

CITY of LA GRANDE
City Council Regular Session
Wednesday, February 1, 2023

Council Chambers
La Grande City Hall
1000 Adams Avenue

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 February 1, 2023, on the EO Alive website at <https://eoa.tv> or on the EO Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

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

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll Call
 - Per ORS 192.670(1), some Councilors may 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:** Approving Regular Session Minutes; January 4, 2023
- b. **Consider:** Authorizing Agreements Between City and EOU; Baseball Field [Spence]
- c. **Consider:** Authorizing Agreement Between City and La Grande School District; Waiving Fees for Field Rentals/Gym Space [Spence]
- d. **Consider:** Approving OLCC Liquor License Application; The Laurel [Bell]

4. PUBLIC COMMENTS

Those individuals who wish to address the Council in connection with any item which is printed on tonight's Agenda may do so during the time that item is under discussion by the Council. Individuals wishing to speak to the Council about non-Agenda items may do so during this Public Comments portion of the Agenda. Please print your name and address on the Public Comments Sign-in Sheet, located on the podium. When addressing the Council, speak loudly and clearly into the Podium microphone, and state your name. Persons interested in providing virtual public comments shall contact City Staff at sstockhoff@cityoflagrande.org or by calling the City Recorder at (541) 962-1309 not later than 5:00 pm the day prior to meeting to make arrangements. In the event the Mayor does not announce a time limit for comments, each speaker is asked to confine their comments to three minutes in length, whether the comments are in-person or virtual.

5. PUBLIC HEARINGS

- a. **Consider:** Ordinance, Public Hearing; Extending Temporary Moratorium on Bed and Breakfast Inns and Declaring an Emergency [Boquist]

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. **Consider:** Resolution; Updating Administrative Fees and Enforcement Penalties [Boquist]
- b. **Consider:** Authorizing Application for Historic Preservation Grant [Boquist]
- c. **Consider:** Awarding Contract for Goal 9 Review and Economic - Commercial Land Needs Analysis [Boquist]
- d. **Consider:** Awarding Bid for Wastewater Treatment Plant Control System Modernization-2022 Project [Carpenter]
- e. **Consider:** Adopting Retreat Summary and City/District Manager's Top Priorities for Fiscal Year 2023-2024 [Strope]

8. UNION COUNTY COMMISSIONER'S UPDATE

9. STAFF COMMENTS

10. CITY MANAGER COMMENTS

11. CITY COUNCIL COMMENTS

12. ADJOURN to URBAN RENEWAL AGENCY

Stacey M. Stockhoff
Acting City Recorder

The City Council is currently scheduled to meet again in a Regular Session on Wednesday, March 1, 2023 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: **February 1, 2023**

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:** Approving Regular Session Minutes; *January 4, 2023*
- b. **Consider:** Authorizing Agreements Between City and EOU; Baseball Field
- c. **Consider:** Authorizing Agreement Between City and La Grande School District; Waiving Fees for Field Rentals/Gym Space
- d. **Consider:** Approving OLCC Liquor License Application; The Laurel

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
City Council Regular Session

January 4, 2023

**Council Chambers
La Grande City Hall
1000 Adams Avenue**

MINUTES

COUNCILORS PRESENT:

Stephen E. Clements, *Mayor*
Gary Lillard, *Mayor Pro Tem*
Corrine Dutto, *Councilor Elect*
David Glabe, *Councilor*
Nicole Howard, *Councilor*
Molly King, *Councilor Elect*
Mary Ann Miesner, *Councilor*
Justin Rock, *Councilor / Mayor Elect*
Denise Wheeler, *Councilor Elect*

COUNCILORS ABSENT EXCUSED:

John Bozarth, *Councilor*

STAFF PRESENT

Robert Strobe, *City Manager*
Kayla Brainerd, *Assistant to the City Manager*
Stacey Stockhoff, *Acting City Recorder*
Gary Bell, *Police Chief*
Michael Boquist, *Community Development Director*
Carrie Bushman, *Library Director*
Kyle Carpenter, *Public Works Director*
Heather Rajkovich, *Finance Director*
Stu Spence, *Parks and Recreation Director*

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/
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:** Approving Regular Session Minutes;
December 7, 2022
- b. **Consider:** Transferring Ownership of Surplus
2017 Dodge Durango Police Vehicle

On the December 7, 2022, Regular Session City Council Minutes, LILLARD noted there was a word that needed to be corrected on page eleven (11) before the Mayor signed the final copies, to which staff confirmed the error would be fixed.

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

MOTION

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

VOTE

MSC: 5-0-1 (Yes: CLEMENTS, LILLARD, GLABE, HOWARD, and ROCK; No: None; Abstained: MIESNER)

MIESNER abstained from the vote because she was not present at the December 7, 2022, Regular Session City Council Meeting.

PUBLIC COMMENTS

Rachel PARSONS was concerned with the pot holes on 18th Street. Due to her being in a wheelchair, the pot holes were making it more hazardous for her travel up and down 18th Street. Mayor CLEMENTS asked Kyle CARPENTER to look into some different options to see about getting those pot holes filled.

Lea CARPENTER, a resident of La Grande, voiced concern with the location of the Warming Shelter. She realized it was a great asset to the community, but asked the City Council if they could propose an alternate location for the Warming Shelter that was not in a residential neighborhood, to which Mayor CLEMENTS noted the Warming Shelter had a difficult time finding a location. Since the Shelter met the conditions the State put into effect, it was able to be located there. He recognized her concerns and suggested she and the surrounding neighbors should volunteer at the Shelter and get to know the people that were staying there.

LILLARD asked Chief BELL if he could report on any issues involving the Warming Shelter, to which Chief BELL stated last year they received eighteen (18) total calls for service involving the Warming Shelter. Some of those calls were welfare checks, and some were for trespassing. He was not aware, at this time, of any calls for service at the new location of the Warming Shelter.

Tisha CALHOUN, who lives in the neighborhood where the Warming Shelter was located, noted they had been seeing more wanderers in the area and mentioned an incident of an unidentified person on her property recently. She also commented that she had been in contact with State Representative LEVY in regards to the matter. Mayor CLEMENTS encouraged her to periodically pop in and let the Council know of any observations in the future, that she might have.

Chief BELL reminded citizens to not hesitate to call the Police Department with any issues.

PUBLIC HEARINGS

- a. **Consider:** Ordinance, Second Reading:
Regulating Camping on Public Property
And Prohibiting Camping in Areas

Mayor CLEMENTS announced that the Public Hearing was still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption at 6:17 p.m. and that the Rules of Order were read in their entirety during the Regular Session of December 7, 2022.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE stated the proposed Ordinance regulating camping on public property and prohibiting camping in certain areas was discussed in detail during the City Council Work Session held on Monday, November 14, 2022. The proposed Ordinance was drafted in response to recent federal court decisions and the Oregon Legislature's enactment of House Bill (HB) 3115 during the 2021 Legislative Session. Those court decisions and legislative action had significantly impacted the traditional manner in which cities regulated public property.

STROPE commented this proposed Ordinance would codify reasonable time, place, and manner regulations, aiming to preserve the ability of the City to manage public spaces effectively for the benefit of the entire community.

STROPE recapped that the Public Hearing on this proposed Ordinance was opened at the City Council's Regular Session Meeting held on December 7, 2022, at which time the Ordinance was read for the first time. During the Hearing, there was no testimony in favor or opposed to the proposed Ordinance. One individual spoke during the neutral portion asking the effective date be changed from 30 to 90 days from adoption. Staff was not recommending any revisions to the proposed Ordinance.

PUBLIC TESTIMONY

Roxie OGILVIE spoke in favor of the proposed Ordinance. She noted the overnight camping issue had been going on for a while. She stated the best way to tackle the issue was to act now and not extend the timeframe for the Ordinance to become effective ninety (90) days after adoption, as Rikki HICKEY had suggested at the previous City Council meeting.

MIESNER asked OGILVIE to clarify what she was proposing, to which OLGIVIE commented that though an extension would be up to the Council to decide, she sees that this was an on-going issue and with the new Warming Shelter now

open, she did not feel that by extending the Ordinance would help the matter.

LILLARD asking if there was any consideration to extend the effective date of the proposed Ordinance, to which STROPE stated no. This question was brought up during the first public reading and none of the Councilors indicated a desire to modify the Ordinance at that time. As the Ordinance was currently structured, if adopted, it would go into effect on February 3, 2023.

Mayor CLEMENTS asked OGILVIE if she was okay with the Ordinance taking effect thirty (30) days after its adoption, to which OGILVIE stated yes.

Rikki HICKEY spoke neutrally, stating any extension past the initial thirty (30) days would give other entities within the City extra time to work together to help those in need. The reason she requested a ninety (90) day extension at the first reading was because she felt La Grande was colder in February and it would be harder to tell someone to pack up and go once the Ordinance went into effect. She volunteered to make phone calls to non-profit organizations within the City to help people in need.

COUNCIL DISCUSSION

None

Mayor CLEMENTS closed the Public Hearing at 6:27 p.m. and entertained a Motion:

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

MOTION

MOTION: I move that the proposed Ordinance regulating camping on public property and prohibiting camping in certain areas be read for the Second Time by Title Only, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

Mayor CLEMENTS asked the Council if anyone would be in favor of extending the date the Ordinance would go into effect, to which LILLARD stated no. MIESNER added that she felt that organizations have had plenty of opportunity to help and that this issue had been going on for quite a while.

Mayor CLEMENTS encouraged HICKEY to make some phone calls and suggested she start with the Housing Matters of Union County.

Upon Mayor CLEMENTS' request, Acting City Recorder STOCKHOFF read the proposed Ordinance for the Second Time by Title Only.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, REGULATING CAMPING ON PUBLIC PROPERTY AND PROHIBITING

CAMPING IN CERTAIN AREAS; AND DECLARING AN EFFECTIVE DATE [3259]

VOTE

MSC: 6-0 (Yes: CLEMENTS, LILLARD, GLABE, HOWARD, MIESNER and ROCK; No: None)

**b. Consider: Ordinance, Second Reading:
Renewing Avista Utilities Franchise Agreement**

Mayor CLEMENTS announced that the Public Hearing was still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption at 6:29 p.m. and that the Rules of Order were read in their entirety during the Regular Session of December 7, 2022.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Robert STROPE, *City Manager*

STROPE explained the existing Franchise Agreement between the City of La Grande and Avista Corporation, a Washington Corporation dba Avista Utilities, was approved in 2013, and it was due to expire February 15, 2023. The current agreement worked well for the parties, and therefore, rather than negotiate a new agreement, Staff was recommending renewing the current agreement with no changes in language or terms beyond a new expiration date.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

MIESNER asked if Franchise Agreements were always a 10-year contract, to which STROPE mentioned they were not. There were some prohibitions that state how many consecutive years a contract can be but it was pretty common for a utility agreement to be for ten (10) years.

Mayor CLEMENTS announced that the Public Hearing was closed at 6.31 p.m.

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

MOTION

MOTION: I move that the proposed Ordinance renewing Avista Utilities Franchise Agreement be read for the Second Time by Title Only, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

None

Upon Mayor CLEMENTS' request, Acting City Recorder STOCKHOFF read the proposed Ordinance for the Second Time by Title Only.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, AMENDING AND RESTATING ORDINANCE NUMBER 3205, SERIES 2013, IN ITS ENTIRETY, WHICH ORDINANCE GRANTED TO AVISTA CORPORATION, A WASHINGTON CORPORATION D/B/A AVISTA UTILITIES, ITS SUCCESSORS AND PERMITTED ASSIGNS, THE RIGHT, PRIVILEGE, AND FRANCHISE TO LAY AND CONSTRUCT, AND TO THEREAFTER OPERATE, MAINTAIN, REPAIR, AND REPLACE, A SYSTEM OF CONDUITS AND PIPELINES FOR THE TRANSMISSION, DISTRIBUTION, AND SALE OF GAS TO THE PUBLIC, TOGETHER WITH ANY NECESSARY FIXTURES OR APPURTENANCES THERETO, IN, UNDER, ALONG, AND/OR ACROSS THE STREETS, HIGHWAYS, OR OTHER PUBLIC WAYS IN THE CITY OF LA GRANDE, UNION, COUNTY, OREGON; REPEALING ORDINANCE NUMBER 3205, SERIES 2013, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EFFECTIVE DATE [3260]

VOTE

MSC: 6-0 (Yes: CLEMENTS, LILLARD, GLABE, HOWARD, MIESNER and ROCK; No: None)

UNFINISHED BUSINESS

None

PRESENTATION

Mayor CLEMENTS presented outgoing Councilor/Mayor Pro Tem Gary LILLARD, with an *Appreciation Plaque* for his time served on the City Council.

STROPE presented outgoing Mayor Steve CLEMENTS with an *Appreciation Plaque* for his time served on the City Council.

RECESS

At 6:38 p.m. the Council took a brief recess to transition to the new City Council. The meeting was brought back to order at 6:43 p.m.

OATH OF OFFICE

Stacey STOCKHOFF, *Acting City Recorder*

Justin ROCK, Council Position Number One (1) as Mayor; Molly KING, Council Position Number Five (5); Denise WHEELER, Council Position Number Six (6); Corrine DUTTO, Council Position Number Seven (7); were individually sworn in to office by STOCKHOFF.

NEW BUSINESS

- a. **Consider:** Election of Mayor Pro Tem

Justin ROCK, *Mayor*

The position and responsibilities of a Mayor Pro Tem are established by the *City Charter of the City of La Grande*, Oregon, and elaborated upon in the *2020 Council Rules*, as follows:

Section 10., Chapter II of the City Charter directs that a Mayor Pro Tem shall be elected from among the full Council during the first Session in each odd-numbered year. The Mayor Pro Tem serves for a two (2)-year period.

Pursuant to Section 18., in Chapter IV of the City Charter, the Mayor Pro Tem shall be Chair of the Council and preside over Council deliberations during those meetings of the Council at which the Mayor, identified by Charter as the Presiding Officer, is unable to be present.

When serving as the Presiding Officer, the Mayor Pro Tem may “. . . Move, Second, Amend, Debate, and Vote and shall not be deprived of any of the rights and privileges of a Councilor by reason of acting as the Presiding Officer,” as set forth in the 2020 Council Rules.

The Rules further provide that the Presiding Officer “. . . shall preserve strict order and decorum at all Sessions of the City Council; shall clearly state every Question coming before the Council; provide adequate opportunity for discussion . . .”

MOTION

The following Motion was introduced by ROCK; MIESNER providing the second.

Motion: I move that David Glabe be nominated to the position of Mayor Pro Tem.

VOTE

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

Mayor ROCK announced that David GLABE was appointed Mayor Pro Tem.

b. Consider: Resolution; Approving Fee Increase; Waste-Pro

STAFF REPORT

Mayor ROCK requested the Staff Report.

Robert STROPE, *City Manager*

STROPE noted that Darin Larvik, operator of Waste-Pro, was requesting the City consider an increase in fees to be effective February 1, 2023, if approved. The requested increase was 7.1% to mirror the Consumer Price Index (CPI) increase as of November 30, 2022. Larvik had written a letter that outlined the basis for the increase; 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.

In February of 2022, Waste-Pro requested and received a 12% increase. The Franchise Agreement (Ordinance 3248, Series 2020) required increases be approved by Resolution of the City Council. The proposed Resolution showed the current and proposed rates in the legislative format with the current rates lined through and the proposed rates underlined.

LARVIK spoke in regards to increased inflation, movement of product, and fuel were all factors in the request for a price increase. He also provided a chart comparing what other counties in Oregon charge for similar services; 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.

MIESNER asked for clarification on the 12% increase in 2022, to which LARVIK stated that increase was due to a contract that the County had with the Baker Landfill. They raised their price, which in return, caused Waste-Pro to ask for an increase.

In response to MIESNER's question regarding raising the prices again next year, LARVIK explained per the contract the County has with the Baker Landfill, they were anticipating raising their costs by 5% each year. Those increases seemed extreme at first, but the closest alternative would be to travel to Arlington or Boardman and due to the mountain pass and weather issues, that could create more of a problem.

GLABE asked if he could comment on the recycling prices being in the negative, to which LARVIK noted there were many different pieces when it comes to recycling and the actual markets they go to. The price to get recyclable materials to the market have fluctuated the past couple of years. He noted the State had passed a law called the Recycling Modernization Act that would create some big changes with recycling in the future.

In response to WHEELER's comment that the price increase was mainly due to fuel costs and asked for clarification, to which LARVIK stated the rate increase was inclusive of all the costs accrued over the past year. Indirectly, a big part of the increase was due to transportation because of fuel costs. Labor costs were also a factor.

DUTTO read an email she received from Anne March, who had a question and some suggestions about Waste-Pro's recycling habits. In response to the letter, LARVIK explained glass was expensive to recycle, but by State law it could not be recycled in a landfill. The most common use for recycled glass was an aggregate replacement. Mixed paper was always recycled, which was bailed locally and

shipped to Portland and sorted. Not all plastic was recyclable, but the ones that were recyclable were also shipped to Portland and sorted. He noted there was a law, the Opportunity Recycling Law, that was mandated by the State, where the information must be provided to the public from the City or County.

ROCK asked if any of this information was on Waste-Pro's website, to which LARVIK mentioned yes, it was on their website and Facebook page.

In response to MIESNER's question, LARVIK stated they have a very strong program for people who put the wrong items in their recycling bins. Waste-Pro sends a letter to customers who are in violation letting them know of the issue. Customers who receive three (3) letters within a year, have to go to Waste-Pro's office and take a quiz in order to get their recycling services back.

MIESNER asked if the label on top of the recycling bins was still accurate, to which LARVIK stated yes, they were.

PUBLIC COMMENTS

GLABE commented he had more input from the public on this issue than any other issue from the past and as a business owner, he understood the pressure from rising costs, but he was also sensitive to the fact that a majority of citizens live off a fixed income. He was hoping in the future they could minimize rate increases as much as possible.

LARVIK mentioned Waste-Pro had a program for customers on a fixed income. He noted it was similar to the City Water program that based the rate off of age and income.

COUNCIL DISCUSSION

None

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

MOTION

MOTION: I move that the proposed Resolution increasing fees for refuse collection by Waste-Pro be Read by Title Only, Put to a Vote and Passed.

COUNCIL DISCUSSION

None

Upon Mayor ROCK's request, Acting City Recorder STOCKHOFF read the proposed Resolution by Title Only.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ADOPTING A HOUSEHOLD HAZARDOUS WASTE PROGRAM; AUTHORIZING A COMMINGLED CURBSIDE RECYCLING PROGRAM; ESTABLISHING FEES FOR VARIOUS REFUSE COLLECTION SERVICES, INCLUDING A FUEL COST ESCALATOR; AND REPEALING RESOLUTION NUMBER

4817, SERIES 2022; ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH [4829]

VOTE

MSC: 6-1 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, and MIESNER; No: WHEELER)

c. Consider: Council Committee Assignments for Calendar Year 2023

Justin ROCK, Mayor

Typically, Council assignments to Boards, Commissions and Committees established by other agencies or City partners do not require a Motion; but, rather, are based on Councilor preference, discussed and ratified by the full Council and announced by the Mayor during the Council's Regular Session in January of each year.

PROTOCOL: Councilors were provided with a list of Boards/Committees/Commissions to which Councilors are appointed as City Representatives, and were asked to prioritize their top three choices for Representation and their top three choices as Alternates. Their selections were forwarded to the Mayor prior to this evening's Session for determination of selection and adequate coverage. Should multiple Councilors be interested in the representative or Alternate position for the same assignment, a discussion takes place during the Session to determine the actual Representative or Alternate.

The Council Committee Assignments were made as follows:

Chamber of Commerce Board of Directors
Representative: Justin Rock
Alternate: Molly King

Council Audit Committee
Representative: David Glabe
Representative: Nicole Howard

Northeast Oregon Housing Authority Board of Directors
Representative: Mary Ann Miesner
Alternate: David Glabe

Union County Airport Commission
Representative: Corrine Dutto
Alternate: David Glabe

Union County Safe Communities Coalition
Representative: Justin Rock
Alternate: Corrine Dutto

Union County Senior Council

Representative: Mary Ann Miesner
Alternate: Denise Wheeler

Union County Tourism Promotion Advisory Committee
Representative: Nicole Howard
Alternate: Molly King

COUNCIL DISCUSSION

None

**d. Consider: Appointing Citizens to
Various Committees and Commissions**

Justin ROCK, Mayor

The following motion was introduced by ROCK; MIESNER providing the Second:

Motion: I move that Terrance Gandy and Cody Vela be appointed to the Air Quality Commission, for a three-year term, which will expire December 31, 2025.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; HOWARD providing the Second:

Motion: I move that Karen Mathson and Evna Stacey be appointed to the Arts Commission, each for a three-year term, which will expire December 31, 2025; and Jeannette Hulse and Taylor Scroggins be appointed, each for a one-year term, which will expire December 31, 2023.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; GLABE providing the Second:

Motion: I move that Steve Clements and Jeannette Hulse be appointed to the Budget Committee, each for a three-year term, which will expire December 31, 2025; and Roxie Ogilvie be appointed for a one-year term, which will expire on December 31, 2023.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; DUTTO providing the Second:

Motion: I move that Robert Henderson and Steve Clements be appointed to the Community Landscape and Forestry

Commission, each for a three-year term, which will expire on December 31, 2025.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; MIESNER providing the Second:

Motion: I move that Tracey Hanshew be appointed to the Landmarks Advisory Commission, for a three-year term, which will expire on December 31, 2025.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; DUTTO providing the Second:

Motion: I move that Bruce Kevan and Taylor Scroggins be appointed to the Parking, Traffic Safety and Street Maintenance Advisory Commission, each for a three-year term, which will expire on December 31, 2025; and Brandon Smith be appointed for a two-year term which will expire on December 31, 2024; and Cody Vela be appointed for a one-year term which will expire on December 31, 2023.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

The following motion was introduced by ROCK; GLABE providing the Second:

Motion: I move that Meg Hawks and David Moyal be appointed to the Parks and Recreation Advisory Commission, each for a three-year term, which will expire on December 31, 2025.

