

CITY of LA GRANDE
City Council Regular Session
Wednesday, September 1, 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 September 1, 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, August 31, 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; August 4, 2021
- b. **Consider:** Approval of OLCC application for Brickyard Lanes

[Bell]

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.

5. PUBLIC HEARINGS

- a. **Consider:** Community Development Block Grant Closeout--Emergency Grants to Businesses

[Strope]

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. **Consider:** Resolution: Passing Resolution Declaring a State of Emergency
- b. **Consider:** Resolution: Social Fees and Bet Limits for Social Games in the City of La Grande
- c. **Consider:** Appointment to the Planning Commission; Anne Morrison

[Strope]

[Strope]

[Clements]

8. UNION COUNTY COMMISSIONER'S UPDATE

9. STAFF COMMENTS

10. CITY MANAGER COMMENTS

11. CITY COUNCIL COMMENTS

12. ADJOURN

Sandra Patterson
City Recorder

The City Council is currently scheduled to meet again in a Regular Session on Wednesday, October 6, 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: **September 1, 2021**

PRESENTER: Robert A. Strobe, 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; August 4, 2021
- b. Consider: Approval of Liquor License; Brickyard Lanes

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
August 4, 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*
Sandra Patterson, *City Recorder*
Stacey Stockhoff, *Assistant to the City Manager*
Gary Bell, *Police Chief*
Mike Boquist, *Community Development Director*
Kyle Carpenter, *Public Works 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;
July 7, 2021
- b. **Consider:** Approving Taxi Business License
Application by Alpha Taxi

MIESNER asked about the insurance on the two vehicles listed on the Business License for Alpha Taxi, to which Chief BELL stated that only one vehicle had insurance coverage and the second vehicle that was listed on the application was removed because it was not covered by insurance.

On the July 7, 2021, Regular Session City Council Minutes, LILLARD pointed out a date that needed corrected and

GLABE stated there was a misspelled word, to which STROPE confirmed that those two corrections would be fixed on the final copies that Mayor CLEMENTS would sign.

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

MOTION

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

VOTE

MSC. (unanimous)

PUBLIC COMMENTS

Upon Mayor CLEMENTS request, STOCKHOFF shared three emails received for Public Comment regarding the recent change in mask mandates in all City facilities that took effect on Monday, August 2, 2021; 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:

- Ralph EDWARDS wrote in opposition to the City's decision to require masks while indoors at all City facilities and questioned why the City was mandating this when the Governor's recent mask mandate only covered State Agencies. He also attached a letter to support his opinion that masks were ineffective for the purpose claimed by the mandate; 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.
- Cindy EDWARDS wrote in opposition to the City's decision to mandate masks in the City's facilities, mirroring the same concepts that Ralph EDWARDS had also expressed in his letter. Though she agrees that COVID was contagious, she believes that the reinstated mask mandate was based on fear rather than data.
- Tim KOZA questioned why the mask mandate was reinstated in City facilities when the Governor's recent mask mandate was only for State Agencies. He asked for evidence showing that the virus spreads more quickly at the pool because he could not find any and does not agree with the mask mandate in place for the City's pool.

STROPE stated that the City of La Grande has followed the guidelines from the Centers for Disease Control and Prevention (CDC) and Oregon Health Authority (OHA) as well as mirrored what the State of Oregon has implemented in their state offices for our city facilities. With CDC's recommendation for social distancing and wearing masks, the indoor mask mandate that the city recently imposed was strictly to city-wide facilities only, which he felt was an important leadership role to further protect our community. He also stated that business transactions could be

completed over the phone for those that would prefer not come inside with a mask.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

UNION COUNTY COMMISSIONER'S UPDATE

Union County Commissioner Matt SCARFO stated the Mount Emily Recreation Area (MERA) had been closed temporarily due to the recent drought and limited number of resources in the County to respond if there were a fire, but with the recent weather change and restocked resources, MERA re-opened last week for non-motorized vehicles and as of today, two roads opened up for motorized vehicles. He also noted that MERA would remain closed for overnight camping at this time. He expressed that the County would continue to follow guidelines from the Oregon Department of Forestry (ODF) and reminded everyone to proceed with an abundance of caution due to the dry climate.

