

**CITY of LA GRANDE
City Council Regular Session
Wednesday, November 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 November 1, 2023, on the EO Alive website at <https://eo.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

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; October 4, 2023
- b. **Consider:** Approving Memo of Understanding (MOU) with IAFF Local 924 [Cornford]
- c. **Consider:** Authorizing Agreement between City and La Grande High School Swim Team for the use of Veterans' Memorial Pool [Spence]

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

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. **Consider:** Authorizing City Manager to Sign Agreement for La Grande to Participate in 2024 Recast City Leadership Cohort [Bishop]
- b. **Consider:** Resolution; Authorizing City Manager to Apply for Grants and Related Matters [Strope]

8. UNION COUNTY COMMISSIONER'S UPDATE

9. STAFF COMMENTS

10. CITY MANAGER COMMENTS

11. CITY COUNCIL COMMENTS

12. ADJOURN

Stacey M. Stockhoff
City Recorder

The City Council is currently scheduled to meet again in a Regular Session on Wednesday, December 6, 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: **November 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; *October 4, 2023*
- b. **Consider:** Approving Memo of Understanding (MOU) with IAFF Local 924
- c. **Consider:** Authorizing Agreement between City and La Grande High School Swim Team for the use of Veterans' Memorial Pool

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

October 4, 2023

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

MINUTES

COUNCILORS PRESENT:

Justin Rock, *Mayor*
David Glabe, *Mayor Pro Tem*
Corrine Dutto, *Councilor*
Nicole Howard, *Councilor*
Mary Ann Miesner, *Councilor*
Denise Wheeler, *Councilor*

COUNCILORS ABSENT EXCUSED:

Molly King, *Councilor*

STAFF PRESENT

Robert Strope, *City Manager*
Stacey Stockhoff, *City Recorder*
Keri Quinn, *Assistant to the City Manager*
Gary Bell, *Police Chief*
Michael Boquist, *Community Development Director*
Kyle Carpenter, *Public Works Director*
Emmitt Cornford, *Fire Chief*

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/
ROLL CALL/AGENDA APPROVAL**

Mayor ROCK 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.

Mayor ROCK stated that pursuant to ORS 192.660(2)(i), the City Council would conduct an Executive Session immediately following the Regular Session Meeting, for the purpose of reviewing and evaluating the employment-related performance of an officer, employee, or staff member.

CONSENT AGENDA

- a. **Consider:** Approving Regular Session Minutes; *September 6, 2023*
- b. **Consider:** Awarding Contract for Police Department Facility Needs Assessment
- c. **Consider:** Approving Application for Taxicab Business License; Riverside Taxi
- d. **Consider:** Ratifying 2022-2023 City Manager Evaluation

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

MOTION

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

VOTE

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

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

- a. **Consider:** Ordinance, Second Reading;
Rezoning Medium Density Residential
to General Commercial

Mayor ROCK announced that the Public Hearing was still open for the Ordinance to be read for a Second Time by title only and considered for adoption at 6:03 p.m.; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of September 6, 2023.

DECLARATIONS/CONFLICTS

None.

CHALLENGES

None.

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated this request was to rezone the subject property from medium density residential to general commercial. There was no pending development proposed at this time, although the application submittal included a conceptual development for an RV park. While this is a focus in the application, this request was limited to just rezoning the property to general commercial. A decision on this application would not result in any approvals or permissions to develop an RV park.

BOQUIST noted the Planning Commission held a Public Hearing on August 8, 2023, to consider this request and to formulate a recommendation to the City Council. Based on agency comments from Oregon Department of Transportation (ODOT), Island City, and discussions among the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied. The Commission voted to recommend that the request be forwarded to the City Council for approval, subject to two (2) conditions of approval to address comments received by ODOT and Island City.

BOQUIST stated that the City Council considered this request during a public hearing held on September 6, 2023. The applicant and the Mayor of Island City were present in the audience, but did not choose to provide public testimony when invited. Additionally, no other citizens or

parties present offered testimony in support, neutral or opposition when invited. During the staff presentation and subsequent to Council deliberations, the Council inquired about the public notice process, whether residential property owners to the West were notified and submitted comments (no comments were received), the Council discussed the adjacent zoning being commercial or business park. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

In regard to the issues noted in the decision order from City of Island City and Oregon Department of Transportation (ODOT), DUTTO asked if those issues should be addressed now or later, to which BOQUIST recommended to address the issues later because the nature of a traffic study now would be hypothetical. It would make sense to wait to see how the land would be developed and how that would impact the system.

DUTTO asked who would pay for the traffic study, to which BOQUIST responded that La Grande's current code required the developer to pay for the study. It could be negotiable depending on the project and if the jurisdiction wanted to cost share.

With the proposed rezone to change this property from residential to commercial, MIESNER asked if the developer was going to have a commercial business built if approved. She also asked what would happen if the developer wanted to build a subdivision instead, could it be turned back to residential. BOQUIST responded that the challenge with turning it back to residential was that a need for the rezone would have to be identified and the City of La Grande already had 200 surplus acres of residential available. The City currently has a need for an additional 60 acres of commercial property, and if the rezone was approved, this would help gain eight acres of needed commercial property.

DUTTO asked if the rezone was changed to commercial, should a second access road be considered, to which BOQUIST felt that something like this should be considered based on what the final project would be and what the traffic study concluded was needed. In response to MIESNER's question regarding a second access road, BOQUIST noted a previous concept design had placed this closer to the river, however it was not adopted. He felt that E Avenue would be a logical connection for how things currently exist on this property.

DUTTO questioned if applications had been sent to Island City and would Island City need to change their zone type. BOQUIST stated Island City does not need to change their

zoning, but it would depend on what the proposed project would be and how Island City's code addressed that.

GLABE asked if there was any new feedback from the outlying neighbors, to which BOQUIST stated there was no feedback received.

PUBLIC TESTIMONY

Mike BECKER, applicant, stated the zone change made sense for compatibility. He stated the intended plan was to build storage units and an RV park on this property and was asking for support from the City of La Grande to approve the rezone. He was aware of the concerns expressed by City of Island City and would do what was needed in order to move across the train tracks safely. He voiced that the projects being built on this property would be low traffic developments.

MIESNER asked if he was going to build an RV park and how large it would be. BECKER answered yes and he had completed a draft conceptual feasibility study based on one hundred (100) units.

GLABE commented he was uneasy about building a space for long-term RV usage but he was not concerned about BECKER's building plans, and respected him as a builder in the area. BECKER responded saying he was focused on short-term rentals only.