MSC: 7-0 (Yes: ROCK, GLABE, DUTTO, HOWARD, KING, MIESNER and WHEELER; No: None)

UNION COUNTY COMMISSIONER UPDATE

Commissioner Matt SCARFO congratulated the new members of the Council and provided a Union County Meeting schedule handout to all of the Councilors. He noted that the schedule was posted on the County's website for anybody that was interested. He stated Union County would be voting on their liaison positions at the next meeting, scheduled for January 18, 2023.

STAFF COMMENTS

SPENCE welcomed the new members of the Council and provided an update on the Art Project that would be placed in front of the Cook Memorial Library. The budget for the project was fifty thousand dollars (\$50,000). Due to an anonymous ten thousand-dollar (\$10,000) donation, they

now have thirty-eight thousand (\$38,000) towards the project. He noted they have two grant applications waiting for review for the remaining twelve thousand (\$12,000) needed to fund the project and was hopeful that this project would be fully funded without having to utilize any other local monies.

CITY MANAGER COMMENTS

STROPE explained that the Urban Renewal Agency meeting that was originally scheduled for tonight was moved to Wednesday, February 1, 2023, since the only action item was for the appointments to the Urban Renewal Agency Advisory Commission. He stated the Council Retreat was scheduled for Tuesday, January 24, 2023, and the Economic Development/Urban Renewal Retreat was scheduled for Wednesday, January 25, 2023. He mentioned a draft agenda was sent out via email to the Council and if there were no discrepancies found in the draft, a final copy would be sent out soon.

MIESNER asked when the drafts were sent out via email, to which STROPE noted the Economic Development/Urban Renewal draft agenda was sent out earlier that morning and the Council draft agenda was sent out on Tuesday, January 3, 2023.

STROPE stated there was a Joint Work Session scheduled between the City Council and the Planning Commission on Monday, January 30, 2023. The topic for that Work Session was to discuss the ongoing moratorium for the Bed and Breakfast rentals within the City of La Grande. He also mentioned he sent out an email to the Councilors regarding an extension being granted on the annual audit for the Urban Renewal and City Budgets. Once the audit was finalized, a Work Session would be scheduled with the City Council/Agency to go over the audit reports. He stated he was pleased that all of the new Councilors had signed up for the Council Training being held in Island City.

CITY COUNCIL COMMENTS

WHEELER thanked everyone for their support and stated she was excited to be serving on the Council. She explained the reason she opposed the Resolution on the Waste-Pro price increase was because the price on fees was increased in 2022, and felt they could wait another year before increasing their prices again.

DUTTO stated she was happy to be serving on the Council and she looked forward to serving with her fellow Councilors.

MIESNER welcomed the new members of the Council and congratulated ROCK on becoming the new Mayor. She thanked Steve Clements and Gary Lillard for their service on the Council over the past several years. She mentioned the New Year's Eve Ball Drop event had more attendees in 2022,

than in previous years. She thanked several members of the community who helped put the event on.

KING thanked everyone for their support and looked forward to serving on the Council and the Committees.

ROCK thanked Steve Clements and Gary Lillard for being great role models to learn from. He stated he was honored to become Mayor. He thanked everyone that supported him throughout his campaign.

There being no further business to come before this Regular Session of the Council, Mayor **ROCK** adjourned the meeting at 7:31 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, February 1, 2023, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

Kayla A. Brainerd
Assistant to the City Manager

Justin B. Rock
Mayor

APPROVED: _____

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: **February 1, 2023**

PRESENTER: **Stu Spence, Parks & Recreation Director**

COUNCIL ACTION: **CONSIDER AUTHORIZING AGREEMENT BETWEEN THE CITY AND EASTERN OREGON UNIVERSITY FOR THE USE OF PIONEER PARK BASEBALL AND SOFTBALL FIELDS**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that we authorize the City Manager to sign the agreement between the City of La Grande and Eastern Oregon University for the use of Pioneer Park baseball and softball fields.

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

EXPLANATION: The attached agreement between the City and Eastern Oregon University formalizes the terms for a four-year agreement. It includes the responsibilities of each party as well as the fees including annual usage and an annual contribution by the University for future artificial turf replacement.

The City Manager recommends approval of this agreement 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: _____

**INTER-AGENCY AGREEMENT
BETWEEN
CITY OF LA GRANDE
AND
EASTERN OREGON UNIVERSITY
FOR THE USE OF PIONEER PARK BASEBALL & SOFTBALL FIELDS**

This agreement, effective July 1, 2022, is made and entered into between Eastern Oregon University (herein after "EOU") and the City of La Grande (herein after "the City") for use of various baseball and softball fields and associated structures, equipment, and facilities (herein after "the fields") located at Pioneer Park.

I. RECITALS

WHEREAS, EOU desires to continue its regular use of Pioneer Park ballfields; and

WHEREAS, the City is desirous to allow EOU continued use of the fields; and

WHEREAS, EOU has provided a one-time payment of \$75,000 as a partner for the construction of new synthetic turf for both Optimist and Community Fields; and

WHEREAS, EOU and the City recognize the benefit to the community and EOU in allowing EOU to use the fields as set forth below; and

WHEREAS, if there is a need for the EOU to rent City space for purposes other than what is covered under this agreement, EOU will enter into a separate Use of Space Agreement with the City through the Parks and Recreation Department, which may result in additional fees.

NOW THEREFORE in consideration of the terms and conditions herein, the parties hereto agree as follows:

II. AGREEMENT

1. The City agrees to use of the fields as follows:

- a. To provide maintenance of the fields, including but not limited to maintenance of turf and surrounding field, concession stand, and garbage services.
- b. To provide and maintain restrooms for all players and spectators for EOU events.
- c. To provide and allow EOU use of the press box, home and away coaches' boxes, game management box and media box.

- d. To allow the use of the concession stand for EOU events when EOU has arranged for its use with the La Grande Optimist Club.
- e. To provide necessary keys for the field's sites, to be returned to the City upon termination of this agreement.
- f. The City will provide EOU access to fields for all scheduled and approved times for baseball and/or softball practices and games.
- g. The City will provide EOU access to storage space for team's equipment and supplies in the 3rd base dugout of Optimist Field.
- h. As detailed in the City's Field User Agreement, which is administered in the spring of each year, the City will review and approve practice and game schedules for the fields prior to the start of each season.

2. EOU agrees to use of the fields as follows:

To designate and identify to the City an official who shall be responsible compliance with the terms of this Agreement during the use of the fields by EOU.

- a. Ensure compliance by all individuals of the policies and guidelines established by the City for the proper care of the facility and equipment.
- b. Ensure that all individuals leave the fields at the agreed upon time and if indoor facilities are used, ensure that all windows are closed and locked, lights are turned out, and exterior doors locked.
- c. Notify the Parks & Recreation Department of any damage, vandalism, needed repairs, and/or safety issues as soon as possible, not later than the next working day.
- d. Monitor the restrooms during EOU use of the fields. Hourly inspections are suggested to ensure that there is no damage to the facilities.
- e. Repairs to damage that occur during EOU use shall be the responsibility of EOU.
- f. Set up and tear down of all equipment and ensuring equipment is returned to its proper place at the completion of each field usage.
- g. Provide supervision for the duration of all EOU activities at the fields.
- h. Plan and organize all EOU activities at the fields.
- i. Comply with all conditions of the annual Field Use Agreement administered by the City each year.

- j. Submit for approval and coordinate field use schedules including practice and game dates and times as a part of the City's Field Use Agreement process each spring.
- k. Ensure the field lights are turned on and off.
- l. Cleaning ballfield sites, which includes the seating, fields, boxes and parking lot not later than 10:00 a.m. the day following the event.
- m. Provide adequate security personnel for the duration of each event.
- n. Set-up PA system, scoreboard, field flags, and the United States Flag for use during EOU games.
- o. Unlock and lock the restrooms and all boxes in-use (press box, media box, etc.).
- p. With at least 24-hour advanced notice to the City, EOU may arrange for mobile concession stands which must be removed within 24 hours of the end of the event.
- q. Ensure that all participants adhere to park policies and procedures.
- r. To report damages and collaborate with the City to arrange for repairs.

3. Duration.

The term of this agreement will be for three (3) years, ending June 30, 2025, unless either party terminates the agreement pursuant to Section 4 herein. The duration of this agreement shall be effective beginning January 1, 2023 and will continue to June 30, 2025. Upon written notice prior to January 1, 2025, EOU may extend this agreement for one (1) year at the optional year four (4) costs shown in Section 5. This agreement will be reviewed every year by both parties, or as needed.

4. Termination.

This agreement may be terminated by EOU or by the City upon written notice to the other party at least six (6) months in advance of the intended termination date.

In the event EOU fails to comply with the terms of this agreement, the City shall notify EOU in writing and EOU shall have thirty (30) days to correct the situation. Failure to do so within the thirty day period may result termination of the Agreement.

5. Costs and Fees.

EOU will pay the City an annual usage fee and annual turf replacement fee as outlined below. Field lights are an additional \$60 per use. These fees both include an escalator for each

fiscal year. Payments will be paid to the City by EOU as one lump sum on an annual basis, due on or before February 1st of each fiscal year commencing in February of 2023.

Year 1: 2022-2023

\$5,000 annual usage

\$5,000 turf replacement

Plus additional charges for usage of lights

Year 2: 2023-2024

\$5,250 annual usage

\$5,150 turf replacement

Plus additional charges for usage of lights

Year 3: 2024-2025

\$5,500 annual usage

\$5,305 turf replacement

Plus additional charges for usage of lights

With an optional 4th year if needed at the following rental rate:

Year 4: 2025-2026

\$5,750 annual usage

\$5,464 turf replacement

Plus additional charges for usage of lights.

The above fees cover a proportional share for operation and maintenance and repair of fields and turf, and future replacement of synthetic turf estimated at ten (10) years. The City agrees EOU's contribution above shall be dedicated to turf replacement.

6. Facilities Maintenance.

Both parties agree that the City is responsible for maintenance of the fields and associated facilities and grounds except as otherwise specifically identified in this agreement. EOU shall not make any repairs, alterations, improvements, or make any changes to the field/facilities without the prior written consent of the Parks and Recreation Director.

7. Availability and Priority of Field Usage.

Both parties agree that the City shall maintain first priority for use of its own fields and field use requests will be modified when a field use request conflicts or competes with an event of the City. EOU agrees to provide the City's Parks and Recreation Department with a written schedule of games and practice times prior to the first scheduled game or practice. EOU and high school coaches will work together on field needs and schedules. Approval by the City is required before EOU can use the field(s). Once the Parks and Recreation Department has approved the schedule, EOU shall have exclusive use of the field for all times listed on the approved schedule. EOU shall adhere to the schedule, as approved by the City.

8. Amendments.

The terms of this agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by all parties to this

Agreement. There are no understandings, agreements, or representations, oral or written, regarding this agreement except as specified or referenced herein.

9. Non-Assignment.

Neither party will assign or sublet its rights or responsibilities under this agreement without the advance written authorization of the other party.

10. Hold Harmless.

To the extent permitted by the Oregon Tort Claims Act, ORS 30.260 to 30.300, EOU agrees to save, defend, indemnify, and hold harmless the State of Oregon, the City and their officers, agents, employees, and members from any and all claims, suits, or actions as a result of the negligent or intentional action of EOU, its agents or employees related to use of the City property under this Agreement, or any other activities sponsored or conducted by EOU on City property. To the extent permitted by Article XI, Section 7 of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 to 30.300, City of La Grande, and the City of La Grande City Council agrees to save, defend, indemnify, and hold harmless EOU, its agents, members, and employees from any and all claims, suits, or actions as a result of the negligent or intentional actions of the City, its agents, students or employees related to use of the City property.

11. Insurance.

Upon execution of this Agreement, EOU will maintain insurance coverage from insurance companies licensed to do business in Oregon as noted below. All insurance coverage will be obtained at EOU's expense and maintained in full force during the term of this Agreement. Proof of insurance shall be provided to the City without demand prior to the first use of the fields and upon reach renewal of coverage. EOU shall immediately notify the City and discontinue use of the fields if insurance coverage lapses.

a. General Liability.

EOU shall obtain General Liability insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 for each occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this Agreement, and other appropriate field usage agreements between EOU and the City. It shall provide that the City of La Grande, and the City of La Grande City Council, and their officers and employees are Additional Insureds but only with respect to EOU's services to be provided under this Agreement, and other appropriate field usage agreements between EOU and the City.

b. Worker's Compensation.

EOU, its subcontractors, and consultants, if any, and all employers providing work, labor, or materials under this agreement are subject employers under the Oregon Workers' Compensation Law, and shall either comply with ORS 656.017, which requires said employers to provide workers' compensation coverage that satisfies Oregon law for all their subject workers, or shall comply with the exemption set out in ORS 656.126. EOU shall require proof of such workers' compensation coverage by receiving and keeping on file a certificate of insurance from each subcontractor, consultant, or anyone else directly employed by either EOU or their subcontractors and/or consultants.

12. Other Event Insurance.

The Certificate of Liability Insurance required for the City’s Field Users Agreement and any updated insurance documents provided to the City from EOU under this term of this agreement, will serve as proof of insurance for coverage required when EOU holds other events on the City’s property that are documented through the signed Field Users Agreement with the City. These additional events include, but are not limited to; rental of building or office space, rental of other park space for outdoor activities and events.

13. Limitation of Liabilities.

Neither party shall be liable for (i) any indirect, incidental, consequential or special damages under this agreement or (ii) any damages of any sort arising solely from the termination of this agreement in accordance with its terms.

14. Governing Law.

This agreement shall be governed and construed in accordance with the laws of the State of Oregon. Any claim, action, or suit between the City and EOU that arises related to this agreement shall be brought and conducted solely and exclusively within the Circuit Court for Union County, for the State of Oregon.

15. Communication.

Each notice or communication which may be required to be given under this agreement will be in writing and will be deemed to have been properly given when delivered personally during the normal business hours to the party to whom such communication is directed or three (3) working days after being sent by regular mail to the following addresses and persons:

EASTERN OREGON UNIVERSITY

Attn: Athletic Director
1 University Blvd.
La Grande, OR 97850
(541) 962-3236

CITY OF LA GRANDE

Attn: Finance & Administration
1000 Adams Avenue
La Grande, OR 97850
(541) 962-1315

In case of an emergency EOU will notify the City by phone.

16. Entire Agreement.

This agreement constitutes the entire agreement between the parties, and supersedes all prior oral or written agreements, commitments, or understandings concerning the matters provided for herein.

17. Counterparts.

This agreement may be executed in counterparts; each will constitute an original and all of which will constitute on and the same agreement.

18. Electronic Signatures.

Electronic transmission of any signed original document, and retransmission of any signed transmission, will be the same as delivery of an original. At the request of any party, the parties will confirm electronically transmitted signatures by signing an original document.

BY THE SIGNATURE OF THEIR AUTHORIZED REPRESENTATIVES BELOW, THE PARTIES TO THIS AGREEMENT ACKNOWLEDGE THEY HAVE READ THIS AGREEMENT, UNDERSTAND IT, AND AGREE TO BE BOUND BY ITS TERMS AND CONDITIONS.

EASTERN OREGON UNIVERSITY

CITY OF LA GRANDE

Signature

Signature

By

By

Title

Title

Date

Date

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER: **Stu Spence, Parks & Recreation Director**

COUNCIL ACTION: **CONSIDER AUTHORIZING AGREEMENT BETWEEN THE CITY AND THE LA GRANDE SCHOOL DISTRICT FOR THE CITY WAIVING FEES FOR BASEBALL/SOFTBALL FIELD RENTAL AND THE DISTRICT WAIVING FEES FOR THE USE OF GYM AND CLASSROOM SPACE**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that we authorize the agreement between the City and the La Grande School District for the City waiving fees for baseball/softball field rental and the District waiving fees for the use of gym and classroom space.

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

EXPLANATION: The City and the District each currently use fields and facilities owned by the other party and pay fees associated with such use. These fees are approximately the same amount and waiving the fees would reduce administrative time and be revenue and expense neutral. Veterans' Memorial Pool is not covered in this agreement. If there is a need for the District or City to rent space for purposes other than what is covered under this agreement, the District and City will enter into a separate Use of Space Agreement, which may result in additional fees.

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: _____

**INTER-AGENCY AGREEMENT
BETWEEN
CITY OF LA GRANDE
AND
LA GRANDE SCHOOL DISTRICT #1
FOR THE CITY WAIVING FEES FOR BASEBALL/SOFTBALL FIELD RENTAL
AND THE DISTRICT WAIVING FEES FOR THE USE OF GYM AND
CLASSROOM SPACE**

This agreement, effective July 1, 2022, is made and entered into between La Grande School District #1 (herein after "the District") and the City of La Grande (herein after "the City") for District use of various baseball and softball fields and associated structures, equipment, facilities (herein after "the fields") located at Pioneer Park, and for City use of the District owned gym and classroom spaces for use of after school programming, youth/adult sports, and various other enrichment programs located throughout the District (herein after "District spaces").

I. RECITALS

WHEREAS, the City and the District currently use fields and facilities owned by the other party and pay fees associated with such use; and

WHEREAS, the City and District payment of such fees is approximately the same amount and waiving the fees would reduce administrative time and be revenue and expense neutral; and

WHEREAS, the fields were built on the City property as a cooperative project of the District, the City, and the community at large; and

WHEREAS, the District desires to continue its regular use of all fields; and

WHEREAS, the City is desirous to allow the District continued use of the fields; and

WHEREAS, the District has provided a one-time payment of \$150,000 as a partner for the construction of new synthetic turf for both Optimist and Community Fields; and

WHEREAS, the District and the City recognize the benefit to the community and District in allowing the District to use the fields and the City to use District spaces as set forth below; and

WHEREAS, use of Veterans' Memorial Pool is not covered in this agreement and if there is a need for the District or City to rent space for purposes other than what is covered under this agreement, District and City will enter into a separate Use of Space Agreement, which may result in additional fees.

NOW THEREFORE in consideration of the terms and conditions herein, the parties hereto agree as follows:

II. CITY FIELD USE

The City shall maintain first priority for use of its own fields and field use requests will be modified when a field use request conflicts or competes with an event of the City. The City shall endeavor to accommodate the District as the next priority in the use of fields identified under this agreement. Once the District schedule is approved by the City, the City will not revise the schedule except in the event of an emergency, weather or extraordinary circumstances beyond the City's control.

1. The City shall:

- a. Be responsible for maintenance of the fields and associated facilities and grounds except as otherwise specifically identified in this agreement.
- b. Provide maintenance of the fields, including but not limited to maintenance of turf and surrounding field, concession stand, and garbage services.
- c. Provide and maintain restrooms for all players and spectators for the District's events.
- d. Provide and allow District use of the press box, home and away coaches' boxes, game management box and media box.
- e. Allow the use of the concession stand for District events when the District has arranged for its use with the La Grande Optimist Club.
- f. Provide necessary keys for the field's sites, to be returned to the City upon termination of this agreement.
- g. Provide the District access to fields for all scheduled and approved times for baseball and softball practices and games.
- h. Provide the District access to storage space for team's equipment and supplies in the home dugouts of the varsity baseball and softball fields.
- i. Review and approve practice and game schedules for the fields prior to the start of each season as detailed in the City's Field Use Agreement that is administered each spring.

2. The District shall:

- a. Designate and identify to the City an official who shall be responsible for compliance with the terms of this Agreement during the use of the fields by the District.
- b. Ensure compliance by all individuals of the policies and guidelines established by the City for the proper care of the facility and

equipment.

- c. Ensure that all individuals leave the fields at the agreed upon time and if indoor facilities are used, ensure that all windows are closed and locked, lights are turned out, and exterior doors locked.
- d. Notify the Parks & Recreation Department of any damage, vandalism, needed repairs, and/or safety issues as soon as possible, not later than the next working day.
- e. Monitor the restrooms during District use of the fields. Hourly inspections are suggested to ensure that there is no damage to the facilities.
- f. Be responsible for repairs to damage that occur during District use.
- g. Set up and tear down of all equipment and ensuring equipment is returned to its proper place at the completion of each field usage.
- h. Provide supervision for the duration of all District activities at the fields.
- i. Plan and organize all District activities at the fields.
- j. Comply with all conditions of the annual Field Use Agreement administered by the City each year.
- k. Submit for approval and coordinate field use schedules including practice and game dates and times as a part of the City's Field Use Agreement process each spring.
- l. Ensure the field lights are turned on and off.
- m. Clean ballfield sites, which includes the seating, fields, boxes and parking lot not later than 10:00 a.m. the day following the event.
- n. Provide adequate security personnel for the duration of each event.
- o. Set-up PA system, scoreboard, field flags, and the United States Flag for use during District games.
- p. Unlock and lock the restrooms and all boxes in-use (press box, media box, etc.).
- q. With at least 24-hour advanced notice to the City, the District may arrange for mobile concession stands which must be removed within 24

hours of the end of the event.

- r. Ensure that all participants adhere to park policies and procedures.
- s. Report damages and collaborate with the City to arrange for repairs.
- t. The District shall not make any repairs, alterations, improvements, or make any changes to the field/facilities without the prior written consent of the Parks and Recreation Director.

III. DISTRICT FACILITY USE

The District will maintain first priority for use of the auxiliary spaces for their operations providing the District provides notice of two hours prior to the use of the space. Use of other restrooms in the building will only be allowed under direct supervision of the City program manager. Hourly inspections are suggested to ensure restrooms are left in a clean condition and to ensure that there is no damage.

1. The District shall:

- a. Provide use of classrooms and restroom facility located at Willow, but the City will be required to coordinate use of other auxiliary spaces, such as the playground and gyms, with the District.
- b. Authorize the City to install sensory educational equipment as needed to operate their program. Any improvements that require structural changes to the floor, ceiling or walls shall be submitted to the District for approval prior to the commencement of any work. If any such improvements are approved, they shall be made at the City's own expense. The City may be required to remove such items at the end of this agreement or when no longer needed, whichever occurs first. Any improvements left by City shall become the property of District and at no additional cost to District.
- c. Perform all reasonable maintenance and repairs to the structure foundation, exterior walls, roof, doors and windows, sidewalks, and parking area which are located on and which are part of the facility. Each of these obligations shall be performed by District and at the District's sole expense. For purposes of this paragraph, facility includes premises.
- d. Monitor the restrooms during City use of the Willow facilities. Hourly inspections are suggested to ensure that there is no damage or to the facilities.