SCARFO mentioned that Union County's COVID cases were gradually rising and reminded everyone to continue to wear a mask.

With constant communication with Nick VORA, Emergency Manager for Union County, Grande Ronde Hospital (GRH), and Carrie BROGOITTI, Public Health Administrator for Center for Human Development (CHD), SCARFO stated that they were working on implementing county guidelines for which direction to go depending on COVID cases and hospital capacity. He expressed that since the Governor had given the County local control, a guideline needed to be put together now.

Mayor CLEMENTS asked about the capacity at GRH, to which SCARFO stated that it was within capacity at this time.

Because the City Councilors also receive questions and comments from the community, GLABE asked if SCARFO could include the Councilors when sharing information received from GRH and CHD regarding COVID, to which SCARFO stated that he would add them to his list.

Mayor CLEMENTS voiced that with OHA lumping Saturday, Sunday and Monday COVID cases together instead of daily reporting, it looks like the cases are higher and could scare people and wished that OHA would go back to daily reporting, to which SCARFO agreed but also mentioned that the fluctuation on some days could also be due to testing times or backlogged reports.

SCARFO expressed to the Public that if a person has COVID symptoms, they need to stay home.

To his understanding, Mayor CLEMENTS stated that masks were not designed to protect you from others, but to protect others from you and encouraged everyone to wear a mask when out in public places.

Mayor CLEMENTS thanked SCARFO for reopening MERA.

STAFF COMMENTS

None

CITY MANAGER COMMENTS

STROPE stated that the City Manager's July, 2021, Monthly Report would be emailed to the City Councilors tomorrow, August 5, 2021. He also noted that under the highlights section, there was a comment regarding the \$1.5M ARPA funds.

STROPE noted that the Urban Forestry ROW Enforcement Work Session scheduled for Monday, August 23, 2021, was postponed. The Council would meet next at the Regular Session City Council Meeting scheduled for Wednesday, September 1, 2021.

STROPE commented that the interviews for the Economic Development Director were scheduled for Monday, August 23, 2021.

CITY COUNCIL COMMENTS

Mayor CLEMENTS noted that he would be emailing paperwork to each of the City Councilors by end of the week regarding City Manager STROPE's Evaluation and would include a date to have them turned back into him before the final review, scheduled for September 1, 2021.

BOZARTH wanted to know why the Second (2nd) Street Project took a longer time to complete, to which CARPENTER stated that material and equipment shortages have affected most construction efforts during the COVID-19 pandemic, most notably concrete which is being rationed, was making it difficult to predict timeframes for projects.

HOWARD gave a brief update on the Chamber Tourism meeting that was held the week prior, stating that they were revising some of the language on the mini grants for festivals and other events and would report to Council when complete.

GLABE stated that the construction project at the airport was on schedule.

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 6:30 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, September 1, 2021, at 6:00 p.m.

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

**Stephen E. Clements
Mayor**

APPROVED: _____

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: September 1, 2021

PRESENTER: Gary Bell, Police Chief

COUNCIL ACTION: **CONSIDER APPROVING OLCC LIQUOR LICENSE APPLICATION: Brickyard Lanes**

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 OLCC Liquor License Application for Full On-Premises sales, for Brickyard Lanes, LLC, be approved and signed by the Mayor

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

EXPLANATION:

Gary and Cathy Kiesecker, 63850 McDonald Lane, La Grande, Oregon, 97850, and Darrin Kiesecker, 217 Deal Canyon Lane, La Grande, Oregon, 97850, have applied as a Limited Liability Company, Brickyard Lanes, LLC, located at 1212 Jefferson Street, La Grande, Oregon, 97850, for a Full On-Premises, Commercial license.

A full On-Premises, Commercial license allows the establishment to sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. They may also sell malt beverages, wine and cider to individual in a securely covered container for consumption off the licensed premises. They are eligible to apply to get pre-approved to cater some events off of the licenses premises and apply for a special event license.

