

CITY of LA GRANDE
City Council Regular Session
Wednesday, April 3, 2024

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 April 3, 2024, on the EO Alive website at <https://eoalive.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; March 6, 2024

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.

- a. Tree City USA Awards & Arbor Month Events Announcement [Gustafson]
- b. Ryan Luckin from Ziplify Fiber Presenting City with Award & Certification Letter (5 minute limit)

5. PUBLIC HEARINGS

- a. Consider: Ordinance, First Reading; Adopting and Enacting New Code of Ordinances [Strope]

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- a. Consider: Resolution; Consenting to Union Co. Truancy Ordinance Implementing Measures to Reduce Incidents from Union County Public Schools [Strope]
- b. Consider: Ratifying Expenditure for Fencing Installation; Greenway Trail Extension Property [Spence]

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, May 1, 2024, at 6:00 p.m. The City Council of the City of La Grande reserves the right to convene an Executive Session for any purpose authorized under ORS 192.660. Persons requiring special accommodations who wish to participate in the City Council Meeting are encouraged to make arrangements prior to the meeting by calling 541-962-1309. The City of La Grande does not discriminate against individuals with disabilities.

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: **April 3, 2024**

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; *March 6, 2024*

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

March 6, 2024

**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*
Molly King, *Councilor*
Mary Ann Miesner, *Councilor*

COUNCILORS ABSENT EXCUSED:

Denise Wheeler, *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*
Carrie Bushman, *Library Director*
Kyle Carpenter, *Public Works Director*
Emmitt Cornford, *Fire Chief*
Stu Spence, *Parks and Recreation Director*

**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.

CONSENT AGENDA

- a. **Consider:** Approving Regular Session Minutes; February 7, 2024

The following Motion was introduced by MIESNER; 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, KING, and MIESNER; No: None)

PUBLIC COMMENTS

Casey BROWN addressed a concern about her daughter's walk to school. A lack of sidewalks and stop signs at the intersections were a concern from Cedar Street to Central School.

DUTTO asked if the discussion had been held to add signage to these intersections a year prior, to which STROPE suggested that the other citizens in the audience that have the same concerns should speak before questions are answered afterward by the Public Works Director.

Sarah ANDERSON stated she would like to see a more integrated and systematic approach to transportation in La Grande, mainly for infrastructure related to walking and biking. She felt that more signage and clearer markings for streets, mainly where pedestrians were crossing were needed. She would like to see prioritization of routes to and from schools.

Meghan MOORE noted concern about the sidewalk safety of Central School. She suggested having improved sidewalks about a mile out from schools for a safer walking path. She felt that walking sidewalks should be priority, biking also worthy to talk about, and planning for improvements.

Will ANDERSON stated that he attended the Parking, Traffic Safety and Street Maintenance Advisory Commission meeting in January to speak on the same issue as the other parents spoke before him. The concern brought up was the lack of updated sidewalks around the present location of Central Elementary School.

Shannon DONOVAN noted pedestrian safety concerns including lack of sidewalks, disconnected sidewalks, lack of signing, and poor lighting. An emphasis was made about intersections and the need for signage.

Clyde TOOHEY, a student in La Grande, walked to school on a regular basis and noted a lack of sidewalks and stop signs.

Kathleen CATHEY stated she was running for County Commissioner. She gave a brief description of her career and the work she has done for various community groups within Union County. Issues she would work on included; access to mental health, health care, addiction treatment, and housing.

In response to the sidewalk and signage concerns, CARPENTER explained that the adjacent sidewalks to properties are the homeowners' responsibility. DUTTO asked how to get homeowners to put in sidewalks, to which CARPENTER answered that the City can send letters pertaining to sidewalks but did not have the authority to force a homeowner to put in said sidewalk unless there was a proven safety hazard backed up by statistics.

A brief discussion was held on various sidewalks around La Grande that the City has funded and improved, problems associated with asking homeowners to add or improve sidewalks, other problematic areas in town with high foot traffic and no sidewalks, and the small budget the City has to work with to improve any said sidewalks.