2. The City shall:

- a. Take good care of the assigned interior and exterior of the premises and at the expiration of the term surrender the premises in as good condition as at the commencement of this agreement, excepting only reasonable wear and

permitted alterations. Except as otherwise provided in this agreement, the City shall be responsible for any damage to premises.

- b. Provide their own custodial services to areas that are used, namely cleaning any classrooms or common areas, classroom restrooms, and sweeping gym floor after each use. The City will use cleaning chemicals provided by the District to ensure there is no cross contamination or harmful effects caused by unauthorized chemicals or adverse reactions to improper mixing of chemicals. The City will provide their own supplies, equipment and PPE to properly perform the cleaning.
- c. Request all facility use using the District's facility use application process on an as needed basis.

IV. OTHER PROVISIONS

1. Duration.

The term of this agreement will be for ten (10) years, ending June 30, 2032, unless either party terminates the agreement. The duration of this agreement shall be effective retroactively to July 1, 2022. This agreement will be reviewed every year by both parties, or as needed.

2. Termination.

This agreement may be terminated by the District or by the City upon written notice to the other party at least six (6) months in advance of the intended termination date.

In the event the District or the City fails to comply with the terms of this agreement, there shall be notice in writing and the responsible party shall have thirty (30) days to correct the situation. Failure to do so within the thirty-day period may result termination of the Agreement.

3. Waiver of Use Fees.

The parties agree they will waive the fees for the use of the facilities identified in this agreement. If the use by either party is materially changed resulting in an imbalance in the amount of fees being waived, the agreement shall be amended to reflect the change.

4. Turf Replacement Fees.

The District agrees to pay annual payments towards future replacement turf in the following amounts, which include a three (3) percent escalator for each fiscal year. Payments will be paid to the City by the District as one lump sum on an annual basis. Year 1 payment for Fiscal Year 2022-2023, is due in February, 2023. All other payments will be paid on an annual basis, due on or before August 1st of each fiscal year commencing in August, 2023.

10-Year Term	Fiscal Year	Turf Replacement
Year 1	2022-2023	\$5,000
Year 2	2023-2024	\$5,150
Year 3	2024-2025	\$5,305
Year 4	2025-2026	\$5,464
Year 5	2026-2027	\$5,628
Year 6	2027-2028	\$5,797
Year 7	2028-2029	\$5,971
Year 8	2029-2030	\$6,150
Year 9	2030-2031	\$6,335
Year 10	2031-2032	\$6,525

The above fees cover a proportional share for operation and maintenance and repair of fields and turf, and future replacement of synthetic turf estimated at ten (10) years. The City agrees the District's contribution above shall be dedicated to turf replacement.

5. Amendments.

The terms of this agreement shall not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by all parties to this Agreement. There are no understandings, agreements, or representations, oral or written, regarding this agreement except as specified or referenced herein.

6. Non-Assignment.

Neither party will assign or sublet its rights or responsibilities under this agreement without the advance written authorization of the other party.

7. Hold Harmless.

To the extent permitted by the Oregon Tort Claims Act, ORS 30.260 to 30.300, the District and City agree to save, defend, indemnify, and hold harmless the State of Oregon, each other and their officers, agents, employees, and members from any and all claims, suits, or actions as a result of the negligent or intentional action of the City or District, their agents or employees related to use of the District or City property under this Agreement, or any other activities sponsored or conducted by the District or City. To the extent permitted by Article XI, Section 7 of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 to 30.300, City of La Grande, and the City of La Grande City Council agrees to save, defend, indemnify, and hold harmless the District, its agents, members, and employees from any and all claims, suits, or actions as a result of the negligent or intentional actions of the City, its agents, students or employees related to use of the City property. To the extent permitted by Article XI, Section 7 of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 to 30.300, La Grande School District #1 and the La Grande School Board agrees to save, defend, indemnify, and hold harmless the City, its agents, members, and employees from any and all claims, suits, or actions as a result of the negligent or intentional actions of the District, its agents, students or employees related to use of the District property.

8. Insurance.

Upon execution of this Agreement, the District and City will maintain insurance coverage from insurance companies licensed to do business in Oregon as noted below. All insurance coverage will be obtained at each organization's expense and maintained in full force during the term of this Agreement. Proof of insurance shall be provided to each organization without demand prior to the first use of the fields or District spaces and upon each renewal of coverage. The District and City shall immediately notify each organization and discontinue use if insurance coverage lapses.

a. General Liability.

The District and City shall obtain General Liability insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 for each occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this Agreement, and other appropriate field usage agreements or other agreements between the District and the City. It shall provide both that the City of La Grande, La Grande School District #1, the City of La Grande City Council, and the La Grande School Board, and their officers and employees are Additional Insureds but only with respect to the services to be provided under this Agreement, and other appropriate field usage or other agreements between the District and the City.

b. Worker's Compensation.

The District and City, their subcontractors, and consultants, if any, and all employers providing work, labor, or materials under this agreement are subject employers under the Oregon Workers' Compensation Law, and shall either comply with ORS 656.017, which requires said employers to provide workers' compensation coverage that satisfies Oregon law for all their subject workers, or shall comply with the exemption set out in ORS 656.126. The District and City shall require proof of such workers' compensation coverage by receiving and keeping on file a certificate of insurance from each subcontractor, consultant, or anyone else directly employed by either the District, City or their subcontractors and/or consultants.

9. Other Event Insurance.

The Certificate of Liability Insurance required for the City's Field Use Agreement and any updated insurance documents provided to the City from the District under this term of this agreement, will serve as proof of insurance for coverage required when the District holds other events on the City's property that are documented through the signed Field Use Agreement with the City. These additional events include, but are not limited to; rental of building or office space, rental of other park space for outdoor activities and events.

10. Limitation of Liabilities.

Neither party shall be liable for (i) any indirect, incidental, consequential or special damages under this agreement or (ii) any damages of any sort arising solely from the termination of this agreement in accordance with its terms.

11. Governing Law.

This agreement shall be governed and construed in accordance with the laws of the State of Oregon. Any claim, action, or suit between the City and District that arises related to this agreement shall be brought and conducted solely and exclusively within the Circuit Court for

Union County, for the State of Oregon.

12. Communication.

Each notice or communication which may be required to be given under this agreement will be in writing and will be deemed to have been properly given when delivered personally during the normal business hours to the party to whom such communication is directed or three (3) working days after being sent by regular mail to the following addresses and persons:

LA GRANDE SCHOOL DISTRICT

Attn: Business Director
1305 N. Willow Street
La Grande, OR 97850
(541) 663-3206

CITY OF LA GRANDE

Attn: Finance & Administration
1000 Adams Avenue
La Grande, OR 97850
(541) 962-1315

In case of an emergency either organization will be contacted by phone.

13. Merger Clause.

This agreement constitutes the entire agreement between the 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. By signature below each organization acknowledges that it has read this agreement, understands it, and agrees to be bound by its terms and conditions.

14. Counterparts.

This agreement may be executed in counterparts; each will constitute an original and all of which will constitute on and the same agreement.

BY THE SIGNATURE OF THEIR AUTHORIZED REPRESENTATIVES BELOW, THE PARTIES TO THIS AGREEMENT ACKNOWLEDGE THEY HAVE READ THIS AGREEMENT, UNDERSTAND IT, AND AGREE TO BE BOUND BY ITS TERMS AND CONDITIONS.

LA GRANDE SCHOOL DISTRICT

CITY OF LA GRANDE

Signature

Signature

By

By

Title

Title

Date

Date

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **February 1, 2023**

PRESENTER: Gary Bell, Police Chief

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

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that the OLCC Liquor License Application for Full On-Premises sales, New Outlet, for The Laurel, be approved and signed by the Mayor.

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

EXPLANATION: Kristen Drey and Amanda Twilegar, both from La Grande, have applied as a Limited Liability Company, The Laurel Cocktail & Board Bar, LLC, for Full On-Premises, Commercial license, New Outlet, doing business as The Laurel, located at 1501 Adams Avenue La Grande, Oregon, 97850.

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 individuals 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 the licensed 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: _____

LIQUOR LICENSE APPLICATION

Page 1 of 3

Check the appropriate license request option:

[New Outlet](#) | [Change of Ownership](#) | [Greater Privilege](#) | [Lesser Privilege](#)

Select the license type you are applying for.

More information about all license types is available [online](#).

Full On-Premises

- Commercial
- Caterer
- Public Passenger Carrier
- Other Public Location
- For Profit Private Club
- Nonprofit Private Club

Winery

- Primary location
- Additional locations: 2nd 3rd 4th 5th

Brewery

- Primary location
- Additional locations: 2nd 3rd

Brewery-Public House

- Primary location
- Additional locations: 2nd 3rd

Grower Sales Privilege

- Primary location
- Additional locations: 2nd 3rd

Distillery

- Primary location
- Additional tasting locations: 2nd 3rd 4th 5th 6th

Limited On-Premises

Off Premises

Warehouse

Wholesale Malt Beverage and Wine

INTERNAL USE ONLY

Application received:

08/19/22

Minimum documents acquired:

08/19/22

LOCAL GOVERNING BODY USE ONLY

City/County name:

Date application received:

Optional: Date Stamp

- Recommend this license be granted
- Recommend this license be denied

Printed Name

Date

Return this form to:

Investigator name:

Leah Gessel

Email:

leah.gessel@oregon.gov

LIQUOR LICENSE APPLICATION

Page 2 of 3

APPLICANT INFORMATION

Identify the applicants applying for the license. This is the entity (example: corporation or LLC) or individual(s) applying for the license. Please add an additional page if more space is needed.

Name of entity or individual applicant #1: Amanda Twilegar The Laurel Cocktail & Board Bar LLC	Name of entity or individual applicant #2: Kristin Drey
Name of entity or individual applicant #3: 10.13.22	Name of entity or individual applicant #4: LG, per call with Amanda

BUSINESS INFORMATION

Trade Name of the Business (name customers will see):

The Laurel

Business phone number:
541-310-2123

Business email:
drinksatthelaurel@gmail.com

Premises street address (The physical location of the business and where the liquor license will be posted):

1501 Adams Avenue

City:
La Grande

Zip Code:
97850

County:
Union

Business mailing address (where we will send any items by mail as described in [OAR 845-004-0065111](#)):

1501 Adams Avenue

City:
La Grande

State:
Oregon

Zip Code:
97850

Does the business address currently have an OLCC liquor license? Yes No

Does the business address currently have an OLCC marijuana license? Yes No

APPLICATION CONTACT INFORMATION

Contact Name:
Amanda Twilegar

Phone number:

Email:

Mailing address:

City:
La Grande

Zip Code:
97850

County:
Union

Please note: liquor license applications are public records.

LIQUOR LICENSE APPLICATION

ATTESTATIONS

By signing this form, you attest that each of the following statements are true. I understand the Commission may require a licensee to provide proof of any of the below or below referenced documents at any time.

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 un-waivable 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.

Amanda Twilegar

Print name

Signature

8/16/22

Date

Atty. Bar Info (if applicable)

Kristin Drey

Print name

Signature

8/16/22

Date

Atty. Bar Info (if applicable)

Print name

Signature

8/16/2022

Date

Atty. Bar Info (if applicable)

Print name

Signature

8/16/2022

Date

Atty. Bar Info (if applicable)

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: **CONSIDER ADOPTING ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON BED AND BREAKFAST INNS**

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: Invite Public Testimony from those in Favor, in Opposition, and ending with those Neutral to the proposed Ordinance.
4. MAYOR: Invite Council Discussion
5. MAYOR: Close the Hearing and Entertain a Motion:

Suggested Motion: I move that the proposed Ordinance Declaring an Emergency and Extending a Temporary Moratorium on Bed and Breakfast Inns be Read by Title Only, Put to a Vote, and Adopted.

6. MAYOR: Invite Additional Council Discussion
7. MAYOR: Ask the City Recorder to Read the proposed Ordinance by Title Only
8. MAYOR: Ask for the Vote

EXPLANATION: The City Council and Planning Commission held a Joint Work Session on August 8, 2022, to discuss the possibility of pursuing a temporary moratorium on the acceptance of Conditional Use Permit applications for new Bed and Breakfast Inns (BnBs). As discussed during the Work Session, over the past 2+ years, since early 2020, the Planning Commission had considered twenty-eight (28) Conditional Use Permit applications for BnBs, which has resulted in the conversion and removal/loss of twenty-four (24) full-time dwelling units from the City's housing stock or inventory (rentals and home ownerships). The frequency of applications being submitted and the loss of housing has been concerning to the Planning Commission.

Background Provided to the City Council during the September 2022 and October 2022, Regular Sessions, in consideration of the BnB Moratorium:

In 2019, the City of La Grande completed a Housing Needs Analysis (HNA), which was adopted by the City Council into the Goal 10 Chapter of the City's Comprehensive Plan Ordinance in 2020. The HNA identifies that La Grande has a shortage of needed housing, with a need for seven hundred ninety-five (795) new dwelling units over the next twenty (20) years, by the year 2040. This includes a need for three hundred thirty-six (336) single-family dwelling units, one hundred fifteen (115) duplex dwelling units, two hundred (200) multi-family dwelling units, and one hundred forty-four (144) other group housing dwelling units.

The following shows annual targets or goals, based on housing types, inventory needed per HNA, quantities of new housing built, quantities of housing lost to BnBs, and overall gain/deficit:

- **Single-family dwellings**
(16.8 needed/year = **50.4 needed over 2020, 2021 & 2022** = 336 total 20-year need)
 - Over 2020-2023 period, gained 26 new dwelling units
 - Lost 18 dwelling units to BnBs
 - Total: Gained 8 dwelling units towards HNA 2020-2022 goal.
 - Overall, the City is 42 units short of 3-year goal.
 - Amounts to approximately a 2+ year setback in housing production.

- **Duplexes**
(5.75 needed/year = **17.25 needed over 2020, 2021 & 2022** = 115 total 20-year need)
 - Over 2020-2023 period, gained 6 new dwelling units (6 duplexes)
 - Lost 2 dwelling units to BnBs
 - Total: Gained 4 dwelling units towards HNA 2020-2022 goal.
 - Overall, the City is 13 units short of 3-year goal.
 - Amounts to approximately 2+ year setback in housing production.

- **Multi-Family** (10/year = **30 needed in 2020-2022** = 200 total 20-year need)
 - Gained 97 – 17 new completed MF units w/ 82 new MF units under construction
 - Lost 3 to BnBs
 - Total: Gained 64 dwelling units towards HNA 2020-2022 goal.
 - Overall, the City gained 34 additional units
 - Puts the City approximately 2 years ahead of schedule.

- **Other: MH Parks & Group** (7.2/year = **21.6 needed in 2020-2022** = 144 total 20-year need)
 - No change.

In early 2021, the Planning Commission and City Council expressed a commitment toward addressing needed housing through the adoption of a Housing Production Strategy (HPS). The HPS provides a list of recommended strategies that the City can take to promote the development of needed housing in the City. The first seven (7) strategies require amendments to the City's Land Development Code Ordinance, which are intended to encourage the production of needed housing. Other strategies are policy or program related that involved developing incentives.

To further emphasize the City's commitment to address needed housing, during the Council 2022 goal setting retreat, the Council emphasized the importance of continuing to pursue solutions to the housing shortage in La Grande per the City's adopted HNA and HPS. It was noted that the lack of adequate housing has an adverse impact on the ability of local businesses to recruit staff.

As a result of the recent adoption of the HNA and HPS, and the City Council's emphasis on pursuing solutions to address the City's housing shortage, the Planning Commission requested the August 8, 2022, Work Session with the City Council to discuss the Commission's concerns regarding how Bed and Breakfast Inns may compromise the residential character of neighborhoods, and more importantly, adversely impact the City's needed housing inventory as a result of slower than anticipated residential growth due to various economic factors. Such concerns have resulted in the Planning Commission raising the question of whether or not to establish a temporary moratorium on the permitting of new Bed and Breakfast Inns. As a result of Work Session discussions, by consensus of the City Council, staff was directed to schedule a public hearing to consider this matter during the City Council's Regular Session on September 7, 2022, **limited to a temporary moratorium only on the conversion of entire dwelling units from full-time single-family dwellings to vacation rentals.**

With regards to process, to establish a moratorium, notice is required to be provided to the Oregon Department of Land Conservation and Development at least 45-days prior to the final public hearing, in accordance with ORS 197.520(1)(a). Notice was provided to the State on August 15, 2022, which put the final public hearing on the City Council's October 5, 2022, Regular Session agenda.

To provide the public an opportunity to learn about the proposed temporary moratorium and to participate in the public hearings to consider this matter, the City Council elected to hold two (2) public hearings to receive public

input. The first public hearing and First Reading of the Ordinance was held on September 7, 2022. The second public hearing on the proposed Ordinance was held on October 5, 2022, at which time the Ordinance was read for the second time and considered for adoption.

The proposed Ordinance was drafted with an Emergency Clause, causing the Ordinance to go into effect immediately upon its passage on October 5th. The purpose of this emergency clause was to minimize the additional loss of needed housing through new land use application submittals to convert dwellings to bed and breakfasts, should the City Council adopt the Ordinance. All land use applications submitted prior to the effective date of the Moratorium Ordinance were not subject to the moratorium and were considered for approval.

At the first public hearing held on September 7, 2022, the Ordinance was read for the first time, by Title only. No written testimony was submitted regarding this matter, but oral testimony was provided in both support and neutral to this request during the hearing. The City Council continued the hearing to October 5, 2022.

Following the first public hearing, the Ordinance was revised to remove the reference to “Air BnB” as this is the name of a private company. The Land Development Code refers to these types of properties as Bed and Breakfast Inns so all references to Air BnB were changed. There were no other revisions to the Ordinance.

During the October 5, 2022, Regular Session of the City Council, the Council passed the proposed Ordinance (Ord 3258, Series 2022), with the Emergency Clause. The Moratorium is scheduled to expire on February 2, 2023, which is 120 days from its adoption. **The City Council’s approval and passage of this Moratorium came with the direction that the Planning Commission and Staff propose amendments to the Land Development Code to address the permitting of BnB’s, potential neighborhood impacts, and to minimize the adverse impacts on the City’s housing inventory.**

The Planning Commission and Staff have held several work sessions and have developed proposed Land Development Code amendments to address the permitting of BnB’s, potential neighborhood impacts, and to minimize the adverse impacts on the City’s housing inventory as directed. These amendments were presented to the City Council during a Joint Work Session of the Planning Commission and City Council on January 30, 2023.

The Planning Commission and Staff are asking the City Council to extend the Moratorium until December 31, 2023, to allow sufficient time for public hearings to be held and for the proposed Land Development Code amendments to be adopted for the permitting of BnBs, and minimize the adverse impacts to the City’s housing inventory.

The City Manager recommends that the Council proceed with the passage of the proposed Ordinance, with the Emergency Clause, 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: _____

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 a proposed Ordinance extending a temporary moratorium on Bed and Breakfast Inns.
- 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 public testimony relating to the matter. 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.
 - 3. The proceedings are being electronically recorded, to be converted to written Minutes. When testifying, please step to the podium and **clearly print** your name and address on the speaker sign-in sheet. Please **state only** your name before addressing the Council.
 - 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 2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, EXTENDING A TEMPORARY MORATORIUM ON BED AND BREAKFAST INNS; AND
DECLARING AN EMERGENCY**

WHEREAS, on October 5, 2022, the City of La Grande City Council passed Ordinance 3258, Series 2022, establishing a temporary moratorium on Bed and Breakfast Inns within the City of La Grande; and,

WHEREAS, the compelling need for establishing the temporary moratorium was determined after the consideration of evidence, arguments and the development of findings per ORS 197.520(3)(a), which were presented and discussed during a Joint Work Session of the City Council and Planning Commission on August 8, 2022, and two (2) Public Hearings held before the City Council on September 7, 2022, and October 5, 2022; and,

WHEREAS, such compelling need was based on the City Council finding that the City's existing conditional use permit review criteria are inadequate to prevent irrevocable public harm, and that the City's Land Development Code and Bed and Breakfast Inn permitting requirement need to be amended to better address potential neighborhood impacts, and to minimize the adverse impacts on the City's housing inventory; and,

WHEREAS, Oregon Revised Statute ORS 197.520(4) authorizes cities to extend a moratorium upon holding a public hearing on the proposed extension and adopting written findings that the problems giving rise to the need for a moratorium to continue to exist and that the City is making reasonable progress towards alleviating the problems giving rise to the moratorium; and,

WHEREAS, on January 30, 2023, the City Council and Planning Commission held a Joint Work Session to consider proposed Land Development Code amendments and proposed permitting requirements for Bed and Breakfast Inns to address potential neighborhood impacts and to minimize the adverse impacts on the City's housing inventory as outlined in the finding provided in Ordinance 3258, Series, 2022, in accordance with ORS 197.520(3)(a); and,

WHEREAS, after considering the evidence and arguments presented during the January 30, 2023, Work Session and holding a public hearing, the City Council determined that a compelling need exists for extending the moratorium based on the following findings per ORS 197.520(4):

- (a) That the problems giving rise to the need for a temporary moratorium continue to exist as outlined in the findings provided in Ordinance 3258, Series 2022, which established the moratorium halting the acceptance of Bed and Breakfast Inn land use applications, only in residential zones and only for requests that include the full conversion and use of a dwelling unit as a short-term rental (less than 30-days); and,
- (b) That the Planning Commission and Community Development Department/Planning Division staff has made reasonable progress towards alleviating the problem giving rise to the temporary moratorium, in that draft Land Development Code amendments have been prepared and are moving forward to the public hearing and adoption process; and,
- (c) That the moratorium needs to be extended for six (6) months to allow sufficient time to provide the required public notice, hold public hearings, and amend the Land Development Code Ordinance.

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. MORATORIUM. The City shall extend the moratorium established by Ordinance 3258, Series 2022, and continue to halt the acceptance of Bed and Breakfast Inn land use applications, only in residential zones and only for requests that include the full conversion and use of a dwelling unit as a short-term rental (less than 30-days). Such use would otherwise be permissible only by the approval of a conditional use permit in residential zones pursuant to Land Development Code Sections 2.2.002, 2.2.003, 2.2.004, 2.2.005, 2.2.006, and 2.2.007, for properties that are not currently approved for such use.