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: _____



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

PRINT FORM

RESET FORM

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp:
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	Name of City or County:
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	Recommends this license be:
<input checked="" type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Passenger Carrier	By: _____
<input type="checkbox"/> Full On-Premises, Other Public Location	Date: _____
<input type="checkbox"/> Full On-Premises, For Profit Private Club	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	Date application received: <u>7/20/21</u>
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	Date application accepted: <u>7/20/21</u>
<input type="checkbox"/> Limited On-Premises	License Action(s): <u>N/O</u>
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/> (4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)**¹ applying for the license(s):

Brickyard Lanes, LLC

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See) Brickyard Lanes, LLC		
4. Business Address (Number and Street Address of the Location that will have the liquor license) 1212 Jefferson Street		
City La Grande	County Union	Zip Code 97850

¹ Read the instructions on page 1 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an individual is applying as a sole proprietor (no entity), list the individual as an applicant.



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) Brickyard Lanes, LLC			
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in OAR 845-004-0065[1] .) 1212 Jefferson Street			
City La Grande	State OR	Zip Code 97850	
9. Phone Number of the Business Location 9102974874		10. Email Contact for this Application and for the Business provlauncher@yahoo.com	
11. Contact Person for this Application Darrin Kiesecker		Phone Number 910-470-7745	
Contact Person's Mailing Address (if different) Same	City	State	Zip Code

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

I understand that marijuana is **prohibited** on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read [OAR 845-005-0311](#) and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per [OAR 845-005-0311\[6\]](#)) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

Applicant(s) Signature

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

Darrin Kiesecker		06/30/2021	
App. #1: (PRINT NAME)	App #1: (SIGNATURE)	App #1: Signature Date	Atty. Bar Information (if applicable)
App. #2: (PRINT NAME)	App #2: (SIGNATURE)	App #2: Signature Date	Atty. Bar Information (if applicable)
App. #3: (PRINT NAME)	App #3: (SIGNATURE)	App #3: Signature Date	Atty. Bar Information (if applicable)
App. #4: (PRINT NAME)	App #4: (SIGNATURE)	App #4: Signature Date	Atty. Bar information (if applicable)

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: September 1, 2021

PRESENTER:

Robert A. Strope, City Manager
Lisa Dawson, Executive Director, NEOEDD

COUNCIL ACTION:

PUBLIC HEARING TO PUBLIC HEARING TO CLOSE OUT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

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: Ask the City Recorder to read into the record any Public Testimony received
4. MAYOR: Invite Council Discussion
5. MAYOR: Announce that the Public Hearing is Closed and that any comments received will be incorporated in the grant closeout documents and no further action is required by the City Council

EXPLANATION: The purpose of this Public Hearing is for the City Council to obtain citizens views about the project and to take comments about the local government's performance. The City of La Grande is completing an Emergency Small Business & Micro-Enterprise Assistance Grant Program funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is throughout Union County. It is estimated that the project has benefited at least 21 persons of whom 100% were low or moderate income.

The City of La Grande was awarded a \$150,000 grant in August, 2020, and Northeast Oregon Economic Development District began promoting the grant opportunity to businesses with low-moderate income employees and/or owners with low-moderate income levels the same month. Since that time, NEOEDD has made nine grant awards totaling \$104,000. Two of the grants were awarded to employers and five were awarded to income-qualifying microentrepreneurs. The grant awards range from \$9,000 to \$25,000. Seven of the grants were made to businesses in La Grande, one to a business in Union and one to a business in North Powder.

NEOEDD and the City of La Grande have requested an extension of time to disburse the remaining funds over the next seven months.

The notice for this Public Hearing was published on August 24, 2021, and encouraged individuals to submit written comments or questions before 5:00 p.m. August 31, 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 _____

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 to take comments about the local government's performance related to an Emergency Small Business & Micro-Enterprise Assistance Grant Program funded with Community Development Block Grant funds from the Oregon Business Development Department..
- 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.
 - 3. The meetings will be available for viewing via the City's scheduled Charter Communications channel 180 beginning at 6:00 p.m. on September 1, 2021, on the La Grande Alive website or on the Eastern Oregon Alive.TV Facebook page.
 - 4. 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, August 31, 2021, to submit them to Robert Strobe via email at rstrobe@cityoflagrande.org
 - 5. The proceedings are being electronically recorded, to be converted to written Minutes.
 - 6. Members of the City Council may ask questions of the Staff at any time.
 - 7. Subsequent to deliberation, the Mayor will close the Hearing.