Dave COMFORT, Mayor of Island City, stated he fully supported the development of this property. He also wants to make sure they have the right zoning in Island City for this expansion. He stressed his concern to overloading the intersection as well.

COUNCIL DISCUSSION

Both MIESNER and Mayor ROCK voiced support for the rezone.

Mayor ROCK closed the Public Hearing at 6:20 p.m.

MOTION

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

MOTION: I move that the proposed Ordinance rezoning property be read for the Second Time by Title Only, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

None.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, REZONING PROPERTY FROM MEDIUM DENSITY RESIDENTIAL TO GENERAL

COMMERCIAL ON THE ZONING MAP; FROM RESIDENTIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND DECLARING AN EFFECTIVE DATE [3267]

VOTE

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

**b. Consider: Ordinance, Second Reading;
Rezone Light Industrial to Commercial**

Mayor ROCK announced that the Public Hearing was still open for the Ordinance to be read for a Second Time by title only and considered for adoption at 6:22 p.m.; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of September 6, 2023.

DECLARATIONS/CONFLICTS

None.

CHALLENGES

None.

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated this request was to rezone the subject property from light industrial to general commercial for the purposes of improving the property to support a commercial tenant, *Underground Oasis*, which provided an addiction recovery and support program. As discussed in the applicant's submittal, the proposed facility would include a commercial kitchen and offer public meeting space and educational meeting space. The subject property was located along the South side of Madison Avenue, bordering the Union Pacific Railroad. It was bordered to the North by properties zoned general commercial, and to the West, East and South by properties zoned light industrial.

BOQUIST noted that the Planning Commission held a Public Hearing on August 8, 2023, to consider this request and formulate a recommendation to the City Council. Based on public testimony from thirteen (13) citizens, and discussions among the Commission and Staff, the Commission determined that review criteria for the rezone were satisfied, that there was a public need to support this rezone request and the Commission unanimously recommended that the request be forwarded to the City Council for approval.

BOQUIST stated that the City Council considered this request during a public hearing held on September 6, 2023. Nine (9) members of the public presented oral testimony in support of the rezone, with seven (7) letters submitted in support of the rezone. The testimony presented discussed the importance and need for the services offered by the *Underground Oasis*, along with explaining some of the

locational challenges their operation presents when locating near other commercial uses (e.g. retail). Council discussions and deliberations were very similar to Planning Commission's public hearing, which was supportive of the rezoning, and which Staff explained the decision order currently reflected. The public hearing was continued to October 4, 2023, and the proposed Ordinance was then read for the First Time by Title Only.

PUBLIC TESTIMONY

Maggie MAYHEM, Union County Warming Station Program Lead, voiced appreciation for where Underground Oasis was currently located. Because the business was faith-based and provided long-term support, she has witnessed several individuals who have come to the Warming Station who also receive support from Underground Oasis and have shown progress with their recovery.

Dan BECKNER, applicant, thanked the City Council, City Staff, News Media and others in the community that have shown support in different ways. He shared his compassion for Underground Oasis and the work that they do there and asked the City Council to support the rezone. The Oasis was about community and he feels the effect on the community would be positive.

COUNCIL DISCUSSION

HOWARD stated this organization was good for the community and appreciated their work with people in need.

Mayor ROCK closed the Public Hearing at 6:30 p.m.

MOTION

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

MOTION: I move that the proposed Ordinance rezoning property be read for the Second Time by Title Only, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

None.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, OREGON, REZONING PROPERTY FROM LIGHT INDUSTRIAL TO GENERAL COMMERCIAL ON THE ZONING MAP; FROM INDUSTRIAL TO COMMERCIAL ON THE COMPREHENSIVE PLAN MAP; AND DECLARING AN EFFECTIVE DATE [3268]

VOTE

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. **Consider:** Resolution; Annexing Property;
1605 Gildcrest Drive, File Number 05-ANP-23

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated that the subject property, 1605 Gildcrest Drive, was located within the City of La Grande Urban Growth Boundary and the property owner had requested annexation into the City of La Grande, City Limits, in exchange for receiving City water and sewer services. City Ordinances require annexation prior to receiving the requested City services.

BOQUIST noted that in accordance with Oregon Revised Statutes (ORS) 222.125, this request may be approved by Resolution when the request included 100% property owner consent(s) and consent from the majority of the electors. If these requirements were met, the legislative body (City Council) may “proclaim the annexation” by Resolution. In this case, the property owner had signed a Consent to Annex Agreement, which represented 100% of the property ownership. The property was vacant and there were no electors residing on that property. The applicable requirements were met to annex the property by Resolution.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

None.

MOTION

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

MOTION: I move that the proposed Resolution annexing property located at 1605 Gildcrest Drive, be Read by Title Only, Put to a Vote, and Passed.

COUNCIL DISCUSSION

None.

Upon Mayor ROCK’s request, 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, DECLARING CERTAIN TERRITORY ANNEXED TO THE CITY OF LA GRANDE, UNION COUNTY, OREGON; SPECIFICALLY, PROPERTY AT 1605 GILDCREST DRIVE, T3S, R38E, SECTION 17BD, TAX LOT 600; AND, REMOVING SAID PROPERTY FROM THE LA GRANDE RURAL FIRE PROTECTION DISTRICT [4843]

VOTE

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

- b. Consider: Ratifying Application: Technical Assistance Grant from Oregon Department of Land Conservation and Development (DLCD)

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST noted that in February 2023, the City Council approved a contract award to Points Consulting to conduct a Goal 9 – Economic Opportunities Analysis (EOA) for the City. As a result of several projects that have come to fruition over the past several years, such as Starbucks, Banner Bank, Napa, Commercial Tire, Miller’s Lumber Center, and soon a new hotel, the City’s vacant commercial and industrial land inventory had been significantly reduced to critical levels. As a result, the City budgeted to conduct an EOA during FY 2022-2023, and FY 2023-2024, to assess and determine the City’s existing/remaining inventory of available commercial and industrial land, and what the City’s forecasted need was over the next 20 years. This project has just been completed, which identified a need for an additional 121+ acres of industrial land and 63+ acres of commercial land (184 acres total). This can be achieved through either rezoning existing surplus residential lands to commercial or industrial, or expanding the City’s Urban Growth Boundary (UGB) and rezoning County lands.