Section 2. SUNSET. This moratorium extension shall expire automatically without further action of the City Council, six (6) months after the date of adoption, unless repealed sooner by the City Council.

Section 3. EXTENSIONS. The City Council may further extend the moratorium if, after holding a public hearing, it finds the issues necessitating a moratorium as described herein still exist and reasonable progress is being made to alleviate those issues. Such further extension may be for a period not to exceed six (6) months.

Section 4. EMERGENCY. In order to protect the public health, safety, and welfare by ensuring needed housing availability, and that the character of the City's residential neighborhoods is not compromised while the City reassesses its criteria for permitting bed and breakfast uses, an emergency is declared to exist, and this Ordinance is effective upon its adoption by the City Council.

Section 4. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption by the City Council of the City of La Grande, Union County, Oregon, and its approval by the Mayor; specifically, February 1, 2023.

ADOPTED AND APPROVED on this First (1st) day of February, 2023, by _____ ()
of _____ () Councilors present and voting in the affirmative.

Justin B. Rock, Mayor

ATTEST:

Stacey M. Stockhoff
Acting City Recorder

CITY of LA GRANDE
ORDINANCE NUMBER 3258
SERIES 2022

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ESTABLISHING A TEMPORARY MORATORIUM ON BED AND BREAKFAST INNS; AND
DECLARING AN EMERGENCY**

WHEREAS, the City of La Grande allows dwelling units to be constructed or converted to Bed and Breakfast Inns, which are defined below; and,

WHEREAS, such use is subject to approval of a conditional use permit demonstrating that certain criteria contained in Article 8.5 of the City of La Grande Land Development Code Ordinance have been met; and,

WHEREAS, City of La Grande Land Development Code Ordinance, Article 1.3, specifically defines Bed and Breakfast Inns as, "*A structure designed and occupied as a residence in which sleeping rooms are provided on a daily or weekly basis for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility. The Bed and Breakfast establishment has no more than five guest sleeping rooms provided on a daily or weekly basis for the use of no more than a total of ten (10) travelers or transients at any one time;*" and,

WHEREAS, the City's review criteria for the approval of conditional use permits for Bed and Breakfast Inns were established in 1993 as part of a City-wide Land Development Code update process, with the purpose and intent to ensure that the proposed use would not have significant adverse effects on the use and development of properties in the surrounding area, adversely impact desirable neighborhood characteristics and livability, and adversely impact traffic, parking and capacity of surrounding streets; and such review criteria have remained predominantly unchanged since 1993; and,

WHEREAS, in 2019, the City of La Grande completed a Housing Needs Analysis (HNA), which was adopted into the Goal 10 Chapter of the City's Comprehensive Plan Ordinance in 2020. The HNA found that La Grande has a shortage of needed housing, with a predicted need for 795 new dwelling units by 2040, including a need for 336 single-family dwelling units, 115 duplex dwelling units, 200 multi-family dwelling units, and 144 other group housing dwelling units; and,

WHEREAS, to achieve the forecasted single-family and duplex housing need, the City needs to add approximately 16.8 new single-family dwellings (51 from 2020 to present), and 5.75 new duplexes (17.25 from 2020 to present) annually; and,

WHEREAS, in early 2021, the City of La Grande adopted a Housing Production Strategy (HPS), which outlines and recommends several strategies the City can take to promote the development of needed housing in the City, including seven (7) strategies which require amendments to the City's Land Development Code Ordinance; and,

WHEREAS, in January, 2022, during the City Council's annual goal setting retreat, the City Council noted that the lack of adequate housing has an adverse impact on the ability of local businesses to recruit staff and emphasized the importance of continuing to pursue solutions to the housing shortage in La Grande per the City's adopted HNA and HPS; and,

WHEREAS, since March 2020, the City of La Grande Planning Commission has approved twenty-eight (28) conditional use permit applications for Bed and Breakfast Inns. Eighteen (18) of those were conversions from full-time single-family dwellings and two (2) were conversions of duplex dwelling units into short-term rentals resulting in the loss of twenty (20) dwelling units from the City's residential housing inventory; and,

WHEREAS, since March 2020, the City has seen 26 new single-family dwelling units and 6 new duplex dwellings constructed, representing a gain of 38 dwelling units; however, the 20 dwelling units converted to Bed and Breakfast Inns results in a net realized housing gain of only 18 dwelling during that timeframe; and,

WHEREAS, the housing gain falls well short of the 68.25 total dwelling units forecasted in the City's HNA for needed single-family and duplex housing since 2020; and,

WHEREAS, the City of La Grande Planning Commission has expressed concerns about Bed and Breakfast Inns compromising the residential character of neighborhoods, and more importantly, adversely impacting the City's needed housing inventory, causing the Planning Commission to question whether or not the City should establish a temporary moratorium on the permitting of new Bed and Breakfast Inns; and,

WHEREAS, Oregon Revised Statute (ORS) 197.520 authorizes cities to impose a moratorium on the issuance of permits, including the approval of Bed and Breakfast Inns, upon demonstration of compelling need and findings in accordance with ORS 197.520(3)(a); and,

WHEREAS, on August 8, 2022, the Planning Commission and City Council held a joint Work Session to consider the merits of establishing a temporary moratorium, and by consensus the City Council directed staff to schedule a public hearing to consider a temporary moratorium on the conversions of entire dwelling units from full-time single-family dwellings to vacation rentals during the City Council's Regular Session on September 7, 2022; and,

WHEREAS, notice was provided to the Oregon Department of Land Conservation and Development at least 45-days prior to the final public hearing, in accordance with ORS 197.520(1)(a), and notice was published in The Observer on August 23, 2022; and,

WHEREAS, after considering the evidence and arguments presented during the public hearing, the City Council determined that a compelling need exists for a moratorium based on the following findings per ORS 197.520(3)(a):

- A. The Council finds that the City's existing conditional use permit review criteria are inadequate to prevent irrevocable public harm. In doing so, the City Council points to City's housing need provided in the adopted HNA, which identifies a need for 795 new dwelling units by 2040. Such housing need can be achieved with the annual construction of approximately 16.8 single-family dwelling units (51 from 2020 to present), and 5.75 duplexes dwelling units (17.25 from 2020 to present).

However, since 2020, only 26 new single-family dwelling units and 6 duplex dwelling units have been constructed, while 20 dwelling units have been converted to Bed and Breakfast Inns (vacation rentals) resulting in net gain of only 18 dwelling units, which is well short of the 68.25 dwelling units which the City's HNA predicts will be needed for single-family and duplex housing, amounting to roughly a 2+ year setback in housing production.

With slower than anticipated residential growth due to various economic factors, and the continued loss of housing to Bed and Breakfast Inns, it is in the public's interest to

proceed with a City-wide moratorium so that housing issues can be addressed legislatively with amendments to the City's Land Development Code Ordinance.

Continuing to implement the existing development ordinances and approving new conditional use permits for Bed and Breakfast Inns while the City is preparing legislation is inadequate to prevent irrevocable public harm throughout the City, as each such dwelling unit conversion results in the additional loss of housing in the City, and approving such permit and conversion may establish a legal nonconforming use that runs with the land indefinitely. Additionally, continuing to allow more Bed and Breakfast Inns may create conditions where the residential and neighborhood character of residential areas may be lost.

- B. A temporary moratorium on Bed and Breakfast Inns will not unreasonably restrict the construction of needed housing because use of dwellings for transient short-term rental purposes is not a form of needed housing. State law defines needed housing as all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes (ref: ORS 197.303(1), as amended by SB 1051 (2017)). Persons occupying a dwelling for transient short-term rental purposes are typically vacationing in La Grande, or have travelled from out of town to visit family members or to fulfill short term work assignments. Bed and Breakfast Inns do not meet the day to day housing needs of local residents, nor are they typically households residing within the county.

Additionally, a temporary moratorium will not unreasonably restrict a needed supply of commercial or industrial facilities because Bed and Breakfast Inns are not identified in the City of La Grande's Commercial and Industrial Buildable Lands Inventory as a type of commercial or industrial activity that is lacking within the community, and the moratorium will allow existing, approved Bed and Breakfast Inns to continue to operate, and be transferred to new owners, while the temporary moratorium is in place.

- C. Allowing the legislative review process to proceed, without a moratorium, is the only alternative that appears to exist. However, this approach is unsatisfactory because it cannot ensure that the additional loss of housing to Bed and Breakfast Inns will not occur or that the character of existing residential neighborhoods will not be compromised before new rules can be crafted and adopted.
- D. This temporary moratorium applies to Bed and Breakfast Inns located within the City of La Grande's land use jurisdiction. It is unlikely that such a temporary action will cause any adverse effects on jurisdictions outside the City of La Grande. There are other factors that weigh into such decisions, including the proximity of the property to destinations, such as Eastern Oregon University, Grande Ronde Hospital, parks and recreation facilities, and the condition of the dwelling unit. While there may be some interests explored in jurisdictions outside of La Grande, the imposition of a temporary moratorium will not result in significant adverse impacts on other affected local governments.
- E. The City of La Grande has sufficient resources to complete needed interim or permanent changes in plans, regulations, or procedures within the 120-day period that

a moratorium may be imposed pursuant to ORS 197.520(4). However, this may not provide sufficient time for the level of public outreach needed to adopt new legislation. The City Council is open to potentially extending the temporary moratorium, to provide sufficient time for such outreach to occur.

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. MORATORIUM. The City shall halt the acceptance of Bed and Breakfast Inn land use applications, only in residential zones and only for requests that include the full conversion and use of a dwelling unit as a short-term rental (less than 30-days). Such use would otherwise be permissible only by the approval of a conditional use permit in residential zones pursuant to Land Development Code Sections 2.2.002, 2.2.003, 2.2.004, 2.2.005, 2.2.006, and 2.2.007, for properties that are not currently approved for such use.

Section 2. SUNSET. This moratorium shall expire automatically without further action of the City Council, one hundred twenty (120) days after the date of adoption, unless repealed sooner by the City Council.

Section 3. EXTENSIONS. The City Council may extend the moratorium if, after holding a public hearing, it finds the issues necessitating a moratorium as described herein still exist and reasonable progress is being made to alleviate those issues. Such an extension may be for a period not to exceed six (6) months.

Section 4. EMERGENCY. In order to protect the public health, safety, and welfare by ensuring needed housing availability, and that the character of the City's residential neighborhoods is not compromised while the City reassesses its criteria for permitting bed and breakfast uses, an emergency is declared to exist, and this Ordinance is effective upon its adoption by the City Council.

Section 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption by the City Council of the City of La Grande, Union County, Oregon, and its approval by the Mayor; specifically, October 5, 2022.

ADOPTED AND APPROVED on this Fifth (5th) day of October, 2022, by Six (b) of Seven (7) Councilors present and voting in the affirmative.

Stephen E Clements
Stephen E. Clements, Mayor

ATTEST:

Stacey M. Stockhoff
Stacey M. Stockhoff
Acting City Recorder

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

CONSIDER RESOLUTION UPDATING ADMINISTRATIVE FEES AND ENFORCEMENT PENALTIES

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that the proposed Resolution repealing Resolution Number 4774, Series 2019, and establishing certain administrative fees and enforcement penalties be read by Title Only, Put to a Vote and Passed as presented (or amended).

- 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: During the January 4, 2023, Regular Session of the City Council, the Council passed Ordinance 3259, Regulating Camping on Public Property and Prohibiting Camping in Certain Areas. By short title, this Ordinance is called the “Camping on Public Property Ordinance,” and goes into effect on February 3, 2023. Violations of this Ordinance are considered “Type I” violations pursuant to the City’s Enforcement Ordinance, which are subject to an immediate citation. Currently, the fine (citation) for a Type I violation is \$500, and is set by City Council Fee Resolution 4774, Series 2019.

As the Camping on Public Property Ordinance may predominantly impact the transient or homeless population. Staff feels the \$500 fine may be considered unreasonably high for this demographic or population and the fine, plus Court penalties, may also be in conflict with State law regarding how fines and penalties are assessed against certain demographic populations. As a result, Staff is proposing that the Fee Resolution be amended to specify a \$35 fine (citation) for Type I violations of the Camping on Public Property Ordinance, which would be a more appropriate fine assessment for the nature of these violations and for the demographic population that may be most affected.

In addition to amending the enforcement fines and fees to address Type I violations, the Fire Department is requesting that the Burn Permit fee also be amended to “no charge.” For the past 2+ years, since COVID, the Fire Department has been doing call-in burn permits, which is consistent with how other communities in the County are issuing and managing burn permits, and no fees are being charged for the call-in process. Additionally, the Fire Department is in the process of working with the County Fire Defense Board to update the fire permit process and establish an online and/or phone system. The call in or proposed on-line process makes collecting fees difficult, which is a second reason to eliminate or reduce the fee to “no charge.”

Following are the proposed fee amendments, which are reflected in legislative format in the attached Fee Resolution:

Fire Department:

- 1. Burn Permit ~~\$10.00~~ No Charge

Enforcement Fines and Fees:

- 1. Type I Violation (Citation) \$500.00 (minimum mandatory fine)
Except, \$35.00 (minimum mandatory fine for violations of the Camping on Public Property Ordinance)

- 4. Penalties (Court) In addition to the minimum mandatory fine for Type I and Type II violations (except the minimum mandatory fine for violations of the Camping on Public Property Ordinance), any person, firm corporation or other entity who upon conviction of violation of any of the provisions of the "Enforcement Ordinance" shall be fined not less than SEVENTY-FIVE and NO/100 DOLLARS (75.00) and not exceeding FIVE HUNDRED and NO/100 DOLLARS (\$500.00) for each day of violation where the violation is a continuing one; but such fine may not exceed FIVE THOUSAND and NO/100 DOLLARS (\$5000.00) or a fine of up to FIVE HUNDRED and NO/100 DOLLARS (\$500.00) where the violation is not a continuing one. City Municipal Court, County District Court, and County Circuit Court shall have concurrent jurisdiction over prosecutions for violations of this Code.

Should the City Council support the proposed amendments to the Schedule of Fees, adopting the proposed Resolution will repeal the existing Resolution 4774, Series 2019, and establish the amended Schedule of Fees.

The City Manager recommends that the Council pass the 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 2023**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING CERTAIN ADMINISTRATIVE FEES AND ENFORCEMENT PENALTIES FOR THE CITY OF LA GRANDE, UNION COUNTY, OREGON; REPEALING RESOLUTION NUMBER 47744773, SERIES 2019, AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, recognizes that certain administrative fees and enforcement penalties are essential for the conduct of business in all divisions and departments of the City; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, desires to assess administrative fees and enforcement penalties equitably and consistently; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, has accepted the recommendations of the administrative staff in connection with establishing or increasing certain administrative fees and enforcement penalties, as necessary; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, has adopted an Ordinance establishing enforcement provisions and penalties for noncompliance with varied Ordinance requirements, including the assessment of fines there for;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the following Schedule of Fees for assorted administrative services and enforcement penalties shall be and hereby is established and effective immediately.

SCHEDULE OF FEES

ADMINISTRATIVE SERVICES – ALL DEPARTMENTS AND DIVISIONS

COPIED MATERIALS*	
1. Photocopies	\$0.25 per page; \$1.00 minimum
2. Facsimiles	\$2.00 first page; \$1.00 each additional page
Mailing Charge	\$1.00 per page; no minimum
3. Electronic Copies	\$0.25 per page; \$1.00 minimum
4. Certified Copies (Photocopies of original documents which are certified to be accurate copies of the original documents)	\$5.00 for each certification; plus \$0.25 per page
Mailing Charge	\$1.00 per page; no minimum
5. CDs and/or DVDs	\$10.00 each (or complimentary check out of Council/Agency Session and/or annual Budget Hearings DVDs with \$10.00 Deposit)
CD/DVD Mailing Charge	\$5.00 each
6. Photographs	\$5.00 per page
Mailing Charge	\$1.00 per page; no minimum
7. Record Search and Production Fees	Actual Costs, as permitted by ORS 192.440(4)(a) and (b)
<i>*See Also Copy Charges Unique and Specific to Police Department</i>	

<u>FINANCE DEPARTMENT</u>	
1. Returned Bank Items	\$35.00
<u>BUILDING DEPARTMENT</u>	
1. Building Board of Appeals Application	\$250.00, as per Building Permit, Plan Review and Inspection Services Center Resolution
<i>The Building Permit, Plan Review and Inspection Services Center Resolution lists all Building Department fees.</i>	
<u>FIRE DEPARTMENT</u>	
1. Burn Permit	\$10.00 each No Charge
2. False Alarms (beginning with the second false alarm in one month)	\$75.00
3. Fire/EMS Reports	\$10.00 each
<u>PARKS & RECREATION DEPARTMENT</u>	
1. Urban Forestry Division	
a. Appeal of Urban Forestry Decision	\$75.00
b. Appeal of a Community Landscape and Forestry Commission Decision	\$150.00
c. Commercial Tree Service Application	\$100.00
d. Commercial Tree Service Application, Certified Arborist or Tree Care Industry Association on staff	\$50.00
e. Destruction of a Public Tree	Appraised Value
f. Development Tree Replacement (In Lieu of Planting)	\$600.00 per tree
<u>PLANNING DIVISION</u>	
1. Annexation (by Ordinance)	\$1,000.00
2. Annexation (by Resolution)	\$75.00
3. Appeal of Planning Division Decision	\$75.00
4. Appeal of Planning Commission Decision	\$150.00
5. Comprehensive Plan Designation Change	\$300.00 plus Actual Costs for advertising and Public Notice
6. Comprehensive Plan Document Amendment	Actual Cost
7. Conditional Use Permit	\$375.00
8. Land Use Approval Time Extension	\$25.00
9. Duplex	\$250.00 plus \$5.00 per lot
10. Fence Height Waiver	\$25.00
11. Floodplain Development Permit	\$75.00
12. Geologic Hazard Site Plans	\$75.00
13. Historical Landmarks Review	\$75.00
14. Home Occupation Permit	\$75.00
15. Land Development Code Amendment	Actual Cost
16. Livestock Permit	\$25.00
17. Lot Line Adjustment	\$150.00
18. Major Land Partition	\$500.00 plus \$5.00 per lot

19. Minor Land Partition	\$250.00 plus \$5.00 per lot
20. Planned Unit Development	\$500.00 plus \$5.00 per lot plus Actual Costs for advertising and Public Notice
21. Public Right-of-Way Encroachment	\$50.00 plus Recording Fees
22. Public Right-of-Way Dedication	\$0.00
23. Public Right-of-Way Vacation	Actual Costs
24. Preliminary Land Use Review	\$0.00
25. Segregation of Tax Lot	\$25.00
26. Sign Permit	\$75.00
27. Site Plan Review – New Expansion	\$75.00 (Projects \$0 to \$50k); \$150 (Projects \$50k to \$100k); or \$150 + \$0.50/\$1000 over \$100k
28. Subdivision	\$500.00 plus \$5.00 per lot plus Actual Costs for advertising and Public Notice
29. Temporary Use Permit	\$125.00
30. Variance Permit (Administrative)	\$175.00
31. Variance Permit (Planning Commission)	\$450.00
32. Wetland Plan Review	\$75.00
33. Zone Designation Change	\$300.00 plus Actual Costs for advertising and Public Notice
34. Zoning Approval	\$25.00
<ul style="list-style-type: none"> • <i>Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.</i> • <i>Application fee may be increased to include third party engineering and/or consulting fees, when required</i> 	
POLICE DEPARTMENT	
1. Alcoholic Beverages License Applications	
a. Initial License Application	\$100.00
b. Change in Privilege Application	\$35.00
c. Change of Name Application	\$35.00
d. Change of Ownership Application	\$35.00
e. Special Event Permit Application	\$35.00
f. Temporary License Application	\$35.00
g. Renewal License Application	\$35.00
h. Any other modification subsequent to the Initial Application	\$35.00
2. Copied Materials	
In addition to those charges reflected for copied materials in the Administrative Services portion of this Resolution, the following charges shall apply to copied materials unique and specific to the Police Department.	
a. Call Logs and Police Reports	\$10.00 first four pages \$00.25 Per Page thereafter
b. Photographs	\$5.00 Per Page
c. CD/DVD	\$10.00 each
d. Dispatch Audio Recordings	\$25.00 per call
3. Mailing Charge	
a. CD/DVD Mailing	\$1.00 for first page and \$0.10 thereafter \$5.00 per CD/DVD
4. Record Search and Production Fees	
	\$35.00 per hour (under 15 minutes – no charge- over 15 minutes =½ hour minimum) plus cost of materials

5. False Alarm Fees (beginning with the second false alarm in one month)	\$50.00
6. Impound Fees	\$100.00
7. Peddler/Transient Merchant	\$25.00 Per day (1-5 days)
	\$35.00 Per day (6-10 days)
	\$200.00 10 days – 1 month
	\$300.00 For 6 months
8. Social Games	\$25.00 Application Fee (initial)
Regular	\$250.00 Annual including 1 Table
	\$100.00 Each Additional Table
Renewal	Same as Above
9. Special Event	None
a. Street Closure	None
b. Parade Permits	None
10. Taxi Business	\$60.00 Annual
a. Renewal	\$60.00 Annual
b. Driver	\$15.00 Annual
<u>PUBLIC WORKS DEPARTMENT</u>	
1. Utility License Application	\$75.00 (Ten-Year License)

ENFORCEMENT FINES and FEES

Pursuant to Ordinance adopted by the City Council of the City of La Grande, Union County, Oregon, creating procedures for enforcement of certain provisions of the City of La Grande: Land Development Code, [Camping on Public Property](#), Public Nuisance, Building Code, Oregon Fire Code, Public Right-of-Way, Community Forestry and Franchise ordinances, this Resolution establishes enforcement fines and fees there for, as follows. (Type I and Type II violations, Abatement, and Penalties are specifically defined in the Ordinance known by its short title as the “*Enforcement Ordinance*”).