CARPENTER spoke about uncontrolled intersections and how all signage in La Grande followed the Manual on Uniform Traffic Control Devices (MUTCD). He also noted studies have shown if you sign every intersection, it had the potential to conversely affect the drivers to the point they would ignore the signs or would move through them at a quicker pace to get through them.

In response to DUTTO's question, CARPENTER affirmed that the Parking, Traffic Safety and Street Maintenance Advisory Commission held a discussion to place yield signs along Cedar Street and they would be placed this spring.

A discussion was held on the viability of signs in uncontrolled intersections.

GLABE asked which methods for traffic control around crosswalks would be best, to which CARPENTER answered there were various ways to mark the crosswalks; however, the issue was funding and the competition for grants.

MIESNER asked if there was a route to Central Elementary for the children. CARPENTER mentioned that the Safe Routes to School study was performed in 2019, this was due to Central's location change. Second Street was identified by the study as the best route because of the infrastructure in place already.

CARPENTER stated Greenwood Street was another street identified by Safe Routes to School as a way for kids to get to the downtown area. There were planning grants through the Oregon Department of Transportation (ODOT) being applied for and the hope was to tie the South side and North side for safe routes. He noted that the effort from staff was there but the process was slow moving.

GLABE asked how a Local Improvement District (LID) worked, was it a cost sharing agreement between property owners and the City or would it be paid for in full by property owners. CARPENTER answered the LID's for sidewalks were still the full burden of the homeowner; however, the City negotiated a lower cost on repairs and could also act like a bank by financing those costs which

the homeowner could make payments when the LID was due.

GLABE asked if there was anything preventing citizens from gathering the funds themselves and helping owners along a specific route in conjunction with an LID, to which CARPENTER noted that was highly acceptable. He recommended certain improvements that could be made to help aid in communicating better with the public on projects that were on a list for repair and also adding bike pavement markers to the roads that cyclists travel on often.

HOWARD questioned if there were a way to attach an agreement to improve or fix the property's sidewalk to the deed of a home when the property was sold, to which STROPE stated that it would be looked into.

STROPE mentioned LID's were property owner initiated in cooperation with the City. One could choose to form a single LID to put all of the sidewalks in at the same time within a specific footprint, this would be most successful when the members of the community were the ones implementing the process. He explained the process of there would be a 10-year payback, it would be paid much like property taxes or it could be paid upfront and that's where citizens gathering the funds themselves could come in to play for some families. This does take a lot of agreement on the parts of the property owners.

Shannon DONOVAN suggested road dieting be part of an infrastructure change and challenged the thought of grant funding not being available. She also mentioned there were no signs on L Street so there would not be an over-signage issue in the area.

PUBLIC HEARINGS

- a. **Consider:** Ordinance; Second Reading:
Amending Goal 9 Chapter of the La Grande
Comprehensive Plan

RULES OF ORDER

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 6:52 p.m.; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of February 7, 2024.

STAFF REPORT

Mayor ROCK requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST explained that the Goal 9 – Economic Development Chapter of the City of La Grande Comprehensive Plan Ordinance 3255, Series 2022, was proposed to be amended, with the entire Goal 9 Chapter being repealed and replaced with the updated Economic Opportunities Analysis that was completed in September, 2023, along with updated economic development goals and policies which were reviewed and recommended for approval by the Urban Renewal Advisory Commission (URAC) and Planning Commission.

BOQUIST stated that the Planning Commission held a public hearing on January 9, 2024, to consider this request and the Commission voted unanimously to recommend approval to the City Council. During the hearing, there were two members of the public that asked questions of the Commission, inquiring how this Goal 9 project affected their residential property which it did not. Neither party offered testimony in support or opposition to the request.

BOQUIST noted the City Council held a public hearing on February 7, 2024, and read the proposed Ordinance for the First Time by Title Only. There were no parties offering testimony regarding this request.

GLABE noted grammatical errors within the document and advised City Staff to fix the document.

DUTTO referenced Goal 9 Policy Number 23 within the report and asked why the Urban Reserve Area was removed, to which BOQUIST informed it was something larger cities do and it pertained to looking at the next 50 years, Urban Growth Boundaries look at the next 20 years. He further explained that the City has never outgrown its 20-year plan.