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: September 1, 2021

PRESENTER: Robert Strope, City Manager

COUNCIL ACTION: **CONSIDER PASSING RESOLUTION DECLARING A STATE OF EMERGENCY**

- 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 to declare a State of Emergency 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 Resolution by Title Only
- 7. MAYOR: Ask for the Vote

EXPLANATION: The Coronavirus (COVID-19) is a virus that can cause respiratory disease with the potential to cause serious illness and/or loss of life for individuals, especially individuals with underlying health conditions.

On March 8, 2020 Governor Kate Brown, declared a state of emergency due to the COVID-19 outbreak in Oregon. (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under 401.025(1).

On March 11, 2020, COVID-19 was declared a pandemic by the World Health Organization (WHO).

On April 1, 2020 the City Council passed Resolution 4790 Series 2020 declaring a state of emergency and adopting procedures to prevent, prepare for, minimize, respond to, and/or recover from an emergency. This emergency declaration was renewed each time the Governor renewed the Statewide emergency declaration through June 28, 2021 when it was allowed to lapse given the lifting of restrictions related to the pandemic by Governor Brown.

Following the recent surge in COVID-19 cases, hospitalizations and deaths, Governor Kate Brown announced on August 11, 2021 State of Oregon reinstated mask mandates indoors statewide. Due to the surge of COVID-19 being a public health crisis that threatens the health, safety, and welfare of La Grande and the Citizen's of La Grande and constitutes and imminent threat of severe damage, injury, illness, human suffering, financial loss, and/or loss of life, City staff recommends that Council again declare a state of emergency for the City of La Grande.

The City Manager recommends that Council pass the Proposed Resolution as presented by Staff.

<u>Reviewed By:</u> (Initial)		<u>COUNCIL ACTION</u> (Office Use Only)	
City Manager	_____	Human Resources Dept	_____
City Recorder	_____	Library	_____
Aquatics Division	_____	Parks Department	_____
Building Department	_____	Planning Department	_____
ED Department	_____	Police Department	_____
Finance	_____	Public Works Department	_____
Fire Department	_____		
		<input type="checkbox"/> Motion Passed	
		<input type="checkbox"/> Motion Failed; _____	
		<input type="checkbox"/> Action Tabled: _____	
		Vote: _____	
		<input type="checkbox"/> Resolution Passed # _____	
		Effective Date: _____	
		<input type="checkbox"/> Ordinance Adopted # _____	
		First Reading: _____	
		Second Reading: _____	
		Effective Date: _____	

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

**A RESOLUTION OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON DECLARING A STATE OF EMERGENCY IN THE RESPONSE TO THE COVID-19 PANDEMIC;
AND AUTHORIZING THE CITY MANAGER TO TAKE ACTIONS NECESSARY
AND APPROPRIATE TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITY
AND CITY'S CITIZENS.**

WHEREAS, City of La Grande ("City"), an Oregon municipal corporation, has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, the coronavirus (COVID-19) is a virus that can cause respiratory disease with the potential to cause serious illness and/or loss of life for individuals, especially individuals with underlying health conditions; and

WHEREAS, on March 8, 2020, Governor Kate Brown declared a state of emergency due to the COVID-19 outbreak in Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); and

WHEREAS, on March 11, 2020, COVID-19 was declared a pandemic by the World Health Organization; and

WHEREAS, ORS 401.309 provides that the City may declare a state of emergency and adopt procedures to prevent, prepare for, minimize, respond to, and/or recover from an emergency; and

WHEREAS, the Council on April 1, 2020 approved Resolution 4790, Series 2020 declaring a 60-day state of emergency and adopting procedures to prevent and prepare for COVID-19; and