- | | |
|---------------------------------|--|
| 1. Type I Violation (Citation) | \$500.00 (minimum mandatory fine)
Except, \$35.00 (minimum mandatory fine for violations of the Camping on Public Property Ordinance) |
| 2. Type II Violation (Citation) | \$100.00 (minimum mandatory fine) |
| 3. Abatement | A charge equal to ten percent (10%) or FIFTY and NO/100 DOLLARS (\$50.00), whichever is greater, shall be assessed as administrative costs, in addition to the actual costs of abatement. |
| 4. Penalties (Court) | In addition to the minimum mandatory fine for Type I and Type II violations (except the minimum mandatory fine for violations of the Camping on Public Property Ordinance) , any person, firm corporation or other entity who upon conviction of violation of any of the provisions of the “ <i>Enforcement Ordinance</i> ” shall be fined not less than SEVENTY-FIVE and NO/100 DOLLARS (75.00) and not exceeding |

FIVE HUNDRED and NO/100 DOLLARS (\$500.00) for each day of violation where the violation is a continuing one; but such fine may not exceed FIVE THOUSAND and NO/100 DOLLARS (\$5000.00), or a fine of up to FIVE HUNDRED and NO/100 DOLLARS (\$500.00) where the violation is not a continuing one. City Municipal Court, County District Court, and County Circuit Court shall have concurrent jurisdiction over prosecutions for violations of this Code.

PASSED and EFFECTIVE ON this First (1st) day of February, 2023, by _____ (____) of _____ (____) Councilors present and voting in the affirmative.

Justin B. Rock, Mayor

David Glabe, Mayor Pro Tem

Corrine Dutto, Councilor

Nicole Howard, Councilor

Molly King, Councilor

Mary Ann Miesner, Councilor

Denise Wheeler, Councilor

ATTEST:

**Stacey M. Stockhoff
Acting City Recorder**

**CITY of LA GRANDE
RESOLUTION NUMBER _____
SERIES 2023**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING CERTAIN ADMINISTRATIVE FEES AND ENFORCEMENT PENALTIES FOR THE CITY OF LA GRANDE, UNION COUNTY, OREGON; REPEALING RESOLUTION NUMBER 4774, SERIES 2019, AND ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, recognizes that certain administrative fees and enforcement penalties are essential for the conduct of business in all divisions and departments of the City; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, desires to assess administrative fees and enforcement penalties equitably and consistently; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, has accepted the recommendations of the administrative staff in connection with establishing or increasing certain administrative fees and enforcement penalties, as necessary; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, has adopted an Ordinance establishing enforcement provisions and penalties for noncompliance with varied Ordinance requirements, including the assessment of fines there for;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the following Schedule of Fees for assorted administrative services and enforcement penalties shall be and hereby is established and effective immediately.

SCHEDULE OF FEES

ADMINISTRATIVE SERVICES – ALL DEPARTMENTS AND DIVISIONS

COPIED MATERIALS*	
1. Photocopies	\$0.25 per page; \$1.00 minimum
2. Facsimiles	\$2.00 first page; \$1.00 each additional page
Mailing Charge	\$1.00 per page; no minimum
3. Electronic Copies	\$0.25 per page; \$1.00 minimum
4. Certified Copies (Photocopies of original documents which are certified to be accurate copies of the original documents)	\$5.00 for each certification; plus \$0.25 per page
Mailing Charge	\$1.00 per page; no minimum
5. CDs and/or DVDs	\$10.00 each (or complimentary check out of Council/Agency Session and/or annual Budget Hearings DVDs with \$10.00 Deposit)
CD/DVD Mailing Charge	\$5.00 each
6. Photographs	\$5.00 per page
Mailing Charge	\$1.00 per page; no minimum
7. Record Search and Production Fees	Actual Costs, as permitted by ORS 192.440(4)(a) and (b)
<i>*See Also Copy Charges Unique and Specific to Police Department</i>	

<u>FINANCE DEPARTMENT</u>	
1. Returned Bank Items	\$35.00
<u>BUILDING DEPARTMENT</u>	
1. Building Board of Appeals Application	\$250.00, as per Building Permit, Plan Review and Inspection Services Center Resolution
<i>The Building Permit, Plan Review and Inspection Services Center Resolution lists all Building Department fees.</i>	
<u>FIRE DEPARTMENT</u>	
1. Burn Permit	No Charge
2. False Alarms (beginning with the second false alarm in one month)	\$75.00
3. Fire/EMS Reports	\$10.00 each
<u>PARKS & RECREATION DEPARTMENT</u>	
1. Urban Forestry Division	
a. Appeal of Urban Forestry Decision	\$75.00
b. Appeal of a Community Landscape and Forestry Commission Decision	\$150.00
c. Commercial Tree Service Application	\$100.00
d. Commercial Tree Service Application, Certified Arborist or Tree Care Industry Association on staff	\$50.00
e. Destruction of a Public Tree	Appraised Value
f. Development Tree Replacement (In Lieu of Planting)	\$600.00 per tree
<u>PLANNING DIVISION</u>	
1. Annexation (by Ordinance)	\$1,000.00
2. Annexation (by Resolution)	\$75.00
3. Appeal of Planning Division Decision	\$75.00
4. Appeal of Planning Commission Decision	\$150.00
5. Comprehensive Plan Designation Change	\$300.00 plus Actual Costs for advertising and Public Notice
6. Comprehensive Plan Document Amendment	Actual Cost
7. Conditional Use Permit	\$375.00
8. Land Use Approval Time Extension	\$25.00
9. Duplex	\$250.00 plus \$5.00 per lot
10. Fence Height Waiver	\$25.00
11. Floodplain Development Permit	\$75.00
12. Geologic Hazard Site Plans	\$75.00
13. Historical Landmarks Review	\$75.00
14. Home Occupation Permit	\$75.00
15. Land Development Code Amendment	Actual Cost
16. Livestock Permit	\$25.00
17. Lot Line Adjustment	\$150.00
18. Major Land Partition	\$500.00 plus \$5.00 per lot

19. Minor Land Partition	\$250.00 plus \$5.00 per lot
20. Planned Unit Development	\$500.00 plus \$5.00 per lot plus Actual Costs for advertising and Public Notice
21. Public Right-of-Way Encroachment	\$50.00 plus Recording Fees
22. Public Right-of-Way Dedication	\$0.00
23. Public Right-of-Way Vacation	Actual Costs
24. Preliminary Land Use Review	\$0.00
25. Segregation of Tax Lot	\$25.00
26. Sign Permit	\$75.00
27. Site Plan Review – New Expansion	\$75.00 (Projects \$0 to \$50k); \$150 (Projects \$50k to \$100k); or \$150 + \$0.50/\$1000 over \$100k
28. Subdivision	\$500.00 plus \$5.00 per lot plus Actual Costs for advertising and Public Notice
29. Temporary Use Permit	\$125.00
30. Variance Permit (Administrative)	\$175.00
31. Variance Permit (Planning Commission)	\$450.00
32. Wetland Plan Review	\$75.00
33. Zone Designation Change	\$300.00 plus Actual Costs for advertising and Public Notice
34. Zoning Approval	\$25.00
<ul style="list-style-type: none"> • <i>Application fee for multiple planning actions is equal to the greatest single fee, not the sum of all fees.</i> • <i>Application fee may be increased to include third party engineering and/or consulting fees, when required</i> 	
POLICE DEPARTMENT	
1. Alcoholic Beverages License Applications	
a. Initial License Application	\$100.00
b. Change in Privilege Application	\$35.00
c. Change of Name Application	\$35.00
d. Change of Ownership Application	\$35.00
e. Special Event Permit Application	\$35.00
f. Temporary License Application	\$35.00
g. Renewal License Application	\$35.00
h. Any other modification subsequent to the Initial Application	\$35.00
2. Copied Materials	
In addition to those charges reflected for copied materials in the Administrative Services portion of this Resolution, the following charges shall apply to copied materials unique and specific to the Police Department.	
a. Call Logs and Police Reports	\$10.00 first four pages \$00.25 Per Page thereafter
b. Photographs	\$5.00 Per Page
c. CD/DVD	\$10.00 each
d. Dispatch Audio Recordings	\$25.00 per call
3. Mailing Charge	
a. CD/DVD Mailing	\$1.00 for first page and \$0.10 thereafter \$5.00 per CD/DVD
4. Record Search and Production Fees	
\$35.00 per hour (under 15 minutes – no charge- over 15 minutes = ½ hour minimum) plus cost of materials	

5. False Alarm Fees (beginning with the second false alarm in one month)	\$50.00
6. Impound Fees	\$100.00
7. Peddler/Transient Merchant	\$25.00 Per day (1-5 days)
	\$35.00 Per day (6-10 days)
	\$200.00 10 days – 1 month
	\$300.00 For 6 months
8. Social Games	\$25.00 Application Fee (initial)
Regular	\$250.00 Annual including 1 Table
	\$100.00 Each Additional Table
Renewal	Same as Above
9. Special Event	None
a. Street Closure	None
b. Parade Permits	None
10. Taxi Business	\$60.00 Annual
a. Renewal	\$60.00 Annual
b. Driver	\$15.00 Annual
<u>PUBLIC WORKS DEPARTMENT</u>	
1. Utility License Application	\$75.00 (Ten-Year License)

ENFORCEMENT FINES and FEES

Pursuant to Ordinance adopted by the City Council of the City of La Grande, Union County, Oregon, creating procedures for enforcement of certain provisions of the City of La Grande: Land Development Code, Camping on Public Property, Public Nuisance, Building Code, Oregon Fire Code, Public Right-of-Way, Community Forestry and Franchise ordinances, this Resolution establishes enforcement fines and fees there for, as follows. (Type I and Type II violations, Abatement, and Penalties are specifically defined in the Ordinance known by its short title as the “*Enforcement Ordinance*”).

- | | |
|---------------------------------|---|
| 1. Type I Violation (Citation) | \$500.00 (minimum mandatory fine)
Except, \$35.00 (minimum mandatory fine for violations of the Camping on Public Property Ordinance) |
| 2. Type II Violation (Citation) | \$100.00 (minimum mandatory fine) |
| 3. Abatement | A charge equal to ten percent (10%) or FIFTY and NO/100 DOLLARS (\$50.00), whichever is greater, shall be assessed as administrative costs, in addition to the actual costs of abatement. |
| 4. Penalties (Court) | In addition to the minimum mandatory fine for Type I and Type II violations (except the minimum mandatory fine for violations of the Camping on Public Property Ordinance), any person, firm corporation or other entity who upon conviction of violation of any of the provisions of the “ <i>Enforcement Ordinance</i> ” shall be fined not less than SEVENTY-FIVE and NO/100 DOLLARS (75.00) and not exceeding |

FIVE HUNDRED and NO/100 DOLLARS (\$500.00) for each day of violation where the violation is a continuing one; but such fine may not exceed FIVE THOUSAND and NO/100 DOLLARS (\$5000.00) or a fine of up to FIVE HUNDRED and NO/100 DOLLARS (\$500.00) where the violation is not a continuing one. City Municipal Court, County District Court, and County Circuit Court shall have concurrent jurisdiction over prosecutions for violations of this Code.

PASSED and EFFECTIVE ON this First (1st) day of February, 2023, by _____ (____) of _____ (____) Councilors present and voting in the affirmative.

Justin B. Rock, Mayor

David Glabe, Mayor Pro Tem

Corrine Dutto, Councilor

Nicole Howard, Councilor

Molly King, Councilor

Mary Ann Miesner, Councilor

Denise Wheeler, Councilor

ATTEST:

**Stacey M. Stockhoff
Acting City Recorder**

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER:

Michael Boquist, Community Development Director

COUNCIL ACTION:

CONSIDER AUTHORIZING APPLICATION FOR HISTORIC PRESERVATION GRANT

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that the Community Development Department be authorized to apply for an historic preservation grant to designate the Carnegie Library to the National Register of Historic Places, and, further, that City Manager Strope be authorized to sign grant documents if awarded.

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

EXPLANATION: For the past several years, the City of La Grande Landmarks Commission has been interested in pursuing opportunities to designate the La Grande Carnegie Library to the National Register of Historic Places. Between 1886 and 1917, Carnegie libraries were constructed all across the United States and other countries, with La Grande’s Carnegie Library constructed in 1912. In Eastern Oregon, Carnegie libraries can be found in Enterprise, Hermiston, Hood River, La Grande, Milton-Freewater, Ontario, Pendleton, The Dalles and Union. There are 31 Carnegie libraries in Oregon, with 22 of them designated to the National Register of Historic Places.

The interest and excitement for designating the La Grande Carnegie Library to the National Register of Historic Places is (1) to preserve and give recognition to its history, historic character, and overall historic value to our community; and, (2) to gain access to historic preservation grant funding to help facilitate the repair and restoration of deteriorating historic features/elements of the building. Some historic preservation grants may also help with non-historic building improvements that are necessary to make the historic building more viable and usable (e.g. ADA accessibility and elevator?).

The Carnegie Library is owned by the City of La Grande, and until 2006, was the location of the La Grande Public Library. Following the construction of the new public library in 2006, the Carnegie Library building was leased to Art Center East (ACE), who is responsible for all building maintenance and repairs as part of their lease agreement. ACE is a nonprofit organization with programs that provide art lessons to the community, music lessons, dance lessons, and a variety of other art related programs. As a nonprofit organization, funding is often limited and ACE has had difficulty raising funds for building maintenance and improvement projects, such as an ADA accessibility project that includes the installation of an elevator. In addition to this ADA accessibility project, there are a number of other building maintenance projects that are extremely important but have been deferred over the years due to the lack of funding opportunities; such as a deteriorating brick façade, wood windows, and other historic features.

By designating the La Grande Carnegie Library to the National Register of Historic Places, it will be officially recognized as a historic landmark and become eligible for a variety of historic preservation grant opportunities that are only available to buildings that are listed on the National Register of Historic Places.

Staff is requesting the City Council’s support for having the La Grande Carnegie Library designated to National Register of Historic Places, and authorizing staff to apply for historic preservation grant funding to hire a consultant to prepare the designation and submit an application to Oregon State Historic Preservation Office (SHPO) for the Carnegie Library’s designation to the National Register of Historic Places.

Based on other Carnegie Library historic designation projects, such as the City of Enterprise, the cost to hire a consultant to perform this work is estimated to be from \$10,000 to \$16,000. If supported by the City Council, the Landmarks Commission and Staff will be preparing and submitting a grant to the Oregon State Parks, State Historic Preservation Office, and to the National Trust for Historic Preservation. If successful, the grants require a 50% funding match which would be included in the Proposed Budget for FY 2023-2024. This \$10,000-\$16,000 project will be funded 50% (\$5,000-\$8,000) by a historic preservation grant, and 50% (\$5,000-\$8,000) by City funds, with the project beginning after July 1, 2023. Acceptance of the grant would be subject to budget approval and adoption.

The City Manager recommends approval of this request.

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: February 1, 2023

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: CONSIDER AWARDING CONTRACT FOR GOAL 9 REVIEW AND ECONOMIC-COMMERCIAL LAND NEEDS ANALYSIS

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that we award the 2023 Goal 9 Review and Economic-Commercial Land Needs Analysis contract to ***Point Consulting***, in the amount of **\$50,560**, as shown in the Bid Proposal, and, further, that City Manager Strope be authorized to execute the contract documents for the Project.

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

EXPLANATION: Over the past 15 to 20 years, since our last Goal 9 – Commercial Land Needs Analysis, the City of La Grande has been fortunate in seeing a number of commercial projects come to fruition. This includes the property where Starbucks, Banner Bank and soon Napa Auto Parts have located, and additional development that is either planned or committed in the vicinity. Specifically a new hotel and truck stop/truck parking. Other recent development includes the new Miller’s Home Center, as well as a number of smaller infill projects within the City, such as the Grande Ronde Animal Hospital on Hwy 30 in the vicinity of Les Schwab and Bi-Mart.

As a result of these great projects, the City’s vacant commercial land inventory has been significantly reduced to critical levels. The City now has a very limited supply of vacant commercial land available for both new business recruitment and expansion of existing local businesses. This reduction in commercial land supply has triggered a need for the City to conduct a Goal 9 Economic Development Review and a Commercial Land Needs Analysis, in order to plan for and accommodate the next 20-years of forecasted economic growth.

This situation was presented to and discussed with the City Council in early 2022, with the Budget Committee and City Council approving \$70,000 in the Planning and Economic Development Division’s budget to conduct this analysis during the FY 2022-2023. This budget amount was based on comparable projects throughout Oregon, which ranged from \$50,000 to \$70,000. The cost of the project is within the adopted budget.

In November 2022, Planning and Economic Development Staff circulated a Request for Proposals (RFP) to four (4) consulting firms that were recommended to the City by the Oregon Department of Land Conservation and Development (*see attached Request for Proposals*). Additionally, the RFP was posted on-line via an Oregon Planning list serve, which includes members/subscribers from cities, counties and planning consulting firms located throughout Oregon, with some located in Washington and Idaho.

In mid-December, 2022, the City received proposals from three (3) consulting firms. Two (2) from consultants located in the Portland Metro area, and one (1) from a consultant located in Moscow, Idaho (*Points Consulting*). All three (3) consultants have performed work in Eastern Oregon. Planning and Economic Development Staff reviewed and scored each proposal based on the review criterial outline in the RFP. Following are the scoring results:

	Points Consulting	FCS Group Average	Johnson Economics
Review Criteria Points			
1. Ability to demonstrate an understanding of the project's needs, special challenges and special concerns that may arise during the project. (10 points)	10	8	7
2. Recent successful projects in Goal 9 reviews in rural Eastern Oregon communities. This item includes demonstrated ability to meet deadlines, and demonstrated past performance to complete projects without significant cost overruns. (10 points)	5	5	7
3. Capability and experience to perform all aspects of the project. Identify the key personnel's professional background and qualifications, including the project manager and/or team for this project. Define their roles and extent of participation anticipated for this project. (25 points)	20	18	16.5
4. Qualifications and experience of subconsultants who will participate in the project. Please identify the portions of the project anticipated to be performed (in part) by subconsultants. (10 points)	8	8	8
5. Ability to manage and complete projects that may have an expedited time line and be of considerable distance from your offices. Please include a description of where key personnel for this project will be based, percentage of time available for this project, and other items you consider important to demonstrate this ability. (15 points)	15	15	10
(70 total points possible) Subtotal	58	54	48.5
Selection Criteria Points			
1. Degree of interest and responsiveness shown in undertaking the project. (10 points)	8	10	7
2. Overall quality of the response. (10 points)	9	8	8
3. Demonstration of past ability to meet your clients' needs. (10 points)	10	10	10
(30 total points possible) Subtotal	27	28	25
(100 total points possible) TOTAL SCORE	85	82	73.5
Bid Amount:	\$50,560	\$58,301	\$55,465

Based on the above scoring, Staff is recommending that the City proceed with awarding the bid for conducting the City's Goal 9 Review and Economic-Commercial Land Need Analysis to *Points Consulting*, in the amount of \$50,560. In addition to receiving the highest score, *Points Consulting* also provided the lowest bid for performing this work. *Points Consulting* has successful projects on-going in Eastern Oregon in Heppner and Pendleton/Umatilla, and comes highly recommended by the State of Oregon as well as those communities. *Johnson Economics*, one of our bidders, also provided favorable comments about *Points Consulting* as they have worked together on projects in the past. As a result, Planning and Economic Development staff feel confident that *Points Consulting* is a good fit and a good choice for La Grande.

Attachments: Request for Proposals
Points Consulting Proposal/Bid

The City Manager recommends awarding the contract 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, Oregon

Request for Proposals For Goal 9 Review Economic -Commercial Land Needs Analysis

The City of La Grande is requesting interested firms to submit a proposal for planning services to conduct a Goal 9 Economic-Commercial Land Needs Analysis. This project is to be completed by June 30, 2023.

Preference will be given to firms that can demonstrate having had a broad background and extensive experience with Oregon's Land Use Planning System, with strong public engagement and facilitator skills, an understanding of the needs of rural communities, and specifically in conducting Goal 9 work for municipalities in rural Eastern Oregon.

Responses are due by Friday, December 16, 2022. To obtain additional information necessary to make a submittal on this project, please contact:

Michael J. Boquist
Community Development Director
City of La Grande Planning Division
1000 Adams Avenue
P.O. Box 670
La Grande, OR 97850
Phone: (541) 962-1307
Fax: (541) 963-3333
Email: mboquist@cityoflagrande.org

Timothy Bishop
Economic Development Director
City of La Grande Planning Division
1000 Adams Avenue
P.O. Box 670
La Grande, OR 97850
Phone: (541) 962-1307
Fax: (541) 963-3333
Email: tbishop@cityoflagrande.org

Project Summary:

The City of La Grande has identified a need for commercial sites and found that limited or no sites exist within La Grande's Urban Growth Boundary. The Goal is to evaluate the existing supply of commercial land, identify the demand and level of need for commercial sites, and identify viable alternative sites for rezoning and or an Urban Growth Boundary expansion.

Concurrently, La Grande is working with a business that is committed to locating in the community that needs roughly 100 acres of land zoned partially industrial and partially commercial. This "bird in hand" need is in addition to the commercial land need discussed in the first paragraph above.

The objective is to complete a Statewide Planning Goal 9 Economic Opportunities Analysis in accordance with [OAR Chapter 660, Division 9](#), and a Goal 14 UGB expansion evaluation (where necessary) and to provide adequate commercially zoned lands to meet a 20-year needs

analysis, while at the same time, evaluating the “bird in hand” opportunity and identifying viable alternative sites for rezoning and or an Urban Growth Boundary expansion.

The City of La Grande anticipates hiring a single consultant to prepare the evaluations and participate in a public process.

Products / Outcomes

The City's intention is to update the Goal 9 element of its Comprehensive Plan. The product is to include a completed Goal 9 Economic Opportunities Analysis and Goal 14 UGB expansion evaluation in accordance with State law. The outcome is to include newly identified alternative site(s) for commercial development purposes, satisfying the “need” justified in the Economic Opportunities Analysis, as well as the “bird in hand” opportunity.

The final product will be a report and justification document prepared in Microsoft Word, format structured in a manner to either amend or replace the Goal 9 Chapter of the La Grande Comprehensive Plan, and ready for public hearings at the city level.

Subsequent phases, not a part of this project, is the public hearing process for the adopting the Goal 9 Economic Opportunities Analysis, Plan text and zoning map amendments, which may include an expansions of La Grande's UGB.

Work Program, Timeline & Payment Schedule

- Proposals shall include a Work Program with public involvement elements, Timeline and Payment Schedule based on the firm's ability to manage and complete the project by June 30, 2023. The Work Program shall include tasks and deliverables consistent with the resource document entitled [Economic Opportunities Analysis](#), published by the Oregon Department of Land Conservation and Development on April 14, 2008, outlining the typical tasks and required deliverables for EOA products.

Review Criteria

Submittals will be evaluated and scored by the following criteria (up to 70 points). Submittals should be organized and identified in the same order.

1. Ability to demonstrate an understanding of the project's needs, special challenges and special concerns that may arise during the project. (10 points)
2. Recent successful projects in Goal 9 reviews in rural Eastern Oregon communities. This item includes demonstrated ability to meet deadlines, and demonstrated past performance to complete projects without significant cost overruns. (10 points)
3. Capability and experience to perform all aspects of the project. Identify the key personnel's professional background and qualifications, including the project manager and/or team for this project. Define their roles and extent of participation anticipated for this project. (25 points)
4. Qualifications and experience of subconsultants who will participate in the project. Please identify the portions of the project anticipated to be performed (in part) by subconsultants. (10 points)

5. Ability to manage and complete projects that may have an expedited time line and be of considerable distance from your offices. Please include a description of where key personnel for this project will be based, percentage of time available for this project, and other items you consider important to demonstrate this ability. (15 points)

Selection

The selection process shall be in accordance with the City of La Grande's local process.

The selection of the firm to do the work will be done by the City of La Grande Community Development Director and Economic Development Director. After the deadline for receipt for proposals, these persons will review the qualifications and may select one firm to negotiate a contract based upon a mutually-understood, detailed (as opposed to general) scope of work. The final selection of the firm with which to negotiate a contract will be based upon the review criteria and scoring listed above, as well as (up to 30 points):

1. Degree of interest and responsiveness shown in undertaking the project. (10 points)
2. Overall quality of the response. (10 points)
3. Demonstration of past ability to meet your clients' needs. (10 points)

Points Consulting
PO Box 8487
409 S. Jackson St., Suite 201
Moscow, Idaho 83843
208-596-5809
points-consulting.com

Goal 9: Economic- Commercial Land Needs Analysis for La Grande, Oregon



For: The City of La Grande

From: Points Consulting

Date: December 16, 2022

Contents

Cover Letter.....	1
1. Work Program.....	2
Task 1: Project Initiation	2
Task 2: Economic Trends & Site Types Identification	2
Task 3: Industrial & Employment Lands Inventory	4
Task 4: Identify Community Economic Development Potential.....	5
Task 5: Draft Analysis of Economic Opportunities & Economic Strategies.....	6
Task 6: Final Economic Opportunities Analysis & Strategies Report.....	6
2. Key Project Experience	7
Points Consulting Projects	7
Nexus Planning Projects.....	9
3. About the Project Team.....	9
About Points Consulting	9
Subcontractor: Nexus Planning Services.....	10
4. Project Team Bios.....	11
5. Timeline & Payment Schedule	15
Fixed Price Budget.....	15
Availability Statement.....	15
Timeline.....	16

Cover Letter

Dear Mr. Bolquist, Mr. Bishop, and the Selection Committee:

Please accept this proposal from Points Consulting (PC) and Nexus Planning Services demonstrating our interest in the City of La Grande's Goal 9: Economic-Commercial Land Needs Analysis RFP. Our team is prepared to help La Grande reevaluate their stock of commercial land sites to better identify demand and zoning options to facilitate further economic growth and development. The results of the 2019 HNA indicate that of the 2,100+ acres within La Grande the majority are committed to residential or are otherwise environmentally constrained, leaving just 14 total acres of available commercial/mixed use land within the Urban Growth Boundary (UGB). With the City already entertaining a prospective employer needing 100 acres of commercial land, supply is obviously inadequate to meet future economic demands. Our interest is in helping the City understand future land use expectations and plan accordingly to allow for community enabling economic growth that does not conflict with other land uses.

Our team understands that this project will require quantitative analysis, qualitative research, and in-depth conversations with community members and leaders to determine the extent and type of demand for industrial lands and buildings. Projects with a blend of facilitation and quantitative analysis are precisely our area of specialization.

Including work for public and private sector clients, our team has completed 18 directly related real-estate feasibility and market studies over the past two years, and we have national awareness of land use policies, programs, and best practices. The respective project teams with PC and Nexus reside just several hours to the east of La Grande, and we have concurrent projects ongoing in Pendleton/Umatilla and South Morrow County (i.e.: Heppner). Our recently completed projects in nearby areas include: the Okanogan County (WA) Community Needs Assessment, the Chelan & Douglas Counties (WA) Housing Needs Assessment, projects with Columbia Gorge Community College and the Eastern Oregon Workforce Development Board, and the Lewiston (ID) Community Strategic Plan, to name a few.

Thank you for your consideration on this RFP. My contact information is below. Please reach out with any questions or updates throughout the evaluation process.

Brian Points



President
Points Consulting LLC
PO Box 8487
Moscow, Idaho 83843
brian@points-consulting.com
208-596-5809

1. Work Program

Task 1: Project Initiation

The consulting team will coordinate with county and city representatives to kick-off the project with an in-person meeting where the project team will introduce our staff and consultants assigned to the project and determine a point of contact for the City of La Grande. Additionally, the following topics will be covered:

- Review project goals and objectives in accordance with Oregon’s Economic Opportunities Analysis (EOA) requirements
- Determine a consensus on roles and responsibilities for all parties
- Develop a list of stakeholders and additional local contacts including individuals or organizations representing priority populations identified during the meeting that will inform the creation of a technical advisory committee (TAC)
- Draft a schedule for future meetings/engagements
- Determination of necessary GIS inputs and map layers for analysis
- Identify and share additional resources, reports, and datasets that should be used throughout the course of the engagement
- Review of La Grande’s “bird in hand” business partner’s location requirements
- Address various administrative and logistical questions

We will rely on the knowledge and expertise of city staff to provide additional recommendations regarding the TAC’s make-up as well as share available data and reports related to the projects. Following the kick-off meeting the consulting team will produce a draft project work plan and draft inclusive outreach plan to be reviewed by the City staff. Final plans will be produced after comments and suggestions have been addressed and incorporated into the documents.

The project team will continue to engage with the TAC at the completion of each Task and more frequently (such as bi-weekly check-ins), as needed over the course of the project.

Deliverables:

- Project Work Plan
- Inclusive Outreach Plan

Task 2: Economic Trends & Site Types Identification

To determine regional context the project team will conduct qualitative research using any existing documents identified during the launch meeting and our own independent research. The trends analysis will review all available data in assessing future opportunities. Our review will also include recent 2020 decennial census reporting as well as published material from the City of La Grande, the Greater Economic Development District, and the Eastern Oregon Development Corporation.

Simultaneous to the consulting team’s background review, we will also analyze the socioeconomic conditions of La Grande and nearby communities. As part of our analysis, we

will produce a community and economic profile for La Grande using at least the following metrics, as well as others as needed:

- Demographic analysis to assess existing and emerging trends related to the region's population including past and projected growth rate over the next 20-years
- Current and projected employment and earnings by North American Industrial Classification System (NAICS) code and Standard Occupational Classification (SOC) code
- Advanced industry indicators including location quotient, shift-share analysis, and GDP
- Identification of economic drivers in terms of economic output, wages, establishments, employment, past and projected employment growth
- Commuting patterns including distance, direction, time, and level of income
- Jobs to housing ratio
- Migration patterns indicating in- out- and net migration over time, along with geographic areas migrators are coming from/going to
- Profile of businesses by size and industry sector
- Assessment of natural geo-spatial development of land-use, categorizing by residential, mixed-use, industrial, commercial, etc.

The consulting team will assess local dynamics to determine the larger economic and geographic context of the region. Being well-versed in working in rural regional economies, we are familiar with how much impact seemingly distant communities in Eastern Oregon can have on places like La Grande, and vice versa. Oftentimes, workers commute to larger cities outside the region, or work for companies with multiple offices or hubs both inside and outside of the region, all of which plays a role in understanding the economic opportunities available to the region as well. The particular geographic boundaries of this analysis are not clear at this point, but our team anticipates some of the metrics listed above will encompass surrounding Oregon counties (Baker, Umatilla, Wallowa, and Grant).

Simultaneous to the economic trends analysis work, the consultant team will assess the land characteristics required to take advantage of economic opportunities over the 20-year planning horizon. This includes identifying the number – and characteristics – of sites needed to accommodate future investment. Utilizing available GIS data, and through research and stakeholder engagement, the project team will develop a detailed list and description of site selection criteria of those employers and sectors identified in the economic trends analysis.

This portion of the work will result in economic trend reports for La Grande. It will also provide a draft assessment and summary of the of the needed site types and selection characteristics for the TACs review and consideration.

Deliverables:

- Draft Trend Report for La Grande (including recommended site types)
- Review and incorporation of comments/changes into the report from the TAC
- Final Trend Report for La Grande

Task 3: Industrial & Employment Lands Inventory

Equally important will be taking stock/inventory of La Grande's employment land characteristics. This is accomplished through assessing the feasibility of attracting future employers and companies as informed by the trends reports produced in Task 2. The land suitability analysis will build off recent "Development Status" data (2019 housing needs analysis volume 2) to determine the availability – and needed characteristics – of sites for employment uses. The analysis must consider current employment uses and those projected to expand locally or could be attracted into the communities over the next 20 years. Based on guidance by the State of Oregon, the inventory of suitable lands should follow a consistent methodology, which includes:

- Identify parcels suitable for economic sectors (including vacant and underutilized lands)
- Assess constraints, including environmentally sensitive areas such as wetlands, steep slopes and frequently flooded areas
- Assess zoning accommodation (and other regulatory policies) for employment sectors
- Reconcile supply / demand based aggregate lands and site characteristics

The inventory of employment (and industrial) lands inventory stage will result in a map identifying the economic opportunities within the city. Maps will be supplemented with detailed descriptions of vacant and developed lands in and around La Grande describing the economic opportunities of identified sites. The review by the TAC will be crucially important at this stage, as local knowledge will be needed to uncover any constraints or opportunities which do not show up in the data sets.

To conduct this Task, the consulting team will necessarily need to consider both local planning and zoning requirements and national patterns in industrial real estate usage. The consulting team will review published code from the City to embed understanding of issues such as set-backs, floor-area ratio, building heights, and other land-use requirements. At the national level, commercial real estate professionals and analysts regularly publish metrics indicating employment density by industry. Our profile of local industry and businesses will be overlaid with our understanding of employment densities in order to tie together our local employment forecasts with our forecasts for industrial land-use. Included in this will be our assessment and recommendations of prime locations with roughly 100 acres of land for the business La Grande hopes to relocate and integrate into the community.

A Goal 14 expansion of the UGB is a more extensive process than meeting the requirements of Oregon Administrative Code for Economic Opportunities Analysis. Other engineering analysis will need to be conducted to justify the need and what locations can be considered UGB expansion, including transportation and water infrastructure facilities. The current scope (Phase 1) can provide analysis for an economic, demographic, and land inventory evaluation of the need for UGB expansion. It can also include scope development and rough-order-of-magnitude cost projections for cost estimates required of engineering to meet justification requirements of Goal 14. This will provide the basis for Phase 2 work in completing requirements for any needed expansion of the UGB.

Deliverables:

- Draft Inventory of Vacant and Developed Lands (with economic opportunities) including maps and descriptions
- Review and incorporation of comments/changes into the report from the TAC
- Final Inventory of Vacant and Developed Lands (with economic opportunities) for La Grande

Task 4: Identify Community Economic Development Potential

Economic Opportunities Assessment (EOA) Draft

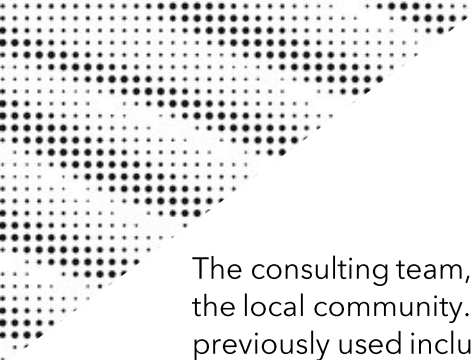
Following the work accomplished in the previous three tasks, the consultant team will begin working with county and city representatives in preparation of the Economic Development Potential assessments. The assessments will provide a realistic projection of the anticipated employment land usage likely to occur. In addition to the factors previously mentioned, the EOA draft will consider additional regional strengths, weaknesses, opportunities and threats that may not be immediately apparent from published economic data. Factors could include labor availability, transportation assets and constraints, workforce training opportunities, environmental conditions, real estate assets, land/building costs, and ongoing economic changes within the greater geographic and economic area, among others.

The project team will present the EOA draft assessment for La Grande to the TAC, while preparing for public meetings which will provide further content and context to subsequent rounds of the analysis.

Community Engagement

Though empirical data are essential for planning, interaction with community members often reveal tacit knowledge, desires, expectations, and fears that may not be readily apparent in traditional data sources. To that end, the project team will collect information from the community via two townhall events located in La Grande. In each case the consultant team will coordinate with and integrate perspectives from La Grande, the Greater Eastern Oregon Development Corporation, and minority audiences identified by the TAC or appointed individual. The consultant team will also facilitate connections with regional organizations, such as the Union County Chamber of Commerce, Oregon Rural Action, Community Connection of Northeast Oregon and with contact lists of businesses, as well as non-profits and other community leaders. The townhalls will be both informational and participatory, (i.e.: not just a presentation of findings).

Townhalls will be conducted on-site at a public location in La Grande, typically public libraries, city hall, or community centers. They will be scheduled in the late afternoon/early evening to allow maximal participation from members of the general public. Though the events will be in-person, the consulting team would be pleased to provide remote engagement options during these meetings as well. Our team has conducted hybrid events where both on-site and remote participants are equally capable of seeing all materials presented and engaging with the consulting team. Our team will furnish supplies such as projectors, speaker phones, etc. to facilitate such events, but will require adequate internet coverage at the meeting site in order to make this possible.



The consulting team, the TAC and other stakeholders will partner to advertise these events to the local community. Exact methods vary based on circumstances, but methods we have previously used include newspaper articles, radio ads, flyers, and social media advertisements. The consultant team will provide bilingual facilitators at the public meetings upon request.

Deliverable:

- Outreach Plan Execution

Task 5: Draft Analysis of Economic Opportunities & Economic Strategies

The consulting team will summarize findings from Tasks 2-4 into a draft EOA for the community of La Grande including a list of recommended strategies and next steps. The draft will be submitted to the TAC and given sufficient time to be reviewed, vetted, revised, and endorsed by individual cities and county stakeholders.

The project team will provide recommendations on strategies and next steps for La Grande to adjust planning and zoning designations and requirements and other municipal policies to accommodate the forecasted level of demand for commercial development. Potential avenues for such suggestions could include but are not limited to the following: tax and other incentives, land-use controls and ordinances, preferential tax assessments, capital investments in infrastructure to support development, property acquisition techniques (i.e., land banking and annexation), public/private partnerships, and use of grant funding to extend infrastructure and services.

Deliverables:

- Draft EOA
- Coordinate review and revision of draft EOA by TAC

Task 6: Final Economic Opportunities Analysis & Strategies Report

The project team strives to communicate compiled methodologies and results in ways that are captivating and easy to understand for various audiences. The final EOA and strategies document will be presented in a visually appealing, easy to understand, and hearings ready format.

The team's analysis work will culminate in a series of updated goals, recommendations, and policies. If needed or desired, these can be easily translated into updated ordinance language for revisions to local development codes in promotion of future economic development. In adopting the plans provided, the consulting team will remain available to answer questions and conduct occasional remote presentations on these topics.

Deliverables:

- Final EOA & Strategies document

2. Key Project Experience

Points Consulting Projects

Morrow County & Willow Creek Valley Cities of Lone, Lexington, and Heppner, Goal 9: Economic Development and Employment Lands Assessment (2022 – Ongoing)

Coordinating with county and city representatives, PC is in the midst of conducting an Economic Opportunities Assessment for Morrow County and the cities of Lone, Lexington, and Heppner, estimated to be completed April 2023. This is in accordance with statewide Goal 9: Economic Development planning to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of its citizens. PC is currently performing several services to meet this goal, including but not limited to:

- Current and projected employment and earnings assessments
- Demographic analysis to assess existing and emerging trends related to the region's population
- Industrial and employment lands inventory assessments
- Interviews of key community leaders to facilitate community involvement

Nixyáawii Community Financial Services (NCFS), Business Incubator Feasibility Study and Economic Impact Analysis, Pendleton OR (2022-ongoing)

PC is currently in the midst of a business incubator feasibility study and economic impact analysis with NCFS for the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). The incubator would be located in Coyote Business Park and provide start-up businesses with basic programs designed to assist with accounting and tax information, turning business ideas into plans, marketing, networking, operation costs, and more. Should assembly of the incubator be approved, these programs would be tailored to better serve the current cohorts of new businesses and entrepreneurs in the community, and the space could additionally be used to host conferences, public workshops and classes, meetings, and private events.

In addition to the business incubator studies, PC has also begun work with NCFS on a food truck hub feasibility study for CTUIR. So far, a community survey has been conducted to gauge interest in the incorporation of a food truck hub into Coyote Business Park, and we anticipate highlighting the results in the final study as we assess demand.

Southern Alleghenies Planning & Development Commission, Regional Resiliency Plan, Pennsylvania (2021-2022)

PC assisted with a master plan and economic development services for a six-county region in southwestern Pennsylvania. With this plan, PC focused on remote worker attraction and reducing housing blight. PC assessed the region's ability and opportunity for communities to retain long-term remote workers from nearby metro areas (e.g.: Philadelphia, Washington DC, etc.) These strategies will directly interface with a strategic plan for reducing urban blight, improving quality of place, and reinvigorating historic downtown cores. PC's work resulted in a regional plan presented in February 2022.

The executive summary and full project report can be found on the SAPDC website:
https://sapdc.org/wp-content/uploads/simple-file-list/Recovery-and-Resilience-Plan/SAPDC_ExecSummary_final.pdf

Columbia Gorge Community College, Feasibility Study for Workforce Needs in Food and Beverages Manufacturing Industries, The Dalles, OR (2019)

Mr. Brian Points partnered with an advisory team at CGCC to determine how best the college could serve students and local industry partners in the developing food and beverage industry. The Dalles and Hood River, Oregon, are host to a growing cluster of fermented beverage processors, along with associated restaurants, lodging and recreational amenities. Yet, prior to the study, the college had little engagement with these industries. Research included a combination of industry trends, in-depth interviews, surveys of industry leaders and students, and examination of higher education enrollment trends. The project team also carefully considered the opportunity to better leverage the college's commercial kitchen and other real estate assets. Mr. Points team advised CGCC to develop a 2-year Fermented Beverage program which could be transferred to various other in-state 4-year programs or applied directly to the workforce.

The study is available at the CGCC website:

<https://www.cgcc.edu/sites/default/files/institutional-assessment/CGCC-Food-%26-Beverage-Feasibility-Study-2019.pdf>

Target Industry Analysis & Implementation Study, Unita and South Lincoln Counties, Wyoming (2018-2019)

Unita County and South Lincoln County, Wyoming, have long relied upon natural resource-related industries such as mining, coal-fired energy production, and oil and gas transportation. Recently, these communities have recognized the need to diversify and develop their industrial base in order to balance out the "boom and bust" nature of their regional economy.

Mr. Brian Points led a team of researchers and economic development experts to study the region's real estate assets, socioeconomic structure, industry supply chains, and entrepreneurial opportunities. This effort concluded in a Target Industry Implementation report along with an updated regional brand platform. The report provides twenty-one target industry opportunities across manufacturing, services, and hospitality which are viable options for the region to expand and grow its economic base using existing municipal or privately owned properties. Since completion in April 2019, the report has been used by regional economic development organizations push forward a new regional identity and vision for the future.

The full report can be accessed here: <http://www.kemmerer.org/wp-content/uploads/2019/12/Implementation-plan.pdf>

Nexus Planning Projects

*Economic Development Chapter, Eagle, ID (*SCI) (2016-2017)*

In an area experiencing unprecedented growth, the City of Eagle was (and is) well positioned to take advantage of the Treasure Valley's economic potential. During its update to the City's Comprehensive Plan, Ryan served as the consulting team's project manager, supporting a rewrite of the City's Economic Development Chapter of the Comprehensive Plan. The project helped in collating economic and demographic data, defining the city's vision, needs, and elaborating on opportunities (include site selection criteria) for a curated selection of relevant employment sectors (and industries) based the socio-economic profile of the city.

The project-work included public engagement to consider alternative courses of action and to generate popular endorsement, it also reviewed current land-use and zoning to provide recommendations on updated land designations to capitalize on economic opportunities. Meeting with local business owners, Ryan helped to incorporate the needs and vision of the local business community into the City's long-range economic forecast.

* During Mr. Hughes' Senior Planner role with consulting firm Studio Cascade Inc.

*Industrial Subarea Plan, Airway Heights, WA (*SCI)*

With a high concentration of manufacturing and industrial employers, Airway Heights serves as the region's aerospace and transportation logistics hub. It's industrial area, however, has not had the public investment needed to support future growth. Playing a lead role for the Industrial Subarea Plan, Ryan initiated work with stakeholders, the city, and the economic and engineering consulting partners to support planning and policy development. He also spearheaded land use analysis in correspondence with updates to the city's comprehensive plan. The resulting plan now serves as the city's roadmap as it relates to the future of the industrial area, presenting the current economic and market factors, and identifying opportunities for the city and neighboring local governments to capitalize on.

* During Mr. Hughes' Senior Planner role with consulting firm Studio Cascade Inc.

3. About the Project Team

About Points Consulting

At Points Consulting we believe in the power of peoples' interests, passions, and behaviors to shape the world around us. Now more than ever, people are the primary factor in the success of businesses, organizations and communities. For that reason, our work is focused not only on how people impact communities and organizations, but how to align their potential to create more successful outcomes.



We partner with a variety of industries including state and local government agencies; higher education not-for-profits; real estate developers; and private companies to understand and

unleash the power of the workforce in our midst. Built on our experience advising hundreds of high performing organizations, Points Consulting strives to answer complex economic questions and recommend workable solutions. In summary, at Points Consulting we believe in "Improving Economies. Optimizing Workforce." Specifically related to land use evaluations, PC has partnered with many regional and state level agencies, as well as private sector real estate developers to determine issues such as land availability, highest and best use, and ideal economic development strategies.