PUBLIC TESTIMONY

None.

COUNCIL DISCUSSION

None.

Mayor ROCK closed the Public Hearing at 6:57 p.m.

MOTION

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

MOTION: I move that the proposed Ordinance amending the Goal 9 Chapter of the La Grande Comprehensive Plan 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, UNION COUNTY, OREGON, AMENDING THE STATEWIDE GOAL CHAPTER 9 OF THE CITY OF LA GRANDE COMPREHENSIVE PLAN; RECODIFYING THE COMPREHENSIVE PLAN; REPEALING ORDINANCE NUMBER 3255, SERIES 2022, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EFFECTIVE DATE [3269]

VOTE

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. **Consider:** Resolution; Authorizing City Staff to Apply for Grant to Replace Playground at Riverside Park

STAFF REPORT

Mayor ROCK requested the Staff Report.

Stu Spence, *Parks & Recreation Director*

SPENCE explained that the Parks and Recreation Department's Master Plan efforts in 2021, identified the Riverside Park Playground replacement as the number one priority for the department. Staff successfully recruited a committee to lead the fundraising and design efforts. With over 1,000 social media and in-person interactions, the citizens selected a unique inclusive design that includes a 12-foot tower complete with wheel chair ramp inside. The committee had been working hard raising money and, along with supplemental grants from staff, were very close to reaching their goal. At time of construction, all funds would be secured. This Oregon State Parks Local Government Grant program would provide 60% of the funding for the project equating to approximately \$390,000.

In response to DUTTO's question, SPENCE stated that checks for donation to the playground could be made out to City of La Grande.

SPENCE briefly discussed the process for this type of grant with the State of Oregon and how they were funded.

GLABE asked for an update on the Riverside Greenway, to which SPENCE noted that a fence would be installed by June of this year.

PUBLIC COMMENTS

None.

COUNCIL DISCUSSION

Mayor ROCK voiced support for the Resolution.

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

MOTION

MOTION: I move that the proposed Resolution authorizing the City Manager to sign the grant application for the Riverside Park Playground replacement be Read by Title Only, Put to a Vote and Passed as presented and that the City Manager be authorized to accept the grant and sign any related documents, if awarded.

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, AUTHORIZING CITY OF LA GRANDE PARKS AND RECREATION DEPARTMENT STAFF TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE CONSTRUCTION AND REHABILITATION OF THE PLAYGROUND REPLACEMENT AT RIVERSIDE PARK; AUTHORIZING CITY MANAGER ROBERT A. STROPE TO SIGN THE GRANT APPLICATION AND ANY DOCUMENTS RELATED TO ACCEPTING THE GRANT IF AWARDED [4858]

VOTE

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

b. Consider: Appointing Citizen to Library Commission

Justin ROCK, Mayor

Mayor ROCK explained that chapter 357 of Oregon Revised Statutes requires that a public library be governed by a Library Advisory Commission consisting of not less than five (5) members, serving for four (4)-year terms. The Library Advisory Commission was charged to serve as advocates of the F. Maxine and Thomas W. Cook Memorial Library and its services and programs. Commissioners also review the Library Budget and consult with, advise and make recommendations to the Library Director, City Manager, and City Council.

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

MOTION

Motion: I move that John Anderson be appointed to the Library Advisory Commission, for the remainder of a four-year term, which will expire December 31, 2024.

COUNCIL DISCUSSION

None.

VOTE

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

UNION COUNTY COMMISSIONER UPDATE

Commissioner Matt SCARFO stated the Oregon Legislative Short Session was to be completed by the end of that week. He explained that \$74 million dollars was up for spending and \$704 million dollars in requests from all over the State. At this time, he was unsure whether the funding for the fairgrounds was going to be approved, but was adamant about continuing to ask for the funding and would not give up.

STAFF COMMENTS

BOQUIST gave updates on two grants, one was a code-analysis grant for residential elements that were in the land use code. He stated that land-use laws change frequently and this grant would allow the code to be fully updated with State laws. The second was a pre-application for a Transportation and Growth Management (TGM) grant that would provide an update for the transit, walking and bicycling plan for the City. This would include updated maps for walking and biking, the whole project for the updated plan would cost approximately \$200,000.