WHEREAS, the City Manager extended the state of emergency as provided for in Resolution 4790, Series 2020, to match Governor Brown's extensions through June 28, 2021; and

WHEREAS, the City Manager elected not to extend the state of emergency beyond June 28, 2021, due to the lifting of restrictions by Governor Brown; and

WHEREAS, Governor Kate Brown announced on August 11, 2021, the State of Oregon will reinstate indoor mask mandates for both vaccinated and unvaccinated individual statewide effective August 13, 2021; and

WHEREAS, Governor Kate Brown announced on August 24, 2021, that effective August 27, 2021, masks will be required in most public outdoor settings, including large outdoor events, where physical distancing is not possible, and regardless of vaccination status; and

WHEREAS, ORS 401.315 allows cities to enter into contracts and incur obligations necessary to mitigate, prepare for, response to, or recover from an emergency; and

WHEREAS, the Council finds that COVID-19 continues is a public health crisis that threatens the health, safety, and welfare of City and City's citizens and constitutes an imminent threat of severe damage, injury, illness, human suffering, financial loss, and/or loss of life; and

WHEREAS, the Council finds that COVID-19 again necessitates a state of emergency declaration.

NOW, THEREFORE, BEIT RESOLVED that City of La Grande resolves a follows:

- Section 1. Findings.** The above-stated findings contained in this Resolution No. _____ (this "Resolution") are hereby adopted. Without otherwise limiting the generality of the immediately preceding sentence, the Council finds that COVID-19 threatens the health, safety, and/or welfare of City and its citizens and/or causes or may cause damage, injury and/or death to persons and/or property in city.
- Section 2. Emergency Declaration.** In accordance with ORS 401.309 the Council hereby makes this declaration of emergency declaration, including all actions described therein and all actions taken in furtherance therefor, and further declares a state of emergency commencing on September 1, 2021 and continuing for sixty days unless terminated by the City Council or by the emergency declaration by administrative order if the Governor extends the State of Oregon Emergency Declaration. The emergency declared in this Resolution applies to all area within City's incorporated limits. City will give notice of the Emergency declaration through press releases, public media, and such other means the City Manager deems reasonable under the circumstances
- Section 3. Temporary Regulations.** For purposes of preventing, preparing for, minimizing, responding to, and/or recovering from the emergency, the City may, to the fullest extent permitted under applicable law, adopt such procedures, measures, and/or actions necessary for protection of the health, safety, and/or welfare of persons, property, infrastructure, and/or the environment. Without otherwise limiting the generality of the immediately preceding sentence, the City is hereby authorized to take such actions necessary to prepare for prevent, mitigate, and/or respond to the emergency, including, without limitations, the following: (a) Transferring and/or redirecting any City funds necessary or appropriate for uses and/or purposes related to the emergency; (b) suspending City's public contracting and/or procurement rules, procedures, and/or requirements for any contract or purchase necessary and/or appropriate to respond to the emergency, including without limitation, contracts for goods, services, and/or construction services; (c) cancelling non-essential City meetings and/or events including, without limitation, committee, commission, and other City meetings, and/or modifying the manner

and/or method in which essential City meetings are held and conducted; (d) suspending code enforcement actions; (e) suspending utility shut-offs and/or utility service terminations; (f) limiting the congregation and/or gathering of individuals; (g) reducing and/or eliminating City business hours (h) closing and/or limiting access to City property and City buildings including City Hall; (i) adopting, modifying, and/or suspending City personal policies, including, without limitations, adjusting work schedules , adopting remote work policies, and/or modifying leave policies; (j) any actions authorized under ORS chapter 401; and/or (k) adopting and implementing such actions, precautions, measures, and/or procedures recommended by federal, state, and/or local governments and/or agencies, including, without limitation, the Centers for Disease Control and Prevention, Oregon Health Authority, and/or Union County Health Service.

Section 4. Authorization. The Council authorizes, approves, and directs the City Manager, and his or her designee, acting individually and without further Council approval and/or authorization to take all actions necessary or appropriate to prevent, prepare for, minimize, respond to, and/or recover from the emergency, including, without limitation, adopting, implementing, administering, and/or effectuating any policy, procedure, measure, and/or action described in Section 3 of this Resolution. The approval and authority provided under this Section 4 will remain in full force and effect until the earlier of (a) conclusion of the state of emergency declaration provided under Section 2 of this Resolution, or (b) revocation by Council Resolution. The City Manager is further authorized to coordinate with other federal, state, and/or local agencies concerning City's response to, and recovery from, the emergency, including, without limitation, requesting assistance and reimbursement from the State of Oregon and/or appropriate federal agencies.

Section 5. Miscellaneous. All pronouns contained in this Resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include" includes," and "including" and not limiting. The provisions of this Resolution are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by order of the Council to cure editorial and/or clerical errors.

**PASSED and EFFECTIVE ON this First (1st) day of September, 2021 by _____ (____)
of _____ (____) Councilors present and voting in the**

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

ATTEST:

Sandra Patterson

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: September 1, 2021

PRESENTER: Robert Strope, City Manager

COUNCIL ACTION: **CONSIDER RESOLUTION APPROVING SOCIAL GAME FEES AND BET LIMITS FOR SOCIAL GAMES IN THE CITY OF LA GRANDE, OREGON**

- 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 approving Social Game Fee and Bet Limits for Social Games in the City, be read by title only, put to a Vote, and Passed

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

EXPLANATION: The City received a request to update the City of La Grande Resolution to allow for increased bet amounts to accommodate "no limit hold'em." This requires an update to the Social Gaming Resolution. The party who requested the increase indicated there is increased interest in the sport and they are currently in the process of securing a property to offer social gaming. The attached Resolution is structured more closely to other communities in the State of Oregon such as Ontario and Veneta. The Resolution also increases the fee amounts from \$15.00 to \$25.00 for special events.

The City Manager recommends Council passage of this proposed Resolution 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: _____

CITY OF LA GRANDE
RESOLUTION NUMBER ~~4294~~ _____
SERIES ~~1997~~2121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON
ESTABLISHING SOCIAL GAME FEES AND ~~BED-BET~~ LIMITS FOR SOCIAL GAMES IN THE
CITY OF LA GRANDE, OREGON; AND REPEALING RESOLUTION NUMBER ~~42944138~~,
SERIES ~~19974992~~, AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN
CONFLICT HEREWITH

WHEREAS, the City Council of the City of La Grande, Oregon adopted an Ordinance in accordance with ORS 167.121, authorizing social games to be played in the City of La Grande; and;

WHEREAS, the "Social Games Ordinance: provides that social game license fees and bet limits shall be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Grande, Oregon, as follows:

SECTION 1. The required application shall be accompanied by a nonrefundable application processing fee of \$25.00. Annual license fees shall be \$250.00, per establishment for one table, plus \$100.00 per each additional table in the establishment. All application and license fees shall be paid to the City of La Grande Finance Department.

SECTION 2. A one-time fee of ~~\$15.00~~\$25.00, shall be charged to allow social games at a special event sponsored by a charitable, fraternal, or religious organization. An organization may have only two (2) special events with social game in any one (1) calendar year. All application license fees shall be paid to the City of La Grande Finance Department.

A person who holds a valid gambling license may, on special occasion, apply for extra social gambling tables for two (2) events per license year (which renews on July 1, or each year), not to exceed forty-eight (48) hours in duration for each event. The fee shall be set at ~~\$15.00~~\$25.00, a table, per event. This temporary event license is to be approved by the Chief of Police.

SECTION 3. All licenses are for a period of one (1) year and shall be renewed on July 1, of each year. Licenses are nontransferable. All licenses secured after January 1, of each year shall be charged at the rate of one-half the normal fees.

SECTION 4. ~~Each establishment shall post next to its social gaming license its house betting limits. The City of La Grande strongly encourages the establishment of fair and reasonable limits. There shall be a limit on any bet of \$5.00, and a three-raise limit on any bet of \$5.00, and a three-raise limit on any social game, except "Twenty-one," which shall have a bet limit of \$20.00.~~

PASSED and EFFECTIVE ON this First (1st) day of September 1, 2021 by _____ (____)
of _____ (____) Councilors present and voting in the

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

ATTEST:

Sandra Patterson

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON
ESTABLISHING SOCIAL GAME FEES AND BET LIMITS FOR SOCIAL GAMES IN THE CITY
OF LA GRANDE, OREGON; AND REPEALING RESOLUTION NUMBER 4294, SERIES 1997,
AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH**

WHEREAS, the City Council of the City of La Grande, Oregon adopted an Ordinance in accordance with ORS 167.121, authorizing social games to be played in the City of La Grande; and;

WHEREAS, the "Social Games Ordinance: provides that social game license fees and bet limits shall be established by Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Grande, Oregon, as follows:

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SECTION 3. All licenses are for a period of one (1) year and shall be renewed on July 1, of each year. Licenses are nontransferable. All licenses secured after January 1, of each year shall be charged at the rate of one-half the normal fees.

SECTION 4. Each establishment shall post next to its social gaming license its house betting limits. The City of La Grande strongly encourages the establishment of fair and reasonable limits.

PASSED and EFFECTIVE ON this First (1st) day of September, 2021 by _____ (____) of
_____ (____) Councilors present and voting in the

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

ATTEST:

Sandra Patterson

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: September 1, 2021

PRESENTER: Steve Clements, Mayor

COUNCIL ACTION: CONSIDER APPOINTMENT TO THE PLANNING COMMISSION

- 1. MAYOR: Explain Vacancy
- 2. MAYOR: Entertain Motion

Suggested Motion: I move that Anne Morrison be appointed to the **Planning Commission** for the remainder of a four-year term, expiring December 31, 2023.

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

EXPLANATION: The **Planning Commission** consists of five (5) members, all of whom reside within the City limits or the Urban Growth Boundary. The Commission is charged with the following responsibilities:

- 1. Recommend to the City Council issues related to Comprehensive Plan amendments; zoning and rezoning; public road dedications and vacations; street naming and renaming; and Ordinance adoptions related to land use or development issues.
- 2. Render a final decision, unless appealed to the City Council, in connection with "non-administrative" land use applications including, but not limited to, subdivisions, conditional use permits, variances and appeals of administrative decisions.

This Commission currently has one vacancy, which is due to a resignation. One vacancy is for the remainder of a four-year term, which expires on December 31, 2023.

Ms. Morrison has not previously served on any Commission.

Currently seated members of the Commission and the expiration of their terms is as follows: Liberty Avila, 2021; James Hickey, 2021; David Felley, 2024; and Bruce Weimer, 2023.

Appointment of **Ms. Morrison** would result in a full Commission.

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
Application for Boards, Advisory Commissions and Committees

Name: ANNE MORRISON

Street Address: 1501 Cedar Street Mailing Address: same
La Grande, OR 97850

Preferred Phone Number: 541-663-1392 Alternate Number: _____

Email Address: amorrison@eoni.com

City Resident? Yes No City Employee? Yes No

Have you previously served on any of the City's Boards/Advisory Commissions/Committees? Yes No

If yes, which one(s) and when? _____
Applications will be retained for 90 days, after which you will need to complete a new application for consideration to fill a vacancy.

Applying for: Please indicate your preferences by putting a number in the box next to those on which you would like to serve—1 for your first choice, 2 for your second, etc.,—you may serve on two (2) plus the Budget Committee.

On how many Commissions, other than the Budget Committee, do you wish to serve? One Two

<input type="checkbox"/> Air Quality	<input type="checkbox"/> Building Board of Appeals	<input type="checkbox"/> Parking, Traffic Safety, and Street Maintenance	<input type="checkbox"/> Parks and Recreation
<input type="checkbox"/> Arts	<input type="checkbox"/> Community Landscape and Forestry		
<input type="checkbox"/> Budget Committee			

The following Advisory Commissions have specific requirements and expectations. Please initial on the line in front of the Advisory Commission for which you are applying to indicate that you meet and agree to these requirements and expectations.