Points Consulting would serve as the project lead on this engagement and manage all subcontractor contracts, responsibilities, and deliverables. Our team would work alongside Nexus Planning Services on all project tasks. Some of the items that our team will primarily execute include:

- Communication with the City of La Grande
- Research of local, state, and national labor market and real estate trends
- Partner with Nexus Planning on research of local planning and land use context
- Partner with Nexus Planning on feasibility development for particular parcels and planning areas
- Development of site types and size inventory for industrial buildings

Subcontractor: Nexus Planning Services

Nexus Planning Services is an inland northwest-based professional services firm specializing in comprehensive planning, community design, urban analytics, development administration, economic development, strategic planning, and policy guidance. We serve the needs of local communities in their urban and regional planning efforts. Our experience includes planning within local, state, international and American tribal contexts.



Focusing on client goals and needs, we support communities through the process of planning, design, feasibility analysis, and helping solve funding and regulatory challenges. We take a hands-on approach and strive for due diligence. In doing this, we've earned the trust of clients, helping them realize their community development goals. During the course of this project Nexus Planning will be responsible for the following tasks:

- Coordinate with Points Consulting in developing the work plan
- Best practices analysis in collaboration with Points Consulting
- Support identification of land characteristics requisite in taking advantage of economic opportunities
- In collaboration with Points Consulting, prepare economic and employment suitable lands inventory in accordance with OAR 660-009-0015
- Employing GIS to develop mapping analysis and to illustrate the employment of industrial lands inventory and site analysis
- Providing assistance on developing Community Economic Development Potential assessments

4. Project Team Bios

Brian Points, Points Consulting – Project Lead | Economist



Brian Points is the president of Points Consulting and will serve as the project lead. Over the past 15 years Mr. Points has worked for a series of management consulting firms serving clients across the domains of public and private organizations. His quantitative skills include feasibility studies, revenue/cost forecasting, real estate pro formas, opportunity zone technical assistance, economic/fiscal impact analysis, industry/market studies, econometrics, and target industry analysis. He also excels at qualitative research such as focus group facilitation, survey design and analysis, and in-depth interviews.

In his career Mr. Points has completed 100+ projects across 30+ states, assisting noteworthy organizations such as the JPMorgan Chase Foundation, Purdue University, the Kentucky Cabinet for Economic Development, the Texas Office of the Governor, the Florida Board of Governors, the Aspen Institute, the Alliance for Excellent Education, and the Institute for Corporate Productivity, to name a few.

Selected Related Projects

Morrow County Economic Development and Employment Lands Assessment
Morrow County & Willow Creek Valley Cities of Lone, Lexington, and Heppner (OR)

Southern Alleghenies Planning & Development Commission Regional Resiliency Plan
SAPDC (PA)

Comprehensive Economic Development Strategy
Superior California Economic Development (CA)

Feasibility Study for Workforce Needs in Food and Beverages Manufacturing Industries
Columbia Gorge Community College (The Dalles, OR)

Housing Needs Assessment for North Central Idaho
Clearwater Economic Development District (Lewiston, Idaho)

Housing Needs Assessment for Chelan & Douglas Counties
Housing Authority of Chelan County & the City of Wenatchee (Wenatchee, WA)

Work Experience

President | Points Consulting, Moscow, Idaho (2019- present)

Director of Research | Thomas P. Miller & Associates, Indianapolis, Indiana (2016-2019)

Director of Consulting | Emsi, Moscow, Idaho (2013-2016)

Staff Economist | Chmura Economics & Analytics, Richmond, Virginia (2012-2013)

Education

Masters of Arts in Economics | University of California Santa Barbara (2011)

Bachelor of Science in History | University of Idaho (2005)

Professional Affiliations

Urban Land Institute, Associate Member

Northern Idaho Partnership Council (Innovia Foundation)

Subcontractor: Ryan Hughes, Nexus Planning – Senior Planner | AICP



Hailing from in the inland north-west, Ryan's experience includes more than 17 years professional engagements and consultancies in urban planning, community, and economic development. He earned his degree in Urban & Regional Planning from Eastern Washington University, holding a Master's in Economic Development as well. His background includes planning and development work throughout the northwest USA, Africa and the Middle East. A professionally certified urban and regional planner with the American Institute of Certified Planners (AICP), Ryan has led project work in comprehensive planning, economic development and industry analysis, growth management, public participation, land-use, and local development administration.

Selected Related Projects

Eagle Idaho Economic Development Chapter - Eagle Comprehensive Plan, *City of Eagle (ID)*

Yanbu Economic Plan - Implementation Plan
Yanbu Industrial City, Kingdom of Saudi Arabia (KSA)

Statewide Guidance for Accessory Dwelling Units (ADUs)
Washington State Department of Commerce (WA)

City of Port Angeles Housing Chapter Comprehensive Plan
City of Port Angeles (WA)

Spokane Tribe of Indians Sustainable Community Master Plan - Housing Element
Spokane Tribe of Indians, Wellpinit (WA)

City of Aleppo Economic Profile - City Profile
Urban Analysis Network for Syria / European Union (SY)

Professional Affiliations

American Planning Association, WA-IES, Board Member
American Institute of Certified Planners

Work Experience

Owner/Principal Planner | Nexus Planning Services, Spokane, WA (2020- present)

Urban Analyst | iMMAP / Urban Analysis Network for Syria | Amman, Jordan (2018-2022)

Senior Planner | Studio Cascade Inc., Spokane, WA (2016 - 2018)

Economic Planning Specialist | Parson Corporation, Yanbu, Kingdom of Saudi Arabia (2013-2016)

Education

Master of Science in Economic Development Economics | Eastern University, St. David's, PA (2006)

Bachelor of Urban Regional Planning | Eastern Washington University (2003)

Madeline Bowen — Project Assistant | Analyst

Madeline graduated with a B.S. in Business Economics from the University of Idaho in 2020. She brings qualitative and quantitative research skills, and organizational skills for managing public engagement processes. Madeline joined Points Consulting in October of 2021.



Work Experience

Project Assistant/Analyst | Points Consulting, Moscow, Idaho (October 2021-present)

Selected Related Projects

Morrow County Economic Development and Employment Lands Assessment | *Morrow County & Cities of Lone, Lexington, and Heppner (OR)*

Lewiston Community Strategic Plan | *City of Lewiston (ID)*

Okanogan Community Needs Assessment | *Okanogan County Community Action Council (WA)*

Nimiipuu Community Development Fund Feasibility Study | *Nimiipuu Fund (ID)*

North Central Idaho Housing Needs Assessment | *Clearwater Economic Development Association (ID)*

Education

B.S. Business Economics | University of Idaho (2020)

Pedro Jimenez — Staff Economist

Pedro earned his M.S. in Applied Economics from Washington State University in 2021. He is trained in economic and statistical analysis. His graduate education in economics has equipped him with a range of quantitative and qualitative skills to carry out research. Pedro joined Points Consulting in January 2022.

Work Experience

Economist | Points Consulting, Moscow, Idaho (January 2022-present)

Selected Related Projects

Morrow County Economic Development and Employment Lands Assessment | *Morrow County & Cities of Lone, Lexington, and Heppner (OR)*

Economic Impact of Moving the Idaho/Oregon State Border (ongoing) | *Claremont Institute (CA)*

North Central Idaho Housing Needs Assessment | *Clearwater Economic Development Association (ID)*

On-Campus Student Housing Needs Assessment | *Wenatchee Valley College (Wenatchee, WA)*

Nimiipuu Community Development Fund Feasibility Study | *Nimiipuu Fund (ID)*

Education

M.S. Applied Economics | Washington State University (2021)

B.A. Economics | University of Puerto Rico at Mayagüez (2018)



Maria Byler — Analyst

Maria earned her B.A. In Liberal Arts and Culture from New Saint Andrews College in 2019. She recently joined Points Consulting in October 2022 to assist with a variety of research tasks in the fields of real estate, planning and public administration, economic development, higher education, and workforce development.



Work Experience

Real Estate & Economic Analyst | Points Consulting, Moscow, Idaho (October 2022 - present)

Product Specialist | Lightcast, Moscow, Idaho (2021 - 2022)

Selected Related Projects

In her time at Lightcast, Maria worked with higher education institutions to produce employment reports on their alumni. Her portfolio includes over 100 schools, from small community colleges to large university systems. Duties included data validation, project management, and customer support.

Education

B.A. Liberal Arts and Culture | New Saint Andrews College (2019)

Full Stack Web Development Certificate | UNC Chapel Hill Bootcamp (2021)

5. Timeline & Payment Schedule

Fixed Price Budget

The following budget outlines the fixed cost for completing the analysis. PC considers this project to be a fixed-price engagement. In other words, cost to La Grande will not vary based on PC's cost of labor or material resources to complete the analysis. PC would invoice monthly based on percent of task completed, as outlined in the budget below.

Task	Cost
1: Project Launch & Admin	\$2,910
2: Economic Trends & Site Types Identification	\$9,970
3: Industrial & Employment Lands Inventory	\$9,200
4: Identify Community Economic Development Potential	\$11,420
5: Draft Analysis of Economic Opportunities & Economic Strategies	\$7,370
6: Final Economic Opportunities Analysis & Economic Strategies Report	\$7,190
Travel Expenses	\$2,500
Grand Total	\$50,560

Availability Statement

Please note that Points Consulting carefully curates our subcontractors and only works with businesses whom we are philosophically and procedurally aligned. We also ensure, prior to submitting a proposal, that all staff and subcontractors have time and capacity to complete the outlined scope of work in the time period specified. PC will manage all subcontractor deliverables and ensure that the City of La Grande has a single point of contact over the course of the project.

We anticipate spending roughly 260 hours on this project as a group. This number is only provided because it was requested in the RFP. The City would be charged no more or less than the amount quoted above regardless of the number of hours required to execute the work. We do not systematically forecast the percentage of time that our workers will be staffed on each project because, in our experience, these numbers are unhelpful for business planning. But, to provide a sense of our team's business levels at any one time each team member will be working on three to five projects simultaneously, which would each have various durations and time requirements.

Timeline

The following schedule outlines key deliverables and expected dates of delivery. As requested in the RFP, we scheduled the project to be completed within a roughly six-month time frame, corresponding with the estimated completion date of June 30, 2023.

List of Tasks, Deliverables, and Estimated Completion Dates:

- Task 1: Project Initiation & Work Plans
 - Project Work Plan
 - Inclusive Outreach Plan
 - Estimated Completion: January 31st, 2023
- Task 2: Economic Trends & Site Types Identification
 - Draft Trend Report for La Grande (including recommended site types)
 - Review and incorporation of comments/changes into the report from the TAC
 - Final Trend Report for La Grande
 - Estimated Completion: April 19th, 2023
- Task 3: Industrial & Employment Lands Inventory
 - Draft Inventory of Vacant and Developed Lands (with economic opportunities) including maps and descriptions
 - Review and incorporation of comments/changes into the report from the TAC
 - Final Inventory of Vacant and Developed Lands (with economic opportunities) for La Grande
 - Estimated Completion: May 22nd, 2023
- Task 4: Identify Community Economic Development Potential
 - Outreach Plan Execution
 - Estimated Completion: May 22nd, 2023
- Task 5: Draft Analysis of Economic Opportunities & Economic Strategies
 - Draft EOA
 - Coordinate review and revision of draft EOA by TAC
 - Estimated Completion: June 1st, 2023
- Task 6: Final Economic Opportunities Analysis & Strategies Report
 - Final EOA & Strategies document
 - Estimated Completion: June 30th, 2023

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER: Kyle Carpenter, Public Works Director

COUNCIL ACTION: **CONSIDER AWARDING BID FOR THE WASTEWATER TREATMENT PLANT CONTROL SYSTEM MODERNIZATION – 2022 PROJECT**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that we award the Wastewater Treatment Plant Control System Modernization - 2022 Project to ***All Phase Electrical Contracting Inc.***, in the amount of **\$391,000.00**, as shown in the Bid Summary, and, further, that City Manager Strope be authorized to execute the contract documents for the bid for the Wastewater Treatment Plant Control System Modernization - 2022 Project.

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

EXPLANATION: The control system for the Wastewater Treatment Plant (WWTP) is responsible for monitoring and managing various functions of the treatment process for the City’s wastewater. Examples of these functions include turning on pumps when water levels reach a programmed limit, and dialing an operator when one of the functions of the plant is not operating within tolerances. The current control system was last updated during the most recent WWTP upgrade in 2002. Existing control system hardware and software has become obsolete and is increasingly difficult to find parts/service providers to keep in operation. The proposed project has salvaged as much of the existing system possible to remain compatible with the proposed modernized system. This Bid Award will allow staff to proceed with the execution of this project.

Staff contracted with Anderson Perry who advertised for competitive bids and received **one (1)** qualified bid, in the amount of **\$391,000**, from ***All Phase Electrical Contracting, Inc.***, of ***La Grande, Oregon.*** The project will consist of updating the City of La Grande’s existing control system at the treatment plant with modern hardware and software. Work will include updates at the treatment building, wetlands site, headworks facility, and the electrical building and updates to the overall control scheme. The amount budgeted for this work is \$400,000.

The City Manager recommends awarding the bid 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: _____

December 21, 2022

Kyle Carpenter, Public Works Director
City of La Grande
800 X Avenue
La Grande, Oregon 97850

RE: City of La Grande, Oregon - Wastewater Treatment Plant Control System Modernization - 2022
Award of Construction Contract

Dear Kyle:

The bid opening for the City of La Grande, Oregon - Wastewater Treatment Plant Control System Modernization - 2022 project was held on December 20, 2022. One bid was received, from All Phase Electrical Contracting Inc. A tabulation of bids received is attached. The total bid amount for the bidder is shown on the following table.

Bidder	Total Bid Price
All Phase Electrical Contracting Inc.	\$391,000


The total bid amount for the bidder is more than the Engineer's estimate of \$320,000, but we consider this a reasonable bid price given the recent bidding environment. We have reviewed the bid and the accompanying documents provided in the Bidder's Packet as submitted by All Phase Electrical Contracting Inc., and their bid appears to be responsive. We have reviewed the State of Oregon Contractors Board website, and it appears the license held by All Phase Electrical Contracting Inc., is in good standing. We see no reason why All Phase Electrical Contracting Inc., is not qualified to perform the work called for in the Contract Documents.

If the City elects to award the bid, we will have the City execute the Notice of Award, then we will forward the Contract forms to All Phase Electrical Contracting Inc., for processing

If you have any questions, please call me.

Sincerely,

ANDERSON PERRY & ASSOCIATES, INC.

By 
Chas Hutchins, P.E.

CH/cd

Enclosure

cc: File No. 1309-133-55 (w/encl.)

G:\Clients\La Grande\Wastewater\1309-133 WWTP Control System Modernization\Correspondence\Carpenter-Award.docx

BID TABULATION

ANDERSON PERRY & ASSOCIATES, INC.
 P.O. Box 1107
 La Grande, Oregon 97850

PROJECT: City of La Grande, Oregon
**Wastewater Treatment Plant Control
 System Modernization - 2022**

OWNER: City of La Grande, Oregon
 P.O. Box 670 / 800 X Avenue
 La Grande, Oregon 97850

Bid Opening: 2:00 p.m., December 20, 2022, at the City of La Grande
 Public Works Department, 800 X Avenue, La Grande, Oregon 97850

BIDDERS

Item	Description	Unit	Amount	Engineer's Estimate		All Phase Electrical Contracting Inc.		Unit Price	Total	Unit Price	Total
				Unit Price	Total	Unit Price	Total				
1	Mobilization/Demobilization (not to exceed 7% of Total Bid Price)	LS	1	\$20,000.00	\$20,000.00	\$1,000.00	\$1,000.00				
2	Project Safety	LS	1	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00				
3	Electrical and Controls - Headworks Site	LS	1	\$104,000.00	\$104,000.00	\$125,000.00	\$125,000.00				
4	Electrical and Controls - Treatment Plant Site	LS	1	\$70,000.00	\$70,000.00	\$85,000.00	\$85,000.00				
5	Electrical and Controls - Electrical Building Site	LS	1	\$55,000.00	\$55,000.00	\$85,000.00	\$85,000.00				
6	Electrical and Controls - Wetland Site	LS	1	\$68,000.00	\$68,000.00	\$93,000.00	\$93,000.00				
TOTAL BID PRICE					\$320,000.00		\$391,000.00				

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: February 1, 2023

PRESENTER: Robert Strope, City Manager

COUNCIL ACTION: **CONSIDER ADOPTING RETREAT SUMMARY AND CITY/DISTRICT MANAGER’S TOP PRIORITIES FOR FISCAL YEAR 2023-2024**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Public Comments
- 3. MAYOR: Invite Council Discussion
- 4. MAYOR: Entertain Motion

Suggested Motion: I move that the City/District Manager’s Top Priorities for Fiscal Year 2023-2024, as discussed during the Annual Council Retreat on January 24, 2023, and outlined on the attached City Council Retreat Summary, be adopted as presented.

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

EXPLANATION: The City of La Grande City Council, City Manager, and Department Directors participated in the Council’s Annual Goal Setting Retreat on Tuesday, January 24, 2023. During this Session, goals and priorities for Fiscal Year 2023-2024, were identified and discussed in preparation for developing the proposed Budget for the next Fiscal Year. Those goals and priorities are included in the attached summary of the Council Retreat 2023 and serves as direction and guidance from the City Council. Additionally, the City Council establishes the City/District Manager’s Top Priorities for Fiscal Year 2023-2024, also attached.

The Urban Renewal Agency will also adopt the same top priorities and approve the City and Urban Renewal Economic Development summary at their Regular Meeting.

The City Manager recommends that the Council adopt the Summary and Goals/Top Priorities for Fiscal Year 2023-2024, 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 Council Retreat Summary and Priorities 2023

January 24, 2023

Text in red underline reflects the discussion during the Retreat

Vision Statement: The City of La Grande is the economic, educational, recreational, and cultural hub for eastern Oregon, with a family oriented, small-town character. (City’s current Vision Statement with the goals NOT specifically related to Economic Development **highlighted** below)

Goals to support our vision:

G1	Enhance and grow our diverse economy through innovation, partnerships, and relationships, to capitalize on our existing strengths while seeking new opportunities.
G2	Take full advantage of the benefits of our thriving educational community, anchored by Eastern Oregon University.
G3	Promote the natural beauty and resources of the Grande Ronde Valley, which provide recreational opportunities and quality of life benefits that complement our economic development objectives.
G4	Showcase La Grande as a culturally-rich city with a strong sense of identity, pride, and environmental awareness that preserves our heritage.
G5	Foster a family-oriented community with high quality amenities, including excellent parks, safe neighborhoods, and outstanding schools.
G6	Champion public involvement and civic leadership that values economic, ecological, and social stewardship, while maintaining our small-town character.

1. Budget Related Issues/Fiscal Management

a. General Fund

The intent of this item is to identify the baseline budget priorities for the year and to determine if there are any significant shifts in direction from the City Council. Typically, the City will continue to provide the same core services and programs as in prior years. Using the 2022-2023 Adopted Budget to illustrate, and excluding ALL capital expenditures and ARPA funding/expenditures, the City’s General Fund budgeted expenditures exceed budgeted revenues by around \$700,000. With capital included, that deficit grows to around \$1.2 million. We purposefully continue to budget to spend more than the projected revenues because we currently have sufficient cash on hand to maintain services and make needed capital improvements. Therefore, if the City Council wants to consider increasing staff or services in certain areas, we would need to know the Council’s specific priority guidance regarding what areas would see reduced staffing or program funding to allow for the desired increases.

i. Validate continuation current services and programs at a minimum.

1. *Currently the City is maintaining staffing levels, programs, and functions using a balanced approach with increases to staffing levels limited based on the fiscal resources.*
 - Does the City Council want to continue this approach or make any changes?
 - Does the City Council want to continue the practice of conservative capital investments/maintenance using existing fund balance in General Fund to avoid reductions?

The City Council supports the current approach and did not identify any specific changes.

b. Compensation Studies, Collective Bargaining, and the Pay Equity Act

The City is currently in the last year of the three-year Collective Bargaining Agreements (CBA) for all represented groups and will be bargaining with all three unions. In conjunction with bargaining, the City has hired a consultant to conduct salary market surveys for all employees as well as assist with implementation of the Pay Equity Act. The intent is to develop an implementation plan to comply with the provisions of the Pay Equity Act as part of the labor negotiations. It is anticipated that with the current rate of inflation and the preliminary data from the market surveys, labor costs are likely to increase at a higher rate than we have seen in the past several years. These impacts will include the General Fund and the Enterprise and Other Fund Budgets.

Given we are negotiating new labor agreements that will be effective this coming June, this item will not be discussed in any detail during the Retreat.

c. Staffing

i. Fiscal Impact

- 1. Excluding the American Rescue Plan Act (ARPA) funding, County Hotel/Motel Tax passthrough, and the transfer to the Street Reserve Fund in the currently adopted City General Fund Budget, labor costs total \$8,986,754, and represent 74% of the total expenses.*
- 2. There have been increased workloads in most if not all departments. We have made incremental staffing increases within our resources in recent years. We continuously evaluate the needs and will request changes based on our ability to sustain the ongoing costs in conjunction with the annual budget process.*
- 3. Any potential increases in staffing levels will have to be evaluated in conjunction with the budget implications of the aforementioned impacts of collective bargaining and implementation of the Pay Equity Act.*

ii. Recruitment and Retention

- 1. The City continues to have challenges with recruitment, and to a lesser degree, retention for certain positions. The compensation studies currently in progress should help identify any significant disparities between La Grande and other cities from a market perspective. Addressing these will be part of the collective bargaining process. We have instituted a lateral entry recruitment incentive for police officers and have created a paramedic education program to help address the lack of paramedic candidates in recent years.*
- Does the City Council have any specific guidance regarding staffing levels?

No specific guidance, but Council was interested in assuring we are able to meet our needs. The potential for adjustments was briefly discussed including the importance of staffing to meet the needs within available resources.

d. Police Department Building

i. The City Council ranked the use of ARPA funds to acquire land for the construction of a new police department building very high but ultimately opted not to fund the purchase. There is clearly a need for a new building but identifying a funding source and location remains to be done. The City had participated in discussions with the County Sheriff regarding a potential new jail facility that would also house the UCSO and LGPD but that effort has stalled.