CITY MANAGER COMMENTS

STROPE notified the Council that language for the City's Charter amendment was being worked on and wanted to get consensus of the Council as to whether or not to move all candidates for Mayor and Council positions to the fall election.

GLABE asked if five people ran for Mayor, would all five go to the General Election and the top vote getter would be elected as Mayor, to which STROPE acknowledged that this was correct.

A discussion was held on what would happen in various scenarios with the proposed Charter change.

STROPE stated each of the Council positions that were up for election this year were running unopposed and anticipated stability on the Council for the next two years.

STROPE mentioned there would be a work session to discuss the Charter amendment, scheduled in April. GLABE noted that he would like to see good communication to the citizens so they are better able to make an informed decision when they vote, to which STROPE stated the City's attorney would help craft language so it would be clear exactly what was intended to be changed.

CITY COUNCIL COMMENTS

GLABE presented to the Council an idea for discussion of obtaining a grant writer for the City, either through a salaried position, commission, or consulting basis.

STROPE mentioned it would depend on what was going on within the City and how it would be structured.

SPENCE noted he had experience in previous jobs with consultants that performed grant writing. He felt it could be a challenge timewise to get them up to speed of the specifics within the particular department.

STROPE lastly noted that a grant writer for a specific or complex grant could be beneficial.

There being no further business to come before this Regular Session of the Council, Mayor ROCK adjourned the meeting at 7:18 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, April 3, 2024, 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: **April 3, 2024**

PRESENTER: Robert A. Strope, City Manager

COUNCIL ACTION: PUBLIC HEARING AND FIRST READING BY TITLE ONLY OF PROPOSED ORDINANCE ADOPTING AND ENACTING NEW CODE OF ORDINANCES

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:** Ask the City Recorder to Read the proposed Ordinance for the First Time by Title Only.
6. **MAYOR:** Announce that the Public Hearing is continued to May 1, 2024, at which time the proposed Ordinance is scheduled to be read a Second Time by Title Only and considered for Adoption.

EXPLANATION: The City of La Grande has deemed it necessary to codify the City's Ordinances and desires to provide community members with a City Code that is accessible and convenient. Civic Plus Staff and City Staff have been working diligently this past year in collecting, categorizing and reformatting ordinances into a structured, comprehensive and accessible document, that will essentially be known as the La Grande Code. This process involves reviewing currently adopted ordinances to assure they reflect current legal requirements and make required changes based on new legislation, legal precedents and/or removal of obsolete provisions. It also involves indexing, cross-referencing and organizing ordinances by subject matter to enhance usability and searchability. Once the project is complete, the City Council will adopt the new Code in a single motion. The process is not intended to make new laws or regulations.

In November, 2021, City Staff met with four different companies to compare their codification services. After review, City of La Grande hired Municode to begin the codification process to create a well-organized and professionally edited Code of Ordinances; formatted to allow for continued growth and expansion; in conformity with the laws of the State of Oregon and readily accessible to staff and community members alike.

On October 31, 2023, the final proof draft of the Code of Ordinances for the City of La Grande was returned to City Staff from Municode. City Staff and the City Attorney proofread the draft to assure agreed upon substantive changes have been made.

On November 27, 2023, City Council and City Staff held a Work Session to discuss the codification process and review the draft. Following the Work Session, minor changes were provided to Municode Staff to finalize the Code of Ordinances for adoption. The Code of Ordinances was shipped to the City of La Grande, which was received on March 5, 2024. The last step in the process is to adopt the proposed Ordinance. Once effective, the Code of Ordinances will be available on our City website for community members and one hard copy (book) will be made available for public view in the City Manager's office.

The City Manager recommends that the City Council proceed with the First Reading by Title Only of the proposed Ordinance.

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 adopting and enacting a new Code of Ordinances for the City of La Grande.
- 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 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ADOPTING AND ENACTING A NEW CODE FOR THE CITY; PROVIDING FOR THE
REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE
VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND
DECLARING AN EