session Minutes;
February 3, 2021

The following Motion was introduced by HOWARD;
LILLARD providing the Second:

MOTION

MOTION: I move that we accept the Consent Agenda as presented.

VOTE

MSC. (unanimous)

PUBLIC COMMENTS

STROPE read aloud a letter that was submitted from the Blue Mountain Humane Association (BMHA) Board Members to the City Council regarding a status update on the shelter and future funding requests; a copy of which is now a permanent document in the master file for this Regular Session and by this reference incorporated herewith as if fully set forth.

STROPE also clarified the City of La Grande provides \$9,500 of funding for the BMHA, which was paid to the County each year and was included in the \$50,000 of funding the County pays BMHA that was referenced in the letter. The Council briefly discussed the letter and then deferred the conversation to later in the Agenda.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- a.** **Consider:** Resolution: Abolishing Library Fees;
Cook Memorial Library

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kip ROBERSON, *Library Director*

ROBERSON stated that Library Staff and the Library Advisory Commission recommend that Cook Memorial Library become a fine-free library. Going fine-free ensures that everyone in our community would have equal access to library books, materials and services regardless of income or ability to pay. Late fines, even as little as ten (10) cents per day, were a burden on people who rely on library access the most. Our community thrives when people have access to the programs, services, and materials they need to pursue their goals or interests. Research has shown that late fines were not effective and had no impact on return rates. In fact, fines have the unintended consequence of preventing a community's most vulnerable populations from using library services. Library fines worsen existing inequities that disproportionately impact people of color and low-income communities; eliminating fines advances racial equity. Going fine-free treats physical and digital materials the same. Digital materials, including eBooks and eAudiobooks, do not accrue late fines. Historically, fines and lost/replacement fees represent less than one percent (1%) of the library's total budget. Due to the increased use of digital materials, library revenue from overdue fines has been steadily declining in recent years. Library patrons would still be expected to return materials on time and

assume financial responsibility for lost/unreturned/damaged items.

In response to ROCK's question regarding what kind of action would be taken for unreturned books, ROBERSON explained that they signed a contract with a firm that would assist in collecting outstanding library debt. All patrons who borrow materials from the Library would be financially responsible to either return the book once due or they would pay for the book if not returned.

In response to GLABE's question regarding how a patron's credit could be affected if they were turned in for collection for unpaid items, ROBERSON answered that library fines and fees do not have a direct impact to credit reports.

MIESNER asked if a patron had unreturned items on their account, would they be able to continue to borrow from the library, to which ROBERSON answered that the patron could not check out any new items until the past due items were either returned or the patron paid for cost of the item.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

The following Motion was introduced by MIESNER; HOWARD providing the Second:

MOTION: I move that the proposed Resolution abolishing fines for overdue Library materials be Read by Title Only, Put to a Vote, and Passed.

COUNCIL DISCUSSION

None

Mayor CLEMENTS asked City Recorder ROCK to Read the proposed Resolution by Title Only as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ABOLISHING THE IMPOSITION OF MONETARY FINES BY F. MAXINE AND THOMAS W. COOK MEMORIAL LIBRARY FOR OVERDUE ITEMS; ESTABLISHING POLICIES FOR LOST, DAMAGED, AND UNRETURNED MATERIALS INCLUDING COST RECOVERY; REPEALING RESOLUTION 4451, SERIES 2004; AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith AND DECLARING AN EFFECTIVE DATE [4801]

VOTE

MSC. SIX (6) of the SEVEN (7) Councilors voted in the affirmative; BOZARTH voted in opposition.

b. Consider: Resolution: Establishing Non-Resident Membership Fees; F. Maxine

& Thomas W. Cook Memorial Library

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kip ROBERSON, *Library Director*

ROBERSON noted that Library Staff and the Library Advisory Commission recommend that Cook Memorial Library institute non-resident membership options. The Library would continue to honor library cards from Elgin, North Powder, and Union; those cardholders would continue to have access to basic library services, defined as access to most physical collections (hotspots, laptops, and other ephemera excluded), public computers, study rooms, programs, etc. Union County residents who reside outside the City of La Grande could continue to apply for a library card; however, that card would allow for access to only basic library programs and services as described above. Anyone living outside Union County may also purchase a non-resident library membership. Non-resident memberships, providing full access to all library programs and services including premium services (digital/electronic resources), would be available for varying lengths of time; membership fees would be set to approximate the per capita amount a City of La Grande resident pays in taxes and would be adjusted as necessary. A non-resident member accepts financial responsibility for all items borrowed and agrees to abide by the policies of the library.

A discussion was held regarding clarification on the membership options in the proposed resolution, overall benefits that the non-resident membership offered, and library card replacement and cost.

GLABE suggested revising the 12-month membership for \$100 option to include the whole household rather than limiting the option to no more than three (3) members of the same household. The Council reached consensus on revising the policy to reflect GLABE's suggestion.

In response to MIESNER's question regarding if there was senior rate offered for non-resident library memberships, ROBERSON stated that there was not.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

The following Motion was introduced by MIESNER; HOWARD providing the Second:

MOTION: I move that the amended proposed Resolution establishing non-resident library membership options be Read by Title Only, Put to a Vote, and Passed.

COUNCIL DISCUSSION

None

Mayor CLEMENTS asked City Recorder ROCK to Read the proposed Resolution by Title Only as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING NON-RESIDENT MEMBERSHIP FEES FOR THE F. MAXINE AND THOMAS W. COOK MEMORIAL LIBRARY AND DECLARING AN EFFECTIVE DATE [4802]

VOTE

MSC. (unanimous)

c. Consider: Resolution: 2019 City Wide Voluntary LID Number 19-064

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kyle CARPENTER, *Public Works Director*

CARPENTER stated that the Council established a City-Wide Voluntary Sidewalk Local Improvement District for the year, 2019, during the May 1, 2019, Regular Session. A Local Improvement District offers property owners a way to improve their property and maintain existing sidewalks. This contract assisted in facilitating sidewalk repair work upon the property owner's request. With limited interest in 2019, the Sidewalk LID was held open for an additional calendar year (2020) to allow for a higher amount of work to be included in the District.

CARPENTER noted the 2019 Voluntary Sidewalk Local Improvement District Number 19-064 ended December 31, 2020, with the total cost of projects repaired under the L.I.D. being \$14,000.75. Staff monitored approximately 1,200 square feet of sidewalk and driveway repairs throughout La Grande during 2019 and 2020.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

The following Motion was introduced by HOWARD; MIESNER providing the Second:

MOTION: I move that the Final Study and Report for the 2019 City Wide Voluntary Sidewalk Local Improvement District Number 19-064 be accepted and that the proposed Resolution establishing a Public Hearing date be read by Title Only, Put to a Vote and Passed.

COUNCIL DISCUSSION

None

Mayor CLEMENTS asked City Recorder ROCK to Read the proposed Resolution by Title Only as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING A PUBLIC HEARING DATE FOR CITY WIDE VOLUNTARY SIDEWALK LOCAL IMPROVEMENT DISTRICT NUMBER 19-064 [4803]

VOTE

MSC. (unanimous)

d. Consider: Appointing Citizen Landmarks Advisory Commission; Lindsay Costigan

Mayor CLEMENTS briefly explained the process for appointing citizens to the City of La Grande's various committees and commissions.

MOTION

The following Motion was introduced by CLEMENTS; MIESNER providing the Second:

MOTION: I move that Lindsay Costigan be appointed to the Landmarks Commission for the remainder of a three-year term, expiring December 31, 2023.

COUNCIL DISCUSSION

None

VOTE

MSC. (unanimous)

STAFF COMMENTS

SPENCE reported that the Veterans Memorial Pool reopened on Monday, March 1, 2021, and staff is following all COVID-19 safety protocols under the current guidelines. He also gave a quick update on the current pool schedule.

SPENCE stated that peewee soccer was allowed this year with safety protocols in place and games would begin in April, 2021, at Benton Park.

CITY MANAGER COMMENTS

STROPE stated that La Grande City Hall opened the doors to the public that morning and gave a brief update on the safety protocols that were in place.

STROPE reported that information was sent to the Council prior to tonight's meeting regarding adding a hiring bonus for recruiting experienced police officers to help recruiting efforts. Because compensation is a mandatory subject of collective bargaining, The City and the Police Union would need to enter into a Memorandum of Understanding (MOU) and if the Council was supportive, he would bring the issue to the Council at the April 7, 2021, Regular Session Meeting for formal consideration. STROPE shared with the Council that there had been a resignation in the past week that created a sense of urgency in advertising the vacancy with the hiring bonus included, with the understanding that the

City Council would need to approve the bonus. If the Council did not approve adding the bonus, the job posting would be amended.

LILLARD asked if he was seeking consensus from the Council to start advertising the bonus before the formal decision could be made, to which STROPE answered yes and further explained that the job posting needed to be posted now and if the MOU/MOA does not pass approval at the April 7, 2021, Regular Session Meeting, the advertised job posting could be amended.

BOZARTH asked if the \$6,000 incentive would be enough to attract potential candidates, to which STROPE answered that after researching other jurisdictions, he felt that the incentive offered would be enough and it was similar to what other jurisdictions were doing.

Mayor CLEMENTS shared that he thought this was a reasonable idea to aid in recruiting trained officers into our community. The Council reached consensus to move ahead with advertising the incentive with the job posting with the option to amend if needed after the April 7, 2021, Regular Session meeting.

CITY COUNCIL COMMENTS

Mayor CLEMENTS stated that La Grande School District's Superintendent, George MENDOZA, asked him to be an active participant on a facility study committee and gave a summary of what that would entail, including making recommendations to the school board on potential changes to any of the district facilities.

Mayor CLEMENTS stated he would like to reconsider the amount that was given to the Blue Mountain Humane Association (BMHA) each year from the City of La Grande, to which STROPE gave a brief background recap of how the funding was handled between the BMHA, the County, and the City of La Grande. He added that the agreement between all parties would be up for renewal at the end of fiscal year 2022, to which a discussion was held regarding how the funding level was established between all parties in the current agreement. The Council supported a further discussion involving Union County regarding the funding level and how it would be distributed to the BMHA prior to the 2022 expiration of the agreement between BMHA and Union County. It was noted that changes in the funding amount provided by the City could be addressed during the Budget Committee Hearings.

There being no further business to come before this Regular Session of the Council, Mayor CLEMENTS adjourned the meeting to the Urban Renewal Agency Regular Session at 6:59 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, April 7, 2021, at 6:00 p.m., via electronic communications due to COVID-19 pandemic.