_____ **Landmarks** *Members appointed to the Landmarks Advisory Commission shall have a demonstrated interest, competence, or knowledge of historic preservation. At least three (3) members should be professionals from the disciplines of history, archaeology, planning, law, architecture or architectural history. An individual appointed to the Landmarks Advisory Commission shall be resident of the City or a property owner within the Historic District of the City of La Grande, Oregon; except that two (2) such members may be residents of Union County.*

_____ **Library** *Chapter 357 of Oregon Revised Statutes requires that a public library be governed by a Library Advisory Commission. Commission members shall be individuals who are actively interested in Library services and programs, and in all instances, serve as advocates for the Cook Memorial Library, its services and programs. The five (5) Commissioners shall serve four-year (4-year) terms.*

AM _____ **Planning** *Members of the Planning Commission are required to complete an annual Statement of Economic Interest, to be submitted to the Oregon Government Ethics Commission. ORS 227.020 provides the authority for the creation of a Planning Commission. The Commission renders final decisions in connection with certain land use procedures, unless appealed to the City Council. All five (5) members of the Commission shall reside within the Urban Growth Boundary, but only one (1) may reside outside the City limits. A member of the Planning Commission may serve no more than two (2) consecutive terms, but may again be considered for appointment after one (1) year of nonparticipation on the Commission.*

AM _____ **Union County Tourism Advisory Committee** *City appointed members to this Advisory Committee shall be either the owner or manager of a large lodging property in La Grande, or the owner or manager of a La Grande retail business or restaurant.*

Urban Renewal Advisory Committee (URAC) An individual appointed to the Urban Renewal Advisory Commission shall be actively interested in curing and preventing conditions of blight and improving the physical, economic and social conditions within the Urban Renewal District. Members shall be residents of La Grande; or the owner of real property or a business located in the Urban Renewal District; or an elected official or highest appointed official of a taxing jurisdiction impacted by Urban Renewal. Additionally, two Commissioners must own or manage a business (though it does not need to be located in the Urban Renewal District)

For URAC ONLY: Do you: Own a property(ies) or business(es) in the La Grande Urban Renewal District?

Yes No

If yes: Name of business: _____ Address: _____

Do you: Own or manage a business(es)?

Yes No

If yes: Name of business: _____ Address: _____

Are you an elected official or highest appointed official of a taxing jurisdiction impacted by Urban Renewal?

Yes No

If yes: Name of Jurisdiction: _____ Position: _____

Please indicate why you are volunteering and what makes you a good candidate to serve. Please include any special training, experience, education, and/or qualifications you may have that are unique or specific to the Advisory Commission/Committee for which you are applying. (Please attach no more than one additional typewritten page).

We are facing a housing crisis in LaGrande (homelessness and affordable low-income housing). With the pandemic and the temporary and permanent restrictions and closures of so many businesses, I fully expect the situation to become worse. I would like to be ~~one~~ in a position to work on such issues. Of course I realize that the Planning Commission's duties are broader than this one issue. I am willing to learn about/work on additional issues as well. I am also an attorney, if any of that experience would come in handy.

PLEASE RETURN YOUR COMPLETED APPLICATION TO: Stacey Stockhoff, Assistant to the City Manager, or Kayla Rock, City Recorder; 1000 Adams Avenue/P. O. Box 670; FAX (541) 963-3333

Pursuant to City of La Grande Ordinance, applicants for Boards and Advisory Commissions/Committees may be subject to a background review. Please complete the following Release for Background Check. This information is for office use only and not subject to public disclosure.

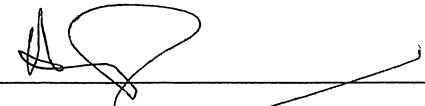
Name: Anne Morrison

Date of Birth: _____

Mailing/Street: 1501 Cedar Street

Social Security #: _____

(Address) La Grande OR 97850

Signature 

Date: 12/16/2020

For Office Use Only

Criminal Background search completed by: Anita Zink on 12/17/2020

Eligible for Hire (negative)

Further investigation recommended (positive)