BOQUIST stated that the next phase of this project, which the City had planned and budgeted \$30K for in FY 2023-2024, was to conduct the Goal 14 – UGB analysis which includes expanding the City’s UGB to satisfy the 184-acre commercial and industrial land need. Unfortunately, City Staff found that the \$30k budgeted may not be sufficient, as consultant costs have increased and was insufficient to cover some project elements such as evaluating transportation infrastructure. After visiting with consultants, Staff found that Goal 14 project was estimated to cost ~\$95,000.

BOQUIST revealed that knowing that the City was conducting the Goal 9 – EOA, and in anticipation of the City needing to conduct the Goal 14 analysis, the State Department of Land Conservation and Development (DLCD) reached out to the City’s Planning Division and advised that the City is eligible and would likely score well in a new DLCD Technical Assistance Grant that has become available. This would be a 2-year grant project, if awarded, with a 50/50 cost share. For funding the City share (\$47,500), we would use our current \$30k budget for this first year, with a budget request of \$17,500 planned for next

year (FY 2024-2025). The State would pay the remaining \$47,500.

BOQUIST stated that the grant application deadline was October 2, 2023. He informed the City Council at their September Regular Session of this opportunity and that application would be submitted prior to formal Council action. At this time, Staff was requesting the City Council ratify the application for funding and authorize the City Manager to sign grant documents, if awarded.

BOQUIST mentioned there would be a letter that Mayor ROCK would sign if the Council approved the motion; 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 response to DUTTO's question, BOQUIST stated the amount of \$47,500 would come from the City of La Grande. \$30,000 would come out this year and the remaining \$17,500 would be requested in next year's budget. If the City does not receive the grant, BOQUIST shared that the City could keep applying until a grant was received or the City could come up with the money a different way. He suggested having this conversation after the grant was either awarded or not, to brainstorm the next steps, if needed.

In response to DUTTO's question, BOQUIST stated \$30,000 was already approved in the budget this fiscal year.

In response to GLABE's question regarding why the estimate was off from the projected amount, BOQUIST stated that the cost difference was the transportation element and gave a brief explanation of what that entailed.

GLABE expressed that applying for any type of grant was a good thing. He asked if it was possible that the Council could blanket approve grants and if the process could be streamlined without having City Staff bring to the City Council each time to approve. STROPE stated the Council could take action to authorize the City Manager to apply on behalf of the City, but the acceptance of that grant when awarded, would need to reside with the City Council. STROPE stated that if the Council was interested in bringing an action item to a future meeting to discuss, they could do that, to which GLABE voiced that he would be interested in doing this.

WHEELER asked if the department heads could do this on their own, STROPE said that all departments would need to let him know when grants were being worked on and applied for.

Council reached consensus that this would be brought to the City Council as a future action item.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

None.

MOTION

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

MOTION: I move that the City Council ratify the action to submit an application for a technical assistance grant from the Oregon Department of Land Conservation and Development, and, further, that City Manager Strope be authorized to sign grant documents if awarded.

COUNCIL DISCUSSION

None.

VOTE

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

c. **Consider:** Final Plat for MBM Estates Subdivision, Phase 1

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST noted that MBM Estates received preliminary plat approval from the Planning Commission on March 14, 2023. This subdivision would create 29 lots, with 32 dwelling units, which was planned to be constructed in 4 phases. The development also included a 10' dedication of right-of-way for widening 18th Street from 40' to 50' wide, and a 40' dedication of an interior street right-of-way that would be developed to a 36' wide paved private street standard. The infrastructure for Phase 1 has been completed (utilities, paved/concrete roadway, etc.) and the developer was seeking final plat approval for this phase so individual lots could be established to support the construction of new single-family dwelling units.

BOQUIST stated that final plats generally required very little review as all requirements were addressed at the Planning Commission level. The approval of a final plat was simply a formality required under State law that required signatures of approval from certain Staff, City Councilors and from the Union County Board of Commissioners. These approvals were to verify that all improvements required by the Planning Commission and by City Ordinances were completed or bonded for, which they have been. Also, the City Councilors' and Union County Board of Commissioners' signatures were required under State law

to formalize the creation of a planned unit development, which was a form of subdivision.

In response to GLABE's question, BOQUIST explained the proposed project would not be retirement homes. Each lot size would average around 3,000 to 4,000 square feet and each home built on each lot would be around 1,200 square feet. This would be a subdivision that would fit our current market demand that was identified in our Housing Needs Analysis. Also, there are no homes that have been built yet. The developer's intent would be to build the homes and then rent them out, but could sell them if they desired to do so.

MIESNER asked if the developer was planning on building a spec home, to which BOQUIST invited the applicant to the podium to answer the question. Logan MCCRAE, representing MBM Estates, answered that these would not be spec homes and gave a brief explanation of what would occur during Phase 1. The intent would be to rent them out and possibly sell them later.

A discussion was held in regard to the floor plan, the number of lots in the subdivision and what would be build on each one.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

Mayor ROCK stated it was a great project, to which other Councilors agreed.

MOTION

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

MOTION: I move that the Final Plat for MBM Estates Subdivision be Accepted for Signature and Recording.

COUNCIL DISCUSSION

None.

VOTE

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

- d. **Consider:** Approving Purchase of Two New Chassis and One Wildland Engine Build and Upgrade 2003 Wildland Engine

STAFF REPORT

Mayor ROCK requested the Staff Report.

Emmitt CORNFORD, *Fire Chief*

CORNFORD noted that upon doing research to begin the purchase of the budgeted new wildland engine, the availability and cost created a big challenge. Staff found very few vehicles for sale and the ones that were for sale

began at \$190,000 and go up from there. It was also difficult to find a chassis to purchase to build a new wildland engine from the ground up. A chassis could be ordered with delivery dates estimated to be early spring 2024, or later at a cost of \$75,000 - \$80,000. Staff was able to identify a source with two new 2023 Dodge RAM 5500 chassis that were local and available now at a cost of \$70,000 each. The cost to outfit one was an additional \$50,000. Given that Staff budgeted \$180,000, and the likelihood of increased costs and limited availability, Staff could use the existing budgeted funds to add the new wildland engine and purchase the second chassis. For an additional \$30,000, Staff would be able to use the new chassis to upgrade the current 2003 wildland engine.

CORNFORD stated that this would allow the City to have two wildland engines with new, warrantied chassis and also built with the identical components. The immediate availability of the chassis would allow Staff to have the projects completed before the 2024 wildland season. The General Reserve Fund has \$300,000 budgeted in the General Capital Improvement Plan (CIP) line, which could be used to fund the additional \$30,000 of capital costs. This line was intended for funding capital expenditures that may arise during the year.

Mayor ROCK asked CORNFORD to clarify what the extra \$30,000 would be for, to which CORNFORD stated that \$180,000 was already budgeted to buy one wildland vehicle and this additional money would give the Fire Department two new pumps with warranties that covered the vehicles as well as the outfitted equipment.

In response to GLABE's question regarding the fire equipment portion and how to keep everything updated, CORNFORD stated that the \$30,000 would be used to update the pump, foam system, and control panel for the 2003 wildland engine. He also added that some of the work could be done in-house and would save money on labor. Both engines, once outfitted with new equipment, would function exactly the same.

A discussion was held regarding where the trucks were purchased from, how the pumps would operate, and having two trucks would give flexibility in being able to help other entities if needed. Also discussed was the potential revenue source for the City if the vehicles were used on outside fires with the State of Oregon.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

With \$30,000 coming out of the General Reserve fund, GLABE asked if the City back filled these funds each year and how this fund functioned, to which STROPE explained

that the money funded to this account was for future purchases. This would be a good example of an opportunity to leverage those dollars. He explained that each year, per the Council Resolution, a portion of unanticipated increase in General Fund cash, is moved into the General CIP and continues to build the fund.

GLABE and WHEELER both voiced their support.

MOTION

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

MOTION: I move to approve the Fire Chief purchase the two (2) Dodge RAM 5500 chassis and one (1) Wildland Engine build for \$180,000 budgeted in the Fire Departments 2023-2024 Budget as presented.

COUNCIL DISCUSSION

None.

VOTE

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

MOTION

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

MOTION: I move to authorize the Fire Chief to expend up to \$30,000 from the budgeted General Reserve CIP for the upgrade of the Fire Departments 2003 Wildland Engine as presented.

COUNCIL DISCUSSION

None.

VOTE

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

UNION COUNTY COMMISSIONER UPDATE

Commissioner Matt SCARFO shared details from the Eastern Oregon Economic Summit that was held on Thursday, August 3, 2023, and Friday, August 4, 2023, and felt it was a very successful event. He thanked Mayor Rock for attending and representing the City of La Grande and the Eastern Oregon Women's Coalition for putting the event together.

SCARFO shared that after attending the Union County Fair with Senator Hansel, he was hopeful that during the short session next year, the fair funding would be advocated for by both Senator Hansel and Representative Levy. He also noted that they were still looking for smaller grants to apply for because any other funding helped reach the goal.

HOWARD asked about the traffic study being performed on Owsley Canyon Road and stated her opinion on the gravel being placed on the road, to which SCARFO stated he was

unaware of the study, but Commissioner Anderes would know about it.

GLABE mentioned that he would like to continue the conversation regarding the Greenway Project, to which SCARFO answered that he would be attending the Island City Council meeting the following Monday and would bring that up at that meeting to see what the status was on scheduling a Work Session with Island City and La Grande.

GLABE asked if there was any concern for the County that there could be a decrease in State funding for snow removal for our roads, to which SCARFO answered yes. He confirmed that there was talk that Oregon Department of Transportation (ODOT) were not giving the Counties in Oregon as much money for road maintenance but he does not know the numbers. He would look into that and let the Council know.

STAFF COMMENTS

CARPENTER gave a brief update on the current paving projects in La Grande. With the colder weather headed our way, he stated they would continue to work on their street projects until the asphalt plant shuts down. DUTTO asked what the criteria for shutting down entailed, to which CARPENTER answered it would depend on the cost for heating the oil and if there were enough projects lined out for them to justify staying open.

CARPENTER noted that leaf removal was scheduled to begin in November and gave a brief explanation of that program.

CARPENTER stated he was meeting with IT Staff on Friday, October 6, 2023, to discuss how to get notifications out to the public about snow removal via texts and he would provide an update to the Council next month. He also updated the Council on the discussions held regarding when to remove snow and how much snow would be accumulated on each route before snow removal would occur.

A discussion was held about glass needing swept up near Bernie Park located on C Avenue in the biking path, potholes that needed to be filled on 12th Street, and how a notification text would look for snow removal and sweeping events.

When a street was typically full of parked cars, GLABE asked how snow removal was handled, to which CARPENTER noted the Public Works Staff try their best not to block people in and explained the process.

Chief BELL gave an update on current staffing levels. He shared that eleven (11) employees have retired since 2020.

They had filled some positions from within the department and still had some vacancies to fill.

BELL shared that on Saturday, October 28, 2023, from 10 a.m. to 2 p.m., the Police Department would be holding their annual drug take-back event in the Safeway parking lot. He also stated there were several other drop-off boxes that were always available located in the lobby of the Police Department, another at Grande Ronde Hospital, as well as the Safeway Pharmacy and Red Cross Drug.

Chief CORNFORD gave a brief recap on the fire incident that occurred on Friday, September 22, 2023, at the Woodgrain Sawmill and stated that with a full staff of fire fighters on scene, they successfully contained the fire. He commended the six (6) fire fighters that were able to be on scene. The availability of the additional fire fighters to each shift made it a quicker response time.

CITY MANAGER COMMENTS

STROPE welcomed Keri Quinn as the new Administrator Assistant for the City Manager office.

CITY COUNCIL COMMENTS

With the Chamber Board in the process of hiring a new Director, HOWARD asked if the hiring committee only consisted of members of the board, to which STROPE thought it was only comprised of the Chamber Board but would look into the answer. HOWARD questioned why the Chamber Board was solely involved in the hiring process of a new Director when three-quarters of the job duties lie outside the Chamber of Commerce and shared her concerns as to why there might be a high turn-over rate for the position.

MIESNER reminded everyone about the Harvest Festival and Chili Cook Off on Saturday, October 7, 2023, which was located in the Benchwarmers parking lot. Chili tasting started at 4:30 p.m. and the Harvest Festival was from 11:00 a.m. to 4: 00 p.m. in the Downtown Area.

DUTTO mentioned a Community Tree Planting event was planned for Saturday, October 7, 2023, and invited others to attend. She said this was a good way to give back to the community.

WHEELER informed everyone of an Emergency Preparedness Workshop scheduled on Saturday, October 7, 2023, at The Church of Jesus Christ of Latter-Day Saints, located at 1802 Gekeler Lane from 10:00 a.m. to 11:30 a.m.

With help from a colleague in writing a grant last year, HOWARD voiced they were awarded a \$75,000 grant from State Parks for the Pump Track Project and she was confident that the remainder of the funding would come through and the project build would happen soon.

Mayor ROCK proclaimed the month of October, 2023, as Domestic Violence Awareness Month, in our City and the City of La Grande joins in the dedicated efforts of Shelter from the Storm and partner agencies in encouraging citizens to actively engage in public and private efforts to generate understanding of the issues surrounding domestic violence in our community.

Mayor ROCK proclaimed November 1, 2023, as *Extra Mile Day* in La Grande. He urged each person in the community to take time on this day to not only go the extra mile, but to also acknowledge all those who are inspirational in their efforts and commitment to their organization, family, community, and county.

RECESS MEETING

Mayor ROCK recessed the City Council Regular Session Meeting at 7:29 p.m. to the Urban Renewal Agency Regular Session Meeting.

RECONVENE TO REGULAR SESSION

Mayor ROCK reconvened the City Council Regular Session Meeting at 8:04 p.m.

There being no further business to come before this Regular Session of the Council, Mayor ROCK adjourned the meeting to the Executive Session at 8:04 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, November 1, 2023, at 6:00 p.m., in the Council Chambers of City Hall, 1000 Adams Avenue, La Grande, Oregon.

Stacey M. Stockhoff
City Recorder

Justin B. Rock
Mayor

APPROVED: _____

CITY of LA GRANDE

COUNCIL ACTION FORM

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

PRESENTER: Emmitt Cornford, Fire Chief

COUNCIL ACTION: **CONSIDER APPROVING MEMO OF UNDERSTANDING (MOU) WITH IAFF LOCAL 924**

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 Manager's recommendation to approve the MOU to change the language in Section 8, Mandatory Overtime and Section 16, Vacation, of the Collective Bargaining Agreement (CBA) with the IAFF local 924 be approved as presented.

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

EXPLANATION: The Fire Department is requesting to enter into a Memo of Understanding (MOU) with the Firefighters Local 924 pertaining to the provisions of Section 8, Mandatory Overtime Shift Coverage and Section 16, Vacation of the Collective Bargaining Agreement (CBA).

The purpose of this request is to change the language to align with the increase in staffing approved in the current budget. With the number of firefighters assigned to each shift increasing from 5 to 6, it is necessary to update Sections 8 and 16 of the CBA.

Section 8.6 of the CBA outlines when and how mandated Overtime can be implemented. The requested change would increase the minimum staffing in Section 8 from 4 to 5. This minimum staffing allows for 1 Firefighter per shift to be off for vacation, sick leave or training opportunities. With the approved changes the section would read as follows:

8.6 Mandatory Overtime Shift Coverage

These mandatory overtime shift coverage provisions will only be used to fill shift coverage and keep a minimum staffing level of five (5) personnel. These provisions will not be used to cover staffing for transfers, standbys or pending calls. These provisions will be enforced when a member is on schedule for vacation, when sick leave is taken by a member, or during a vacancy of the shift and the shift cannot meet the five (5) minimum.

Section 16.4 of the CBA outlines the provisions of vacation usage while a shift has a member(s) on prolonged absence. Remaining members of the shift are allowed to take time off after 30 days, with available coverage. Currently full staffing is defined as five (5) and would be changed to six (6). With the approved changes the section would read:

16.4 Employees shall be allowed to use up to 24 hours in a minimum of four (4) hour increments of accrued vacation per pay period per affected employee when assigned to a shift that has a shift member on a prolonged

absence in excess of 30 calendar days subject to available shift coverage. If the prolonged absence exceeds 90 days, members assigned to that shift shall be allowed to resume vacation usage, subject to available shift coverage. The timelines under provisions of this article 16.4 for allowing vacation use will reset thirty (30) days after a shift returns to full staffing as defined as six (6) members, all of whom are trained and released for duty.

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: _____

MEMORANDUM of UNDERSTANDING (MOU)
between the
CITY of LA GRANDE
and the
La Grande Firefighter's Union, Local No. 924

Mandatory Overtime Shift Coverage

Recitals

- A. This Memorandum of Understanding between the City of La Grande (the City) and the International Association of Fire Fighters Local 924 (the Union) is entered into effective December 1, 2023, to implement a revision to the required Mandatory Overtime Shift Coverage in Article 8, Section 8.6 and Vacation in Article 16, Section 16.4 of the Collective Bargaining Agreement.
- B. The intent is to revise the current minimum staffing level in Section 8 from four (4) to five (5) and the referenced full shift in Section 16 from five (5) to six (6), due to the increase in staffing per shift being changed from five (5) to six (6).

Agreement

NOW THEREFORE, in consideration of the mutual promises contained herein, the City and the Union agree as follows:

Article 8 General Overtime, shall be revised to read as follows:

8.6 Mandatory Overtime Shift Coverage.

These mandatory overtime shift coverage provisions will only be used to fill shift coverage and keep a minimum staffing level of five (5) personnel. These provisions will not be used to cover staffing for transfers, standby's or pending calls. These provisions will be enforced when a member is on schedule for vacation, when sick leave is taken by a member, or during a vacancy on the shift and the shift cannot meet the five (5) personnel minimum.

Article 16, Section 16.4 Vacation, shall be revised to read as follows:

Employees shall be allowed to use up to 24 hours in a minimum of four (4) hour increments of accrued vacation per pay period per affected employee when assigned to a shift that has a shift member on a prolonged absence in excess of 30 calendar days subject to available shift coverage. If the prolonged absence exceeds 90 days, members assigned to that shift shall be allowed to resume vacation usage, subject to available shift coverage. The timelines under provisions of this article 16.4 for allowing vacation use will reset thirty (30) days after a shift returns to full staffing as defined as six (6) members, all of whom are trained and released for duty.

IN WITNESS WHEREOF, the parties hereto have executed this agreement voluntarily and upon proper authority, in duplicate, on this 1st day of November, 2023, in the City of La Grande, Oregon by:

Robert A. Strobe, City Manager
City of La Grande, Oregon

Date

Dustin Alam, President
IAFF Local 924

Date

CITY of LA GRANDE

COUNCIL ACTION FORM

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

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

COUNCIL ACTION: **CONSIDER AUTHORIZING AGREEMENT BETWEEN THE CITY AND THE LA GRANDE HIGH SCHOOL SWIM TEAM; FOR THE USE OF VETERANS' MEMORIAL POOL.**

- 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 the La Grande High School Swim Team, for the use of Veterans' Memorial Pool, as presented (or amended).

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

EXPLANATION: The agreement between the City and the La Grande High School Swim Team expired at the conclusion of the season in February 2023. The changes illustrated in your packet include an increased lane rental rate to match our increase in the public's admission rates instituted in June, 2023, and a reduction in cost for their first swim meet in season. This reduction in cost is for two reasons: 1) the cost of pool rental fees is cost prohibitive so they would not be able to host a home swim meet; and 2) attendance is low on Saturdays in the time frame they host meets.

The City Manager recommends approval of these 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: _____

CITY OF LA GRANDE

AGREEMENT

This Agreement, entered into the First Seventh (1st7th) day of November, 2023, ~~December, 2022~~ between the City of La Grande, a Municipal Corporation of the State of Oregon, hereinafter referred to as the City; and the La Grande High School Swim Team, hereinafter referred to as the Swim Team.

WITNESSETH

Whereas, the Swim Team has expressed interest in using the Veterans' Memorial Pool for their activities; and

Whereas, the City desires to cooperate with the Swim Team in making the facility available for their use;

NOW, THEREFORE, it is agreed that the Veterans' Memorial Pool will be made available to the Swim Team, effective upon execution of the agreement, under the following conditions:

1. The large lap pool will be open for Swim Team use, Monday through Friday, as follows:
 - a. From approximately the third week of November to the third week of February, the Swim Team shall have primary use of up to seven (7) lanes from 5:30 – 7:30 a.m., Monday through Friday. The Swim Team will notify the City of the final number of lanes needed by December 15th each season, which will become the basis for the fee. The eighth lane will be left open for other patrons wanting to use it.
 - b. The La Grande School District will be billed \$5.43 ~~\$4.94~~ per lane per hour, based on the final number of lanes reserved for the Swim Team plus any additional costs incurred for extra lanes at the end of the season.
 - c. Availability is subject to pool closure for maintenance, repairs and holidays. Closures will be posted at the front entrance desk at least five (5) days prior to scheduled closure. In the event of an emergency closure, the City will attempt to notify the Swim Team's designated point of contact prior to their next scheduled use. The Swim Team will not be charged for times when the pool is unavailable due to closure. The Swim Team is responsible for providing the Superintendent with the current name and phone number of the designated point on contact.
 - d. The City will provide written notice to the Swim Team of permanent facility schedule changes that would affect the Swim Team's schedule. In the event the facility operating hours change, the Swim Team would be required to adjust their scheduled practice times accordingly. Should the Swim Team desire to maintain their current practice schedule that is outside the pool's operating hours, they would be required to pay the pool rental rate (See Appendix A for current rates) unless the facility is closed to all users.
2. The City will provide one (1) qualified lifeguard on deck during the times specified for use by the Swim Team. When the City and Swim Team are sharing the use of the pool and the total number of all swimmers using the pool exceeds forty (40), the Swim Team will pay the cost of an additional lifeguard at the current rate. If the total number of swimmers exceeds eighty (80), the Swim Team will pay for additional guards based on the number of swimmers at one (1) guard for every additional forty (40) swimmers or portion thereof. In addition, the Swim Team will provide a high

school swim coach with a current certification acceptable to the City on deck at all times to oversee their Program participants and spectators.

3. Effective upon approval of this agreement, the Swim Team will pay a fee of ~~\$5.43~~ ~~\$4.94~~ per lane per hour as indicated above. If the City increases the user fees for the Pool, this lane fee will increase by the same percentage as the single admission fee is increased effective on the same date. Additional hours may be scheduled, subject to the availability of the facility. During the times the facility is not open to the public, the Swim Team will be required to use a minimum of two (2) life guards and pay the current pool rental rate as described in Appendix A.
4. The Swim Team is not authorized to use the life station or front office area during practice times and is responsible for ensuring that non-participants, including parents, siblings, spectators and Swim Team members not swimming remain only on the East side bleacher area at least five (5) feet from the pool edge.
5. The City will not provide sponsorship or supervisory personnel for events sponsored by the Swim Team. (See Appendix B for additional information.) The Swim Team will pay the cost of lifeguards and pool rental required for the event at the current rate as described in Appendix A.
6. The Swim Team will maintain the daily attendance of each Swim Team swimmer. Attendance will identify the number of swimmers by day and time period. Daily attendance will be given to pool staff for their administrative use.
7. The Swim Team is authorized to use the City's instructional equipment for their program; the City is authorized to use the Swim Team's instructional equipment for lap swimmers and lesson participants.
8. The Swim Team will be responsible for ensuring participants take a cleansing shower before entering the pools (OAR 333-60-210).
9. The Swim Team will reimburse the City for the cost of repair for any damage caused by Swim Team members to the facility other than normal wear and tear.
10. The Swim Team and its coaching staff, volunteers, employees, agents, participants and parents shall comply with all local, State and Federal laws, regulations and Ordinances that apply to the use of the pool facility as contemplated herein, as well as any safety rules and rules of conduct imposed by the City with respect to the use of the facility.
11. The Swim Team will defend, indemnify and hold City harmless for the activities of the Swim Team, its agents and its employees under this Agreement, including but not limited to, any liabilities, losses, damages, injunctions, suits, actions, fines, penalties, claims or demands of any kind or nature by or on behalf of any person, party or governmental authority arising out of or in connection with Swim Team's:
 - (i) failure to perform any of the agreements, terms, covenants or conditions of the Agreement;
 - (ii) negligent act or omission or other misconduct;
 - (iii) failure to comply with any applicable laws, rules or regulations; or,
 - (iv) any accident, injury or damage to third parties resulting from Swim Team's acts, errors or omissions.
12. Swim Team will provide the City with a Certificate of Insurance naming the City of La Grande and the Veterans' Memorial Pool as additional insureds in the minimum amount of \$1,000,000, with a stipulation that coverage will not be cancelled or diminished without the advanced written consent of the City. The Swim Team will

ensure that the pool is furnished a current copy of the policy without demand each renewal year.

13. This agreement will be in effect during the; 2023-2024 ~~2022-2023~~ high school swim season. Either party may cancel by giving written notice of such intent to the other party at least thirty (30) days in advance of the date of cancellation.

This agreement constitutes the entire agreement between the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiation or previous agreements between the parties with respect to all or any part of the subject matter hereof. No amendment, change, or modification of this agreement shall be valid, unless made in writing and signed by the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized representatives, on the day and year set out above. Said execution having been heretofore first duly authorized in the accordance with law.

CITY OF LA GRANDE

LA GRANDE HIGH SCHOOL

Robert A. Strobe, City Manager

Darren Goodman, Athletic Director

Date: _____

Date: _____

ATTEST:

Stacey M. Stockhoff
City Recorder

APPENDIX A

VETERANS' MEMORIAL POOL RATE SCHEDULE

Pool Rental Rates: \$110.00 per hour

Lifeguard costs are currently \$16.50 per hour per lifeguard; rate is subject to change, based on authorized pay increases approved by the City. Lifeguard costs are in addition to the pool rental rates. Two (2) lifeguards are required for the first twenty-five (25) patrons and an additional lifeguard is required for each additional twenty-five (25) patrons. **

**** At the discretion of the Superintendent, the number of swimmers allowed per lifeguard may be increased to forty (40) for organized groups such as the La Grande Swim Club or the High School Swim Team.**

APPENDIX B

SWIM MEET GUIDELINES

In addition to the provisions in the Swim Team agreement, the following apply specifically to swim meets:

- a. For swim meets, Swim Team will pay the Lifeguard rate of \$16.50 per hour per Lifeguard plus a \$150 flat rate for pool chemicals for the first meet of the season. For subsequent meets, Swim Team will pay the regular pool rental rates as shown in the current Appendix A.
- b. Use of the small pool as a warm-up/cool down pool during swim meets, when requesting that the temperature be dropped, will be billed at the rate of \$150 per event to cover the cost of Staff time, reheating and chemicals.
- c. Swim Team will be responsible for the cost of any additional charges for garbage collection during swim meets. The City will provide three (3) large trash cans outside the Southeast exit for Swim Team's use. Any excess garbage beyond those filled cans will be the Swim Team's responsibility to remove or pay the costs for the City to remove the excess garbage.
- d. The Swim Team will be responsible for the following during swim meets as appropriate:
 - i. Set-up of racing lanes before and after event
 - ii. Participant control of all in attendance, including but not limited to the Swim Team and its coaching staff, volunteers, employees, agents, and parents as well as all other participants, spectators, and attendees.
 - iii. Cleanup following the event. A checklist will be provided to the Swim Team with specific cleanup instructions prior to each meet.
- e. The Swim Team will be allowed use of one (1) room for hospitality and the life station and will clean these areas at the end of the event.
- f. The Swim Team will reimburse the City for the cost of repair for any damage to the facility other than normal wear and tear.
- g. The bulkhead will be restricted to swim meet officials, lap counters, and pool staff. It will be barricaded and monitored by the hosting swim team. No transitioning will be allowed from one side of the pool to the other for swimmers or spectators. In the event of the senior recognition, you may introduce one (1) team of seniors at a time and can use the bulkhead for pictures and recognition. Once that teams' seniors have been recognized, then they must exit from the bulkhead before the next team is introduced.

CITY OF LA GRANDE

AGREEMENT

This Agreement, entered into the First (1st) day of November, 2023, between the City of La Grande, a Municipal Corporation of the State of Oregon, hereinafter referred to as the City; and the La Grande High School Swim Team, hereinafter referred to as the Swim Team.

WITNESSETH

Whereas, the Swim Team has expressed interest in using the Veterans' Memorial Pool for their activities; and

Whereas, the City desires to cooperate with the Swim Team in making the facility available for their use;

NOW, THEREFORE, it is agreed that the Veterans' Memorial Pool will be made available to the Swim Team, effective upon execution of the agreement, under the following conditions:

1. The large lap pool will be open for Swim Team use, Monday through Friday, as follows:
 - a. From approximately the third week of November to the third week of February, the Swim Team shall have primary use of up to seven (7) lanes from 5:30 – 7:30 a.m., Monday through Friday. The Swim Team will notify the City of the final number of lanes needed by December 15th each season, which will become the basis for the fee. The eighth lane will be left open for other patrons wanting to use it.
 - b. The La Grande School District will be billed \$5.43 per lane per hour, based on the final number of lanes reserved for the Swim Team plus any additional costs incurred for extra lanes at the end of the season.
 - c. Availability is subject to pool closure for maintenance, repairs and holidays. Closures will be posted at the front entrance desk at least five (5) days prior to scheduled closure. In the event of an emergency closure, the City will attempt to notify the Swim Team's designated point of contact prior to their next scheduled use. The Swim Team will not be charged for times when the pool is unavailable due to closure. The Swim Team is responsible for providing the Superintendent with the current name and phone number of the designated point on contact.
 - d. The City will provide written notice to the Swim Team of permanent facility schedule changes that would affect the Swim Team's schedule. In the event the facility operating hours change, the Swim Team would be required to adjust their scheduled practice times accordingly. Should the Swim Team desire to maintain their current practice schedule that is outside the pool's operating hours, they would be required to pay the pool rental rate (See Appendix A for current rates) unless the facility is closed to all users.
2. The City will provide one (1) qualified lifeguard on deck-during the times specified for use by the Swim Team. When the City and Swim Team are sharing the use of the pool and the total number of all swimmers using the pool exceeds forty (40), the Swim Team will pay the cost of an additional lifeguard at the current rate. If the total number of swimmers exceeds eighty (80), the Swim Team will pay for additional guards based on the number of swimmers at one (1) guard for every additional forty (40) swimmers or portion thereof. In addition, the Swim Team will provide a high

school swim coach with a current certification acceptable to the City on deck at all times to oversee their Program participants and spectators.

3. Effective upon approval of this agreement, the Swim Team will pay a fee of \$5.43 per lane per hour as indicated above. If the City increases the user fees for the Pool, this lane fee will increase by the same percentage as the single admission fee is increased effective on the same date. Additional hours may be scheduled, subject to the availability of the facility. During the times the facility is not open to the public, the Swim Team will be required to use a minimum of two (2) life guards and pay the current pool rental rate as described in Appendix A.
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8. The Swim Team will be responsible for ensuring participants take a cleansing shower before entering the pools (OAR 333-60-210).
9. The Swim Team will reimburse the City for the cost of repair for any damage caused by Swim Team members to the facility other than normal wear and tear.
10. The Swim Team and its coaching staff, volunteers, employees, agents, participants and parents shall comply with all local, State and Federal laws, regulations and Ordinances that apply to the use of the pool facility as contemplated herein, as well as any safety rules and rules of conduct imposed by the City with respect to the use of the facility.
11. The Swim Team will defend, indemnify and hold City harmless for the activities of the Swim Team, its agents and its employees under this Agreement, including but not limited to, any liabilities, losses, damages, injunctions, suits, actions, fines, penalties, claims or demands of any kind or nature by or on behalf of any person, party or governmental authority arising out of or in connection with Swim Team's:
 - (i) failure to perform any of the agreements, terms, covenants or conditions of the Agreement;
 - (ii) negligent act or omission or other misconduct;
 - (iii) failure to comply with any applicable laws, rules or regulations; or,
 - (iv) any accident, injury or damage to third parties resulting from Swim Team's acts, errors or omissions.
12. Swim Team will provide the City with a Certificate of Insurance naming the City of La Grande and the Veterans' Memorial Pool as additional insureds in the minimum amount of \$1,000,000, with a stipulation that coverage will not be cancelled or diminished without the advanced written consent of the City. The Swim Team will

ensure that the pool is furnished a current copy of the policy without demand each renewal year.