**Stacey M. Stockhoff
Assistant to the City Manager**

**Stephen E. Clements
Mayor**

APPROVED: _____

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **April 7, 2021**

PRESENTER: Kyle Carpenter, Public Works Director

COUNCIL ACTION: PUBLIC HEARING TO CONSIDER FINAL LOCAL IMPROVEMENT DISTRICT ASSESSMENTS

1. MAYOR: Open the Public Hearing and ask the City Recorder to read the Rules of Order in their entirety
2. MAYOR: Request Staff Report
3. MAYOR: Request that Public Testimony be Read into the Record
4. MAYOR: Invite Council Discussion.
5. MAYOR: Announce that the Public Hearing is Continued to May 5, 2021, at which time the proposed Ordinance is scheduled to be read a Second Time by Title Only and considered for Adoption.
6. MAYOR: Invite Additional Council Discussion
6. MAYOR: Ask the City Recorder to Read the Proposed Ordinance for the First Time by Title Only

EXPLANATION: Council established a City-Wide Voluntary Sidewalk Local Improvement District (LID) for the year 2019 during the May 1, 2019, Regular Session. A Local Improvement District offers property owners a way to improve their property and maintain existing sidewalks within the right-of-way. This process assists in facilitating sidewalk repair work upon property owner request and approval. With limited interest in 2019 the Sidewalk LID was held open for an additional calendar year (2020) to allow for a higher amount of work to be included in the District.

The 2019 Voluntary Sidewalk Local Improvement District Number 19-064 ended December 31, 2020, with the total cost of projects repaired under the LID being \$14,000.75. Staff monitored approximately 1,200 square feet of sidewalk repairs throughout La Grande during 2019 and 2020, with many property owners hiring contractors or completing the repairs themselves.

Council accepted the Final Study and Report during the March 3, 2021, Regular Session.

The City Manager recommends that this proposed Ordinance be read by Title Only for the first time.

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
 Motion Failed; _____
 Action Tabled: _____
 Vote: _____
- Resolution Passed # _____
 Effective Date: _____
- Ordinance Adopted # _____
 First Reading: _____
 Second Reading: _____
 Effective Date: _____

RULES OF ORDER FOR A LEGISLATIVE PUBLIC HEARING

CITY RECORDER READS TO THE PUBLIC:

- A. These Rules of Order are applicable to the Public Hearing for considering the 2019 Sidewalk Local Improvement District 19-064.
- B. This is a legislative hearing, therefore Councilor ex parte or pre-hearing contact does not apply.
- C. The Hearing will proceed as follows:
 - 1. The Mayor will open the Public Hearing and request the Staff Report.
 - 2. The Mayor will then accept written public testimony relating to the matter. Due to COVID-19 restrictions, only written testimony will be accepted and shall be read into the record during the Hearing. There is a three-minute time limit for testimony. The order of testimony this evening will begin with that of Proponents (those in favor), followed by Opponents (those opposed), and ending with those Neutral to the Ordinance being adopted.

The meetings will be available for viewing via the City's scheduled Charter Communications channel 180 beginning at 6:00 p.m. on April 7, 2021, on the La Grande Alive website at <https://lagrandealive.tv/city-events/> or on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

The notice of this Public Hearing required that any person that wanted to submit written comments or questions in advance of the meeting had until 5:00 p.m. on Tuesday, April 6, 2021, to submit them to Kyle Carpenter via email at kcarpentert@cityoflagrande.org.

- 3. The proceedings are being electronically recorded, to be converted to written Minutes.
- 4. Members of the City Council may ask questions of the Staff at any time.
- 5. Subsequent to deliberation, the Mayor will close the Hearing.

**CITY of LA GRANDE
ORDINANCE NUMBER _____
SERIES 2021**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ESTABLISHING THE FINAL ASSESSMENTS TO THE PROPERTY DETERMINED TO BE
SPECIFICALLY BENEFITED BY THE 2019 CITY WIDE VOLUNTARY SIDEWALK LOCAL
IMPROVEMENT DISTRICT NUMBER 19-064; AND DECLARING AN EFFECTIVE DATE**

THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of La Grande, Union County, Oregon, has considered the final assessments of the property benefited by *City Wide Voluntary Sidewalk Local Improvement District Number 19-064*, which was constructed according to the plans and specifications for the work in said District, heretofore adopted by the City Council of the City of La Grande, Union County, Oregon.

The City Council of the City of La Grande, Union County, Oregon, hereby ascertains and determines the sum of *Fourteen Thousand and 75/100 DOLLARS (\$14,000.75)* to be the final cost of said Sidewalk Improvements; the real property hereinafter described to be specifically benefited by said improvements; that special and peculiar benefits accrued to each tract within said District; and that said assessments have been apportioned among all of the tracts of said property abutting upon, fronting, contiguous and tributary to such improvements and within the boundaries of the Improvement District created for the purpose of making such improvements to the extent of the benefit of such tract of real property by reason of the improvements and in no case in excess of the benefits received.

The City Council of the City of La Grande, Union County, Oregon, also ascertains and determines that the amount set opposite the description or number of each tract(s) is the amount for which said tracts of real property is proposed to be assessed, as shown below.

OWNER	PROPERTY ADDRESS	LEGAL DESCRIPTION	SEC.	TAX LOT	TOTAL LID DUE
Linda Williams	1314 Jackson Ave	All of Lots numbered six (6) and seven (7) of the Scribers Subdivision of Predmore Block of the Predmore Addition.	05CA	2500	\$ 3,414.50
John Lannon	2206 Cedar St	All of Lot numbered three (3) of Block eight (8) of the Supplemental Plat of Grandy's 2 nd Addition.	06DB	1200	\$ 1,830.00
Swansons Motels, LLC Attn: Karl & Surgit Swanson	1510 Adams Ave	That portion of Lot two (2), Lot three (3), and Lot four (4) in Block nine (9) of Coggan's Addition. Commencing at a point on the southwest line of said block 9 a distance of 118.79 feet to the northwest from the southernmost point of said block; thence, northwest 40.0 feet; thence, northeast 80.0 feet; thence, northwest 40.0 feet; thence, southwest 80.0 feet; thence, northwest 40.0 feet; thence, northeast 241.58 feet; thence, southeast 120.0 feet; thence, southwest 240.0 feet to the point of beginning.	08BA	6500	\$ 999.50
Douglas M. Briney	1601 7 th St	The western eighty three (83) feet of Lot four (4) and the southern fourteen (14) feet of Lot five (5) in Block one hundred (100) of Chaplin's Addition.	05CC	15200	\$ 7,756.75
					\$14,000.75

Section 2. That the Finance Director or designee of the City of La Grande, Union County, Oregon, is hereby authorized and directed to prepare a special assessment roll in accordance with the foregoing proposed assessments or the proposed assessments as adjusted by the City Council after considering objections thereto.

Section 3. That the Finance Director or designee of the City of La Grande, Union County, Oregon, shall complete the special assessment roll in accordance with the provisions of this Ordinance and shall, without delay, by Certified Mail, transmit a Notice of Final Assessment to the owner of the assessed property of the time when such assessment shall become due and also stating that such assessments may be paid in installments, provided each property owner desiring to do so makes application therefor within ten (10) days from the date of such Notice. Said application to pay installments will be made under the provisions of Oregon Revised Statutes, Section 223.205, to and including Section 223.295, commonly known as the *Bancroft Bonding Act*. Interest on the unpaid assessment shall be at a rate of eight percent (8%) per annum.

Section 4. That such assessment shall become due and payable immediately after the final assessments have been entered into the *City Lien Docket* and shall be delinquent thirty (30) days thereafter if unpaid.

Section 5. EFFECTIVE DATE This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Union County, Oregon, and its approval by the Mayor; specifically, June 5, 2021.

APPROVED AND ADOPTED on this Fifth (5th) day of May, 2021, by _____
(____) of _____ (____) Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

ATTEST:

Kayla M. Rock
City Recorder

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: April 7, 2021

PRESENTER: Michael Boquist, Community Development Director

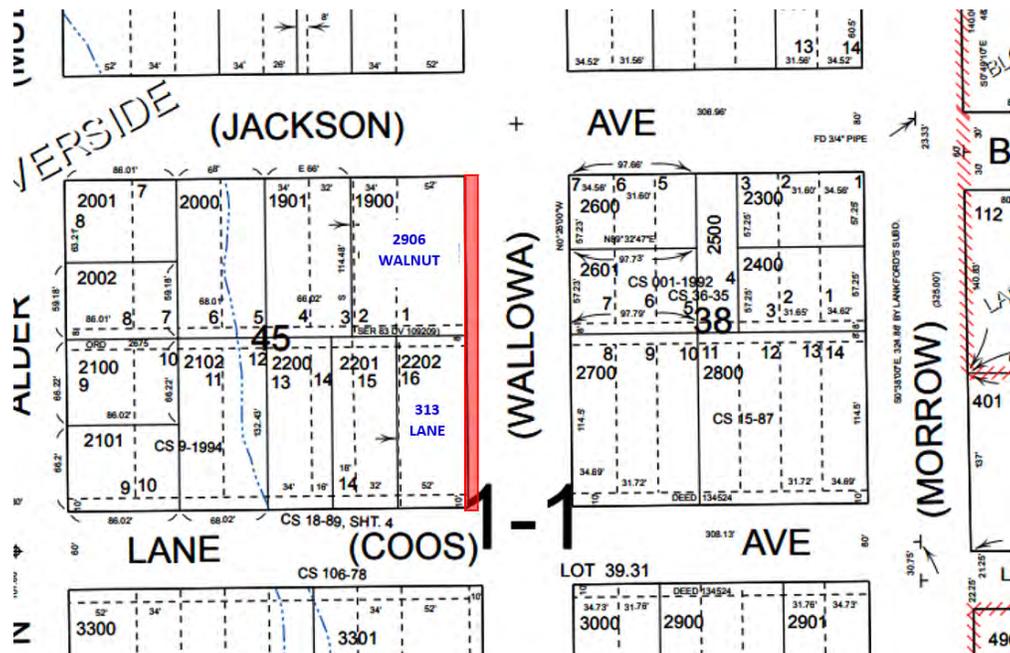
COUNCIL ACTION: **CONSIDER RESOLUTION INITIATING VACATION PROCEEDINGS AND ESTABLISHING A PUBLIC HEARING DATE, FILE NUMBER 01-VAC-21**

1. MAYOR: Request Staff Report
2. MAYOR: Request that Public Testimony be read into the Record
3. MAYOR: Invite Council Discussion
4. MAYOR: Entertain Motion:

SUGGESTED MOTION: I move that the proposed Resolution initiating Vacation proceedings and establishing a Public Hearing Date be Read by Title Only, Put to a Vote and Passed.

5. MAYOR: Invite Additional Council Discussion
6. MAYOR: Ask the City Recorder to read the Proposed Resolution by Title Only, together with that portion of the Resolution establishing the Public Hearing Date.
7. MAYOR: Ask for the Vote

EXPLANATION: This request is to vacate the west 10 feet of the Walnut Street right-of-way, lying adjacent to 2906 Walnut Street (Tax Lot 1900) and 313 Lane Avenue (Tax Lot 2202), see illustration below. This right-of-way is currently 80 feet wide and this vacation will result in reducing this right-of-way to 70 feet wide, which exceeds the City's 60 feet right-of-way design standard. This vacation is consistent with a similar 10-foot vacation previously approved South of Lane Avenue.



For the right-of-way vacation, State Law requires signatures of consent from a minimum of two thirds (2/3) or 66.6% of the affected property owners and 100% of the adjacent owners. The Applicant has received signatures of consent from ~75% of the affected property owners and 100% of the adjacent owners. The request meets State Law requirements.

If the City Council finds this request to be valid and accepts the Vacation Petition, the request will be referred to the Planning Commission for a Public Hearing and a recommendation during its May 5, 2021, Regular Session. This request will then be scheduled for the City Council's consideration, and a first reading of the Ordinance during the June 2, 2021, Regular Session, with a final decision anticipated during the July 7, 2021, Regular Session.

The City Manager recommends passage of this proposed Resolution as presented by Staff.

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
- Motion Failed; _____
- Action Tabled: _____
Vote: _____
- Resolution Passed # _____
Effective Date: _____
- Ordinance Adopted # _____
First Reading: _____
Second Reading: _____
Effective Date: _____

**CITY of LA GRANDE
RESOLUTION NUMBER _____
SERIES 2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ACCEPTING A PETITION FOR THE VACATION OF THE WEST TEN FEET (10') OF THE
WALNUT STREET RIGHT-OF-WAY BETWEEN BENTON AVENUE AND LAND AVENUE; AND,
ESTABLISHING A PUBLIC HEARING DATE**

WHEREAS, Roger M. Goodman has filed a Petition to Vacate the following described public right-of-way, as shown in Exhibit "A", attached hereto and by this reference incorporated herein as if fully set forth. Said Petition, along with the required signatures of consent, was filed with the La Grande Planning Department on March 1, 2021; and, the Petition was reviewed by Planning Department Staff and was found to be complete on March 1, 2021;

The West ten feet (10') of the Walnut Street public right-of-way between Benton Avenue and Lane Avenue; all being adjacent to properties described as being in Township 3 South, Range 38 East of the Willamette Meridian, Section 06AB, Tax Lots 1900 and 2202, La Grande, Union County, Oregon.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the subject Vacation Petition shall be and hereby is accepted; that proceedings for the proposed Vacation of the subject public right-of-way shall be and hereby are initiated; and that any objections or remonstrances thereto or claims for damages as the result of such proposed Vacation are currently scheduled to be heard before the City Council, together with a recommendation from the Planning Commission, at its regularly scheduled meeting on May 5, 2021.

BE IT FURTHER RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the City Recorder is hereby directed to give notice thereof by publishing such notice in *The Observer* once each week for two (2) consecutive weeks and by posting such notice of Vacation in accordance with the provisions of ORS 271.110.

City of La Grande
Resolution Number _____
Series 2021
Page (2)

PASSED and EFFECTIVE ON this Seventh (7th) day of April, 2021, by _____
(____) of _____ (____) Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

Gary Lillard, Mayor Pro Tem

John Bozarth, Councilor

David Glabe, Councilor

Nicole Howard, Councilor

Mary Ann Miesner, Councilor

ATTEST:

Justin Rock, Councilor

Kayla M. Rock
City Recorder

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: April 7, 2021

PRESENTER: Emmitt Cornford, Fire Chief

COUNCIL ACTION: **CONSIDER RESOLUTION ESTABLISHING FEES FOR AMBULANCE SERVICES**

1. MAYOR: Request Staff Report
2. MAYOR: Request that Public Testimony be read into the Record
3. MAYOR: Invite Council Discussion
4. MAYOR: Entertain Motion

Suggested Motion: I move that the proposed Resolution establishing fees for the ambulance and fire services be Read by Title Only, Put to a Vote, and Passed.

5. MAYOR: Invite Additional Council Discussion
6. MAYOR: Ask the City Recorder to read the Proposed Resolution by Title Only
7. MAYOR: Ask for the Vote

EXPLANATION: The current Fee Schedule used by the Fire Department was established by City Council Resolution on April 8, 2009. On March 8, 2021, the City Council conducted a Work Session to discuss potential increases to the current fees being applied by the Fire Department, as well as the addition of a new non-resident rate. The non-resident rate would apply to patients that do not have a primary residence within the City limits of La Grande. At that Work Session, the Fire Department presented a proposal to raise ambulance service fees which are shown in the attached Resolution. As explained at the Work Session, the proposal to raise the fees charged to patients and entities that use or contract with the Fire Department for ambulance services is being recommended at this time to help offset rising costs associated with operating the service. Adding an additional fee for non-resident services will help offset the disparity in funding of the Fire Department given City residents pay property taxes and therefore subsidize the Fire Department ambulance services to non-residents. Patients on Medicare and Medicaid are not charged for amounts in excess of the caps imposed under those programs, inclusive of any supplemental coverage the individual may have.

The City Manager recommends the Resolution establishing fees for ambulance service as presented by Staff.