- Should the City begin allocating General Fund dollars to fund the land acquisition and construction of a new facility in the coming fiscal year?
- Should the City pursue acquisition of vacant land or an available existing building for conversion to a police station in the coming fiscal year?
- Should the City consider hiring a consultant to assist in evaluating the need for a new building, the specifics of the new facility, and identify funding options to pursue?
- Should the City continue to work with the County for a shared facility?

The City Council was supportive of exploring options, such as the use of a consultant to help identify the specific needs and potential funding sources. The idea of using property at the La Grande Business Park or accepting donated property was briefly discussed. The importance of locating a new facility in downtown was also emphasized. The consensus was to pursue a stand-alone facility as the preferred option.

e. Under Levy City Council perspective

i. Validate continuation of Urban Renewal Agency (URA) Under Levy.

- 1. The decision to Under Levy is an annual decision and impacts other taxing jurisdictions. We are required to provide notice of the intent to Under Levy to the other jurisdictions, which we typically do immediately following the February Council Meeting.*
- 2. The current intent is to Under Levy to provide additional tax revenues to the City's General Fund to help address the shortfall between current revenues and expenses mentioned above without reducing key economic development efforts/Urban Renewal program funding.*

- What is the Council's guidance regarding an Under Levy?

The Council was supportive of continuing the Under Levy following a discussion of the benefits to the other taxing jurisdictions and the importance of not sacrificing economic development efforts or Urban Renewal Agency projects and programs. There was some discussion of increasing the amount of the Under Levy if it could be done without adversely impacting URA. It was noted that we had not used all of the budgeted URA program funding in recent years. The Council wanted to wait until the conclusion of the Agency Retreat before coming to consensus on the Under Levy.

f. Infrastructure/Capital Expenditure Related

i. American Rescue Plan Act (ARPA)

1. *The City Council voted to use all but \$250,000 of the ARPA funding for street projects which were then identified and approved as a separate City Council action. The remaining \$250,000 was designated for the Union County Fairgrounds as gap funding. The City Manager, based on City Council guidance, intends to include \$119,000 of unallocated TRT funds in the 2023-2024 Proposed Budget. Additionally, the City Council will be asked to waive a portion of the water and sewer connection fees for a total of at least \$250,000 in financial support. This would trigger the provision in the ARPA Funding Resolution to allocate the \$250,000 to street projects. No further action is required by the City Council regarding the street projects. Council action will be required on the fee waiver.*

i. Are the ARPA street projects including the bike lanes and ADA ramps?

i. When completing the ARPA funded street projects, we are planning to restore the system to at a minimum what pre-existed the project. As none of the Council approved roadway projects include removal of curbs or sidewalks, it will not trigger the requirement to build any ADA corner ramps. Most of these roadways do not have designated bike lanes. Gekeler was the only street done so far (was not ARPA funding) that did have bike lanes which we intend to get rehabbed in the coming paving season. We do not intend on constructing bike lanes as a part of the ARPA projects as we will not be widening any roadways. However, we are currently working on the community pathways grant which will take a look at the possibility of the addition of bike lanes on roadways in the City's network around the college, and if possible, we might try to integrate some of the resulting project elements if it is feasible.

With the Council action allocating the full amount of ARPA funding complete, including a provision for using any unused funds for Street projects, this item is informational only and Staff is not seeking any additional guidance.

The City Council did not indicate any desire to revisit the allocations for the ARPA funding.

ii. Street Infrastructure

1. *In 2022, the PTSSMAC presented recommendations to the City Council regarding additional funding for streets, specifically using ARPA funds for streets; modifying the Street User Fee correct inequities and if needed, increase the fee amount in the future; create a System Development Charge (SDC) for transportation; and impose a local gas tax. As stated above, the City Council approved the use of all but \$250,000 of ARPA*

funds for Streets. No timeframe was identified to begin the process to place a gas tax on the ballot and given the current gas prices, such a tax is unlikely to be approved by the voters. This tax should be revisited next year or sooner if gas prices drop substantially. The transportation SDC should be incorporated into the work that is planned for the switch to SDC's for Water and Sewer connections to save costs.

- Does the City Council have any specific guidance regarding any of the non-SDC recommendations of the PTSSMAC for action this coming fiscal year?

The City Council indicated support for moving forward with an educational program and placing a gas tax before the voters but likely not starting in the coming year given gas prices. The Council was supportive of including the Transportation SDC in the upcoming work for Water and Sewer SDC's. It was noted that in the current year funding from the Under Levy was dedicated to streets.

iii. Water and Sewer Infrastructure (ICW ARPA Street Projects)

1. *In conjunction with the ARPA funded street projects, the City should consider replacing outdated service or mainlines. This may impact the timing of other water and sewer improvements and will be addressed as part of the annual budget process.*

This is informational only.

iv. Public Work Fueling Station Replacement

1. *The existing system including hardware and software is obsolete. Staff is looking at options including full replacement as well as potentially eliminating the onsite refueling. This may be addressed as part of the annual budget process.*

This is informational only.

2. Planning

a. Housing

i. Comprehensive Housing Production Strategy (HPS) implementation:

1. *Based on the Housing Needs Analysis and the Housing Production Strategy, Staff is moving forward with:*
 - i. *Completing the Land Development Code updates related to housing.*
 - ii. *Modifying the Water and Sewer connection fee to System Development Charges (SDC). As part of this process, the City can consider incentives based on the scale of development (e.g. number of bedrooms vs. one set fee per dwelling unit).*
2. *The City Council supported pursuing the following incentives:*
 - i. *Reduce or waive fees for targeted projects (e.g. water/sewer connections, building permits, system development charges, other).*
 - ii. *Tax abatement for new development (phase in property tax).*

- iii. *Targeting Urban Renewal District investments to better support the renovation and creation of new housing units.*
- iv. *Public-private partnerships where the City helps fund or participates in new infrastructure construction.*
 - Are there additional incentives the City Council would like to pursue?
 - For a variety of reasons, identifying which actions to focus on in any given year will be important. (staffing, measuring success, changing priorities, etc.)

The City Council did not identify any additional incentives. Staff will bring forward any recommendations on specific incentives when appropriate.

ii. Eastside Housing Water and Sewer Infrastructure Project

1. *The City Council opted not to use ARPA funds for the Eastside Housing Water and Sewer Infrastructure Project which would construct the primary water and sewer distribution lines along the border of a future proposed housing project that could add over 200 new residential housing lots.*

- Should the City pursue other funding options for this project?
 - Formally request County assistance using County ARPA funding?
 - Consider a Local Improvement District to install the infrastructure?
 - Public/Private Partnership?

The City Council indicated support for seeking assistance from Union County and other sources given the housing need is regional and this location is the only large area remaining in La Grande where larger subdivisions could be placed. It was noted that private party interest in development was an important element. The potential for using Under Levy funds as part of the project was briefly discussed, as was doing the design and engineering for the improvements to reduce the delays in response to development opportunities.

b. Annexation

i. *Currently there are residential properties within the Urban Growth Boundary that are contiguous with or immediately adjacent to the City Limits. (some separated by a street for example, and others that may be fully surrounded by City boundaries resembling islands) Some of these properties have annexation agreements in place, while others do not. Some of these Urban Growth Boundary properties benefit from receiving services, such as water and sewer. Currently the City has taken the approach of only annexing at the request of the property owners, typically in conjunction with the extension of City services. The City Council has not initiated any annexations since the failed North Side Annexation was challenged and reversed in 1999-2000.*

- Should the City Council consider directing Staff to:
 - Take actions to annex all eligible properties with annexation agreements in place? (Note: This would only include a small number of properties that have received City water and sewer

services within the past 30-years, in exchange for agreeing to annexation.)

- Take actions to annex all eligible properties with or without an annexation agreement in place? (Note: This would include all properties with annexation agreements in place, those which have become islands-fully surrounded by City limits, and a limited number of other eligible properties.)

The City Council asked for a Work Session to learn more about what properties are eligible to be annexed and the process involved. The importance of highlighting the benefits of annexation, including receiving City police and fire services, was mentioned in regard to gaining support from property owner should the Council opt to move forward with annexation efforts.

c. Commercial Land Needs Analysis and Comprehensive Plan Goal 9 Update

- i. *The City is conducting a Commercial Land Needs Analysis and Comprehensive Plan Goal 9 Update to potentially increase our inventory to allow for new development. The Request for Qualifications (RFQ) process is in progress. This is informational only and is also on the Eco Devo/URA Retreat topic list.*

3. Homelessness

- a. *The City Council has discussed the issues related to homelessness on a number of occasions, with an area of emphasis on Max Square and impacts to downtown businesses. Homelessness, addiction, and mental health issues often overlap and are not unique to La Grande. The appropriate role of local government, the tools and resources available, coupled with the legal and regulatory constraints as well as whether or not those who may need assistance will accept it often collide with what the public would like to see happen. City Staff, along with other agencies and organizations, have and will continue to work together where practical to try to address the situation. Things that have been done that may help:*
 - i. *Adding security cameras in and near Max Square.*
 - ii. *Updating the City Ordinance relating to use of public spaces to conform to the new requirements (the second reading of this Ordinance was completed on January 4th).*
 - iii. *Using some of the Opioid Settlement Funds to hire a consultant to assist with determining what is currently being done and where the gaps are and how we can use future settlement funds to help address the opioid crisis was approved at the December City Council meeting.*
 - iv. *The police department has partnered with local agencies to create a bi-weekly Behavioral Health Multi-Disciplinary Team (MDT). This MDT provides a structured opportunity to discuss (among other things) collective solutions for individuals who we are having repeated law enforcement contact with. In many cases these persons are also experiencing homelessness.*
- b. *Once the new Ordinance regarding use of public spaces becomes effective, we will have additional tools to address some elements of the situation.*
- What, if any, additional actions would the City Council like to explore?

The City Council did not identify any additional actions but did ask Staff to explore the possibility of a Councilor liaison for one of the groups engaged in the issue to provide ongoing feedback to the City Council.

4. City Council, Committees and Commissions

a. Encouraging participation in Advisory Committees and Commissions.

b. Increasing diversity and community participation on Commissions and Committees.

- Are there any specific actions the City Council would like to see taken in regards to 4. a. and 4. b. above?

The City Council did not have any specific guidance other than keeping them informed of vacancies, which are included on the Monthly Report.

c. City Council election revisions.

Changing the City's Charter does require a vote of the citizens of La Grande. The current system of candidates filing for individual positions, which are not tied to geographic areas in the City and is non-partisan, creates a potential for a candidate running for one position be elected with fewer votes than a second candidate who was running opposed for another position. Changing to an at large or other system where the candidates with the most votes are elected would also be less confusing for both the candidates and the citizens. Another element would be to remove the potential for the adversarial nature that can occur when two individuals are vying for the same position. However, it also removes the element of running with the intent to replace a specific incumbent or opponent.

- Should the City Council consider a proposed Charter Amendment for voter approval to change from the current position specific election to one where vacant positions are filled by those who receive the most votes regardless of position? Should the Mayor become a four-year term?

The City Council did not reach consensus on whether or not to pursue a change to the Charter. Some felt the current system should be retained, others wanted to explore a different system, potentially ranked choice voting. There was more support for a four year term for Mayor. The Council asked for a Work Session to discuss the matter in more detail.

5. Emergency Management Planning

a. Wildland Urban Interface

- The City has continued with providing information regarding prevention this past year.*

Staff recommends this item be incorporated into a larger priority called Emergency Operations Planning.

b. New City Emergency Operation Plan

- The City's current Emergency Operation Plan was last updated in the early 1990s. We need to develop a new plan using the current best practices and doing so will entail significant staff time as well as the involvement with other agencies.*

With current workloads and expertise, creating the new plan without outside, professional assistance would take several months, if not more than a year to be done correctly. A comprehensive plan would include a base Emergency Operation Plan (EOP), a Hazard Vulnerability Analysis, an Emergency Support Functions document, a training plan, and the completion of a table top exercise to validate the plan. Options include doing nothing, attempting to create the plan internally, hiring an outside consultant to do just the base EOP immediately, hiring an outside consultant to do a base EOP as well as the other items listed above. Staff recommends moving forward to request proposals for completing the project with phases for the work which would likely encompass two fiscal years. We believe we would be able to absorb the cost of the first phase from existing budgets (2022-23). The decision on whether or not to proceed with the project would be made by the City Council following receipt of the proposals.

- Should Staff develop and publish a Request for Proposals (RFP)?

The City Council was supportive of moving forward immediately to prepare an RFP.

6. Partnerships

a. Tourism Promotion

- i. The agreement with the Chamber runs through 2023.*

Staff is recommending the City renew the Agreement with the Chamber prior to expiration.

b. La Grande Main Street Downtown

- i. The Agreement with LGMSD runs through June, 2025. Under the agreement they are required to maintain the Performing Main Street level status as well as raise a minimum of \$25,000 each fiscal year.*

No action is required.

7. Service/Program Related/Other

a. Street lighting

- i. Currently new streetlighting is done in conjunction with new construction or in response to citizen requests.*

- Should additional actions be considered?

There is a streetlight policy in place which allows for residents to request a streetlight and identifies the location and spacing considerations for new streetlights. The Public Works and Police Departments will identify any obvious locations where a light may be warranted and Staff will publicize the process for requesting a streetlight.

b. Storm Event Recovery

- i. The City has experienced a higher number of storm events in the past few years resulting in significant damage to trees and property. These include a micro burst that was isolated to a small area of town but downed several trees and inflicted heavy damage to trees and property and the more recent snow event this past fall where heavy snow caused damage throughout the City. In both cases City staff was engaged in the initial response and in the case of the micro burst,*

the City provided financial assistance to some residents to help with tree removal during recovery. (the City Manager took immediate action to approve the use of City funds in this case and notified the City Council at the time)

- Should the City consider:
 - Creating a Community Forest Emergency Management Plan to establish a consistent response to future, major storm events?
 - Creating a formalized funding mechanism to provide financial assistance following major events?
 - Address each action on a case-by-case basis?
 - Depending on the scope, the City Manager could take immediate action or the City Council would convene to declare an emergency.

Council was supportive of continuing the past practice of responding to emergency situations on a case by case basis and also formalizing an Emergency Management Plan. The Plan could be a component of the Emergency Operation Plan work discussed previously. The Proposed Budget will likely include some level of funding for these types of event.

c. Parks and Recreation Master Plan Update

i. Priorities

1. *A new Parks Master Plan was co-adopted by the City of La Grande and Union County with the following priorities: indoor facilities, outdoor facility improvements beginning with the Riverside Playground replacement, more youth and teen programming, and prioritizing the eastern part of La Grande for new park space.*

This is informational only.

ii. Recreation Center

1. *The Parks and Recreation Advisory Commission still supports moving forward with this project even though the School District was successful in their bond funding effort.*
- Should the City consider hiring a consultant to assist with identifying and securing funding for this project?

The City Council reached consensus on not moving forward with funding for a consultant at this time. Once the new School District facilities are constructed and in operation, the issue can be re-evaluated.

iii. Riverside Playground Replacement

1. *The playground equipment needs to be replaced. Staff is moving forward to identify the new design and funding sources. This is a multi-year project.*

This is informational only.

The current facility has only one or two years left of useful life and cannot be repaired or maintained and must be replaced. The Parks and Recreation Department has a public meeting scheduled for February 7th to discuss the need to replace the playground and receive public input.

d. Snow removal

- i. Staff is planning to review the existing snow removal plan and identify revisions at the end of the winter season.*

In the interest of time, Staff is not planning to discuss this topic in any detail and will add it to the calendar as a Council Work Session topic.

e. Community Relations, Communication, and Public Outreach

i. Customer satisfaction survey

- Should the City consider conducting a survey(ies) to gather feedback from the community?
 - What would be the intent of the survey?
 - Scope? Data gathering? Department specific? Program specific?
 - Type of survey.
 - Online Survey? Mailing with utility bills?
 - Cost and implementation.
 - The answers to the above will drive the cost and implementation.

The City Council reached consensus on not pursuing any surveys at this time. The Council discussed the importance of any survey being done correctly and the costs in terms of time and professional assistance were not warranted at this time. Parks and Recreation already does surveys for each event. If there were an identified need to conduct a survey in the future, such as the gas tax, the issue will be revisited at that time.

ii. Codification

1. *The City is currently in the process of codifying the City's Ordinances into a single City Code which will then be hosted on the City's website and will be a much more user friendly tool for Staff and the public.*

This is informational only.

iii. MuniDocs Public Records Search Tool

1. *The Codification project also included the purchase of a feature called MuniDocs which allows the City to upload documents in a searchable format that is also significantly more efficient than our current platform. The uploading of City documents to MuniDocs is ongoing and includes historical records as staff time permits.*

This is informational only.

iv. Social Media

1. *Many City departments have social media accounts with the Library and Parks and Recreation having the largest presence. Other departments including Public Works and Police use social media to keep the community updated on projects, activities, and emergency situations. The City's website also has a banner feature to highlight important information. Public Works has used their Facebook page to inform residents regarding responses to storm events for example. Current number of Facebook followers: Police Department: 3.1K; Parks and*

Recreation: 2.6K; Fire Department: 2.4K; Library: 1.6K; Public Works: 868; City Manager: 176.

This is informational only.

v. Public Meetings

1. *All City Council and Urban Renewal Agency regular sessions are broadcast live on Cable television and online.*
2. *All City Council and Urban Renewal Agency Work Sessions and all Advisory Committee and Commission Meetings and Work Sessions are live broadcast online and can be accessed after the meeting for viewing.*
3. *Any public meeting of the Council, Agency, or Advisory Committees/Commissions which allows for public comments must provide an opportunity to provide public comments virtually during the meeting.*

This is informational only.

f. National Pollutant Discharge Elimination System (NPDES) re-permitting process

- i. *The City will be working with DEQ on the re-permitting process. This will likely result in increased costs that will be addressed as part of the annual budget approval process for the Sewer Fund once the specifics are identified.*

This is informational only.

City/District Manager's Top Priorities
Fiscal Year 2022-2023
(Approved by the City Council on February 2, 2022)

Priorities are revised and order ranked by the Council/Agency during the Retreats and formally adopted by both the City Council and Urban Renewal Agency in February. Staff comments in green are based on the topic list.

- **American Rescue Plan Act (ARPA) Funding**
 - Develop a recommended list of potential uses and or projects for the City's ARPA funds to maximize the use of the funds for City Council consideration.
This one should either be updated to reflect implementation or can be removed as the Council has already taken formal action on how the funds will be allocated.
This City Council reached consensus on removing this priority.
- **Street and Road Infrastructure**
 - Develop recommendations for a long-term strategy to address the condition of the infrastructure to include potential funding options for City Council consideration with the intent of implementing the strategy upon approval.
This one should be retained and if needed, updated based on the Retreat discussion.
This City Council reached consensus on retaining this as a priority but it will be updated.
- **Housing**
 - Implement the Comprehensive Housing Production Strategy (HPS) as adopted by the City Council.
This one should be retained and if needed, updated based on the Retreat discussion. Staff recommends adding a priority related to homelessness either as a stand-alone item or combined with this priority.
This City Council reached consensus on retaining this as a priority
- **Economic Development**
 - Continue to implement the Urban Renewal Plan and economic development strategy as approved by the City Council/Urban Renewal Agency.
This one should be retained and if needed, updated based on the Retreat discussion.
This City Council reached consensus on retaining this as a priority
- **Staffing**
 - Take necessary actions to address critical staffing issues including, but not limited to, hard to fill positions and succession planning for key positions.
This one should be retained and if needed, updated based on the Retreat discussion.
This City Council reached consensus on retaining this as a priority
- **Fiscal management**
 - Continue to manage the City's finances within limited resources to provide highest possible level of service to the City of La Grande.
This one should be retained.
This City Council reached consensus on retaining this as a priority
- **General Fund Capital Improvements**
 - Identify funding sources and strategy to address major capital needs.
This one should be retained and if needed, updated based on the Retreat discussion.

This City Council reached consensus on retaining this as a priority

➤ **FEMA Maps and Land Use Code Amendments**

- Complete the submittal to FEMA requesting the City's Floodplain Maps be updated and respond to any requirements as needed throughout the process.
- Complete the revisions and adoption of the City's Land Use Codes as necessary.

This one should be retained and updated to reflect the current status of the process.

This City Council reached consensus on retaining this as a priority

➤ **Wildland Urban Interface**

- In concert with Union County and other agencies, take actions to assure La Grande is prepared in the event of a wildfire or other natural disaster, such as the ones that devastated other communities in Oregon in 2020.

Staff recommends revising this one to read Emergency Management Planning and updated based on the Retreat discussion.

This City Council reached consensus on replacing this priority with Emergency Management Planning based on their discussions

**City/District Manager's Top Priorities
Fiscal Year 2023-2024**

- **Street and Road Infrastructure**
 - Act on the recommendations of the Parking Traffic Safety Street Maintenance Advisory Commission (PTSSMAC) to address the condition of the infrastructure including potential funding options.

- **Housing**
 - Continue to Implement the Comprehensive Housing Production Strategy (HPS) as adopted by the City Council.

- **Economic Development**
 - Continue to implement the Urban Renewal Plan and economic development strategy as approved by the City Council/Urban Renewal Agency.

- **Staffing**
 - Continue to take necessary actions to address critical staffing issues including, but not limited to, hard to fill positions and succession planning for key positions.

- **Fiscal management**
 - Continue to manage the City's finances within limited resources to provide highest possible level of service to the City of La Grande.

- **General Fund Capital Improvements**
 - Identify funding sources and strategy to address major capital needs.

- **Emergency Management Planning**
 - In concert with Union County and other agencies, take actions to assure La Grande is prepared in the event of an emergency, including but not limited to major incidents, flooding, wildfire, or other natural disaster.
 - Update the City's Emergency Operations Plan

- **FEMA Maps and Land Use Code Amendments**
 - Take all required actions regarding the FEMA Floodplain Map update submitted, including but not limited to responding to any requirements as needed throughout the process.
 - Complete the revisions and adoption of the City's Land Use Codes as necessary.