13. This agreement will be in effect during the; 2023-2024 high school swim season. Either party may cancel by giving written notice of such intent to the other party at least thirty (30) days in advance of the date of cancellation.

This agreement constitutes the entire agreement between the parties, integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiation or previous agreements between the parties with respect to all or any part of the subject matter hereof. No amendment, change, or modification of this agreement shall be valid, unless made in writing and signed by the parties hereto.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed in their respective names by their duly authorized representatives, on the day and year set out above. Said execution having been heretofore first duly authorized in the accordance with law.

CITY OF LA GRANDE

LA GRANDE HIGH SCHOOL

Robert A. Strobe, City Manager

Darren Goodman, Athletic Director

Date: _____

Date: _____

ATTEST:

Stacey M. Stockhoff
City Recorder

APPENDIX A

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**** At the discretion of the Superintendent, the number of swimmers allowed per lifeguard may be increased to forty (40) for organized groups such as the La Grande Swim Club or the High School Swim Team.**

APPENDIX B

SWIM MEET GUIDELINES

In addition to the provisions in the Swim Team agreement, the following apply specifically to swim meets:

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- b. Use of the small pool as a warm-up/cool down pool during swim meets, when requesting that the temperature be dropped, will be billed at the rate of \$150 per event to cover the cost of Staff time, reheating and chemicals.
- c. Swim Team will be responsible for the cost of any additional charges for garbage collection during swim meets. The City will provide three (3) large trash cans outside the Southeast exit for Swim Team's use. Any excess garbage beyond those filled cans will be the Swim Team's responsibility to remove or pay the costs for the City to remove the excess garbage.
- d. The Swim Team will be responsible for the following during swim meets as appropriate:
 - i. Set-up of racing lanes before and after event
 - ii. Participant control of all in attendance, including but not limited to the Swim Team and its coaching staff, volunteers, employees, agents, and parents as well as all other participants, spectators, and attendees.
 - iii. Cleanup following the event. A checklist will be provided to the Swim Team with specific cleanup instructions prior to each meet.
- e. The Swim Team will be allowed use of one (1) room for hospitality and the life station and will clean these areas at the end of the event.
- f. The Swim Team will reimburse the City for the cost of repair for any damage to the facility other than normal wear and tear.
- g. The bulkhead will be restricted to swim meet officials, lap counters, and pool staff. It will be barricaded and monitored by the hosting swim team. No transitioning will be allowed from one side of the pool to the other for swimmers or spectators. In the event of the senior recognition, you may introduce one (1) team of seniors at a time and can use the bulkhead for pictures and recognition. Once that teams' seniors have been recognized, then they must exit from the bulkhead before the next team is introduced.

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: November 1, 2023

PRESENTER:

Timothy Bishop, Economic Development Director

COUNCIL ACTION:

CONSIDER AUTHORIZING CITY MANAGER TO SIGN AGREEMENT FOR LA GRANDE TO PARTICIPATE IN THE 2024 RECAST CITY LEADERSHIP COHORT

- 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 an agreement authorizing the City's enrollment in the 2024 Recast City Leadership Cohort.

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

EXPLANATION: The City has been working to develop and support small scale manufacturing as a core element of our economic development efforts as outlined in the Economic Strategic Plan. As part of that effort, the City has budgeted to work with a consultant this fiscal year to further refine and advance that effort. The consulting firm Recast City specializes in this kind of economic development strategy and annually coordinates a cohort of five (5) communities and leads them through a 10-month comprehensive program to develop and implement economic development strategies based on developing and strengthening small scale manufacturing as a core economic development strategy. The cost to participate in the 2024 Recast City Leadership Cohort is \$15,000, and this consulting service is included in the Economic Development Department's 2023-24 Adopted Budget.

The City Manager recommends approval of this item as presented.

Reviewed By: (Initial)

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

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

COUNCIL ACTION (Office Use Only)

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

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: November 1, 2023

PRESENTER: Robert A. Strope, City Manager

COUNCIL ACTION: **CONSIDER RESOLUTION AUTHORIZING CITY MANAGER TO APPLY FOR GRANTS AND RELATED MATTERS**

- 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 authorizing the City Manager to apply for grants and related matters be read by Title Only, Put to a Vote, and Passed.

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

EXPLANATION: At the October 4, 2023, City Council Regular Session Meeting, the City Council discussed the desire to streamline the grant application process to maximize opportunities for obtaining external funding in a timely fashion. The attached Resolution delegates certain powers to the City Manager for the application of grants and related matters while retaining City Council approval of the acceptance of certain grants, if awarded.

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, DELEGATING CERTAIN POWERS TO THE CITY MANAGER FOR THE APPLICATION OF
GRANTS AND RELATED MATTERS

WHEREAS, the City of La Grande desires to streamline the grant application process to maximize opportunities for obtaining external funding; and

WHEREAS, the City Council acknowledges that the City Manager has the expertise to identify and apply for grants that align with the City's needs and the Council's goals; and

WHEREAS, the City's Procurement Rules allow Department Directors and/or the City Manager to approve purchases of \$10,000 or less; and

WHEREAS, while the City Manager may apply for grants, the City Council retains the authority to approve or deny the acceptance of any awarded grants which are not budgeted and include a financial match of over \$10,000;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that:

Section 1: The City Manager is hereby authorized to apply for any grant that they deem appropriate and in alignment with the City's needs and Council goals.

Section 2: In cases where a grant application requires a financial match that is budgeted, the City Manager shall have the authority to accept the grant, subject to the City's Procurement Rules.

Section 3: In cases where a grant application requires a financial match above \$10,000, that is not budgeted, the City Manager shall obtain approval from the City Council prior to accepting the grant. The City Council shall retain the right to approve or deny the acceptance of said grants.

Section 4: The City Manager shall provide a periodic report to the City Council, detailing the status of grant applications, potential financial implications, and any other pertinent details.

Section 5: This resolution shall take effect immediately upon its adoption.

PASSED and EFFECTIVE ON this First (1st) day of November, 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
City Recorder