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
 Motion Failed; _____
 Action Tabled: _____
 Vote: _____
- Resolution Passed # _____
 Effective Date: _____
- Ordinance Adopted # _____
 First Reading: _____
 Second Reading: _____
 Effective Date: _____

**CITY of LA GRANDE
RESOLUTION NUMBER 4552
SERIES 20092021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON,
ESTABLISHING FEES FOR AMBULANCE AND FIRE SERVICES; AND REPEALING RESOLUTION
NUMBER 43964552, SERIES 20029; AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN
CONFLICT HEREWITH**

WHEREAS, the City Council conducted a Work Session on ~~February 10, 2009~~ March 8, 2021, and reviewed a Staff analysis of existing and proposed Ambulance Services fees;

WHEREAS, Ambulance ~~service~~ fees for service have not been increased since 2009; and

WHEREAS, The cost of equipment and supplies to provide ambulance services have increased significantly since 2009; and

WHEREAS, ~~Adding an additional fee for resident and non-resident services rate will help offset the disparity in funding of the Fire Department given City residents pay property taxes and therefore compensate for the subsidize the y that the City residents pay for the Fire Department ambulance services to non-residents. The citizens of La Grande support the ambulance service through taxes paid to the General fund;~~

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Grande, Oregon, that effective July 1, 2021, the following Fire Department Fee Schedule shall be applied and hereby isare established; ~~for Ambulance Service Fee Schedules shall be and hereby are established~~:

~~Ambulance Service Fee Schedule~~

Emergency Transport Rates

<u>Advanced and Basic Life Support Rate (ALS and BLS) Resident</u>	<u>\$1,450.00</u>
<u>Advanced and Basic Life Support Rate (ALS and BLS) Non-Resident</u>	<u>\$1,950.00</u>
<u>Specialty Care Transport (SCT) Resident</u>	<u>\$2,500.00</u>
<u>Specialty Care Transport (SCT) Non-Resident</u>	<u>\$2,500.00</u>
<u>Mileage charge per loaded mile Resident</u>	<u>\$ 20.00</u>
<u>Mileage charge per loaded mile Non-Resident</u>	<u>\$ 20.00</u>
<u>Aid Calls Resident</u>	<u>\$ 300.00</u>
<u>Aid Calls Non-Resident</u>	<u>\$ 500.00</u>
<u>Special Event Rate (per hour)</u>	<u>\$ 200.00</u>
<u>Patient Extrication and/or Fire Truck Standby Rate (one hour minimum)</u>	<u>\$ 250.00</u>
<u>FireMed Membership Fee</u>	<u>\$ 60.00</u>

Advanced and Basic Life Support Rate (ALS and BLS) Resident	\$1000.00
Specialty Care Transport (SCT)	\$2000.00
Mileage charge per loaded mile	\$ 17.50

Patient Transfer Between Medic al or Care Facilities Rate	\$1000.00
Mileage charge per loaded mile	\$ 17.50

Aid Calls	\$ 200.00
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Special Event Rate	\$ 150.00
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Patient Extrication and/or Fire Truck Standby Rate * 1-hour minimum	\$ 250.00 / hour
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PASSED ~~and EFFECTIVE~~ ON this ~~Eighth~~ Seventh (87th) day of April, ~~202109~~, and EFFECTIVE beginning July 1, 2021, by ~~six (6)~~ of ~~six (6)~~ Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

Gary Lillard, Mayor Pro Tem

John Bozarth, Councilor

David Glabe, Councilor

Nicole Howard, Councilor

ATTEST:

Mary Ann Miesner, Councilor

Kayla M. Rock, City Recorder Justin Rock, Councilor

**CITY of LA GRANDE
RESOLUTION NUMBER _____
SERIES 2021**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ESTABLISHING FEES FOR AMBULANCE AND FIRE SERVICES; AND
REPEALING RESOLUTION NUMBER 4552, SERIES 2009; AND ALL OTHER RESOLUTIONS
OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH**

WHEREAS, the City Council conducted a Work Session on March 8, 2021, and reviewed a Staff analysis of existing and proposed Ambulance Services fees;

WHEREAS, ambulance fees for service have not been increased since 2009; and

WHEREAS, the cost of equipment and supplies to provide ambulance services have increased significantly since 2009; and

WHEREAS, adding an additional fee for non-resident services will help offset the disparity in funding of the Fire Department given City residents pay property taxes and therefore, subsidize the Fire Department ambulance services to non-residents;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Grande, Oregon, that effective July 1, 2021, the following Fire Department Fee Schedule shall be applied and hereby is established: Ambulance Service Fee Schedule.

Advanced and Basic Life Support Rate (ALS and BLS) Resident	\$1,450.00
Advanced and Basic Life Support Rate (ALS and BLS) Non-Resident	\$1,950.00
Specialty Care Transport (SCT) Resident	\$2,500.00
Specialty Care Transport (SCT) Non-Resident	\$2,500.00
Mileage charge per loaded mile Resident	\$ 20.00
Mileage charge per loaded mile Non-Resident	\$ 20.00
Aid Calls Resident	\$ 300.00
Aid Calls Non-Resident	\$ 500.00
Special Event Rate (per hour)	\$ 200.00
Patient Extrication and/or Fire Truck Standby Rate (one hour minimum)	\$ 250.00
FireMed Membership Fee	\$ 60.00

City of La Grande
Resolution Number _____
Series 2021
Page (2)

PASSED ON this Seventh (7th) day of April, 2021, and EFFECTIVE beginning July 1, 2021, by _____ () of _____ () Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

Gary Lillard, Mayor Pro Tem

John Bozarth, Councilor

David Glabe, Councilor

Nicole Howard, Councilor

ATTEST:

Mary Ann Miesner, Councilor

Justin Rock, Councilor

Kayla M. Rock
City Recorder

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: April 7, 2021

PRESENTER: Gary Bell, Police Chief

COUNCIL ACTION: **CONSIDER APPROVING A HIRING INCENTIVE FOR QUALIFIED POLICE OFFICER CANDIDATES**

1. MAYOR: Request Staff Report
2. MAYOR: Request that Public Testimony be read into the Record
3. MAYOR: Invite Council Discussion
4. MAYOR: Entertain Motion

Suggested Motion: I move that the City Manager's recommendation to offer a hiring incentive for qualified Police Officer candidates be approved as presented.

5. MAYOR: Invite Additional Council Discussion
6. MAYOR: Ask for the Vote

EXPLANATION: The Police Department is requesting approval to offer a hiring incentive of up to \$6,000 to certified, experienced police officers hired for the position of Police Officer with the La Grande Police Department.

The purpose of this incentive is to attract and hire experienced police officer candidates in an effort to replace some of the experience that we have lost with the high number of retirements over the last several years. Any initial training of an experienced police officer is substantially shorter, allowing them to contribute to covering shifts much quicker than hiring officers with no experience. The time and related costs to train a new, inexperienced officer is substantially higher than the \$6,000 hiring incentive proposed.

Originally the intent was to enter into a Memorandum of Agreement (MOA) with the Police Association to formalize the program, however, the Police Association's attorney did not feel an MOA was required. The Police Association supports the proposed incentive. Based on the discussion with the City Council at the March Council Regular Session, the City has been advertising for police officers with the proposed incentive included, with the understanding that if the City Council does not approve the incentive the advertising will be revised.

The specific requirements to qualify for the incentive and timing of payments is shown below:

HIRING INCENTIVE: *A maximum, one-time hiring incentive of up to \$6,000 will be offered to certified, experienced police officers hired after April 7, 2021, for the position of Police Officer with the La Grande Police Department. Qualified applicants must; be either currently DPSST police certified or possess the equivalent level of police certification from another state; must be in good standing with Oregon DPSST or another state police certification board, and also with their current employer.*

The hiring incentive will be paid in three (3) two-thousand-dollar (\$2,000) installments for applicants who commit, as follows:

- *Upon successful completion of field training and designation by the City as qualified for assignment to solo officer status.*
- *Upon successful completion of probationary status and twelve (12) months of continuous service (whichever occurs last).*
- *Upon completion of thirty (30) months of continuous, satisfactory service as a police officer for the City of La Grande.*

The proposed hiring incentive has been included in the requested Fiscal Year 2021-2022, Police Department Budget. Including the hiring incentive to fill future vacancies will be on a case-by-case basis as determined by the City Manager. Qualified officers will be required to enter into an agreement that outlines these requirements and will be binding upon the City and the individual employee.

The City Manager recommends approval of this Agenda item as presented by Staff.

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
- Motion Failed; _____
- Action Tabled: _____
Vote: _____
- Resolution Passed
Effective Date: _____
- Ordinance Adopted
First Reading: _____
Second Reading: _____
Effective Date: _____

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: April 7, 2021

PRESENTER: Gary Bell, Chief of Police

COUNCIL ACTION: **CONSIDER TRANSFER OF OWNERSHIP OF A 2013 FORD INTERCEPTOR POLICE CAR OWNED BY THE POLICE DEPARTMENT**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Request that Public Testimony be read into the Record
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: Pursuant to Section 9, of Ordinance Number 2962, Series 2000, I move that the 2013 Ford Interceptor police car be declared surplus and the ownership be transferred to the City of Nyssa.

- 5. MAYOR: Invite Additional Council Discussion
- 6. MAYOR: Ask for the Vote

EXPLANATION: The La Grande Police Department is no longer in need of this police car, due to the recent purchase of a 2021 Dodge Durango police vehicle. The surplus vehicle has 111,960 miles. This vehicle is no longer reliable or cost effective for our use, due to the extreme demands placed upon it when used 24-hours per day.

The City of Nyssa Police Department previously identified they were interested in ownership of a surplus police vehicle as a donation to supplement the vehicles they currently have. When this vehicle became surplus property, we contacted Nyssa Police and confirmed they have a need.

The City Manager recommends Council transfer ownership of this vehicle to the City of Nyssa.

Reviewed By: (Initial)

City Manager _____
 City Recorder _____
 Aquatics Division _____
 Building Department _____
 ED Department _____
 Finance _____
 Fire Department _____

Human Resources Dept _____
 Library _____
 Parks Department _____
 Planning Department _____
 Police Department _____
 Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
- Motion Failed; _____
- Action Tabled: _____
Vote: _____
- Resolution Passed
Effective Date: _____
- Ordinance Adopted
First Reading: _____
Second Reading: _____
Effective Date: _____

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **April 7, 2021**

PRESENTER: Robert Strope, City Manager

COUNCIL ACTION: **CONSIDER ALLOCATING CURRENT COVID-19 LOAN PROGRAM FUNDING TO COMMUNITY CONNECTIONS TO PROVIDE GRANTS FOR UTILITY BILLS**

1. MAYOR: Request Staff Report
2. MAYOR: Request that Public Testimony be read into the Record
3. MAYOR: Invite Council Discussion
4. MAYOR: Entertain Motion

Suggested Motion: I move that we direct the City Manager to allocate \$20,000 of current COVID-19 Loan Program funding to Community Connections to provide need-based grants to pay utility bills for City of La Grande residents and to authorize the City Manager to develop and sign all required documentation to implement the program.

5. MAYOR: Invite Additional Council Discussion
6. MAYOR: Ask for the Vote

EXPLANATION: At a recent Senior Council meeting where Councilor Gary Lillard is a City Representative for, it was brought to his attention of an issue where community members have reported having difficulties paying for their unpaid utility bills and are facing shut-offs due to the unpaid bills. The vast majority is due to community members having issues previously paying for their utility bills due to COVID-19 pandemic restrictions and closures. Community Connections has been inundated with requests for help.

Councilor Lillard has requested the City allocate funds to provide need-based grants to pay utility bills for the City of La Grande residents. The City Manager recommends the source of such funding, if approved, be the existing COVID-19 Loan Program, which has over \$180,000 of unused funds available.

The City Manager recommends approval of this Agenda item as presented.

Reviewed By: (Initial)

City Manager _____

City Recorder _____

Aquatics Division _____

Building Department _____

ED Department _____

Finance _____

Fire Department _____

Human Resources Dept _____

Library _____

Parks Department _____

Planning Department _____

Police Department _____

Public Works Department _____

COUNCIL ACTION (Office Use Only)

- Motion Passed
- Motion Failed: _____
- Action Tabled: _____
- Vote: _____
- Resolution Passed
- Effective Date: _____
- Ordinance Adopted
- First Reading: _____
- Second Reading: _____
- Effective Date: _____

PROFESSIONAL SERVICES AGREEMENT

This agreement is entered into between the following: The City of La Grande (hereinafter "City") and Community Connection of Northeast Oregon, Inc. with headquarters at 2802 Adams Avenue, La Grande, Oregon (hereinafter "Agency").

WITNESSTH:

WHEREAS, the City has been appropriated dollars from the State of Oregon for expenses related to the ongoing COVID-19 pandemic;

WHEREAS, the City would like to enter into an agreement with the Agency, who has experience working with City residents who are having difficulty acquiring resources as a result of the COVID-19 pandemic;

WHEREAS, the City believes that the Agency can expeditiously put resources in the hands of our citizens in need and they have the capacity to track these resources and;

NOW THEREFORE, it is agreed between the parties as follows:

SECTION I. Terms of the Agreement

Agency agrees to perform services as described in this agreement during the period of April 15, 2021, through June 30, 2021, inclusive.

SECTION II. Consideration

1. In consideration of amounts to be paid to Agency as follows:
 - a. Payment from City through funds received not to exceed \$20,000.

SECTION III. Agency Responsibilities

1. Agency agrees to perform the services as outlined in this agreement.
2. In performing the above services, it is understood and agreed that:
 - a. Agency certifies that they have the skills and experience to satisfactorily perform the duties of this Agreement.
 - b. Agency is engaged as an independent Agency and will be responsible for any federal or state taxes applicable to this payment.
 - c. Agency shall not enter into any subcontracts for any of the work scheduled under this Agreement or assign or transfer any of its interest in the Agreement without the prior written consent of the City.
 - d. Agency shall comply with all federal, state and local laws and ordinances applicable to the work under this Agreement.
 - e. Agency will track and retain all records for audit purposes to make sure that all dispersed resources are related to the COVID-19 pandemic.
 - f. Agency shall not be covered by the City's liability insurance program while performing duties under this Agreement and is considered an independent Agency.
 - g. Agency shall not share any COVID-19 medical information with the City or any other entity.

SECTION IV. APPLICABLE SERVICES

1. Agency shall use the City resources for citizens living within the City of La Grande or have been actively employed in the City of La Grande within the last six (6) months and any resources will be deployed as a result of the COVID-19 pandemic.
 - a. Resources may be used for payment of utility fees.
 - b. Resources may not be utilized if it has already been paid from any other program or source. (No double dipping)
 - c. Resources may be paid to citizens from the date of this agreement until June 30, 2021, with proper documentation.
 - d. Resources may not be used to help businesses affected by COVID-19. The City has money earmarked for businesses and Agency should refer businesses to City for assistance.
2. Agency should contact the City if any resource distribution is in question, prior to dispersal.
3. Agency will report monthly on resources dispersed and track each expenditure for audit purposes. The City will use this monthly report to track and report the use of funds as appropriate. The report should include the following:
 - a. Total dispersed for utility relief
 - b. Any administrative expenses
4. Agency will keep individual records on resources dispersed to each individual or entity for audit purposes. The City will relay to Agency timelines for records retention when these are finalized with the State of Oregon. HIPPA requirements will be in effect and the City has no need for these records but they are required to be made available if necessary to track the integrity of the program.
5. All funds passed to Agency will be returned to the City by July 31, 2021, unless an extension of the use of funds is granted by City.

SECTION V. City Responsibilities

1. City will forward resources to the Agency to be used in accordance with this agreement.
2. City will be the final authority on the proper use of resources granted to the Agency.
3. City will potentially audit Agency to assure that resources are used for COVID-19 related expenditures.

SECTION VI. Termination

1. This Agreement may be terminated by mutual consent of the parties, or by either party upon 30 days' notice, in writing and delivered by certified mail or in person.
2. City may by written notice of default (including breach of contract) to Agency may terminate the whole or any part of this Agreement:
 - a. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof, or
 - b. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from City, fails to correct such failure within ten (10) days or such longer period as City may authorize.
 - c. The rights and remedies of City provided in the above clause related to defaults (including breach of

contract) by Agency shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

SECTION VII. Indemnity

Agency shall defend, save and hold harmless City, its officers, agents and employees from all claims, suits or actions of whatever nature resulting from or arising out of the activities of Agency, agents, or employees under this Agreement.

SECTION VIII. Severability

The parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be constructed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

SECTION IX. Merger Clause

THIS PROFESSIONAL SERVICES AGREEMENT CONSTITUTES THE ENTIRE AGREEMENT BETWEEN PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS AGREEMENT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES, SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS AGREEMENT. AGENCY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT HE/SHE HAS READ THIS DOCUMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

Agency:

City:

Margaret Davidson, Executive Director

Robert A. Strobe, City Manager

Date: _____

Date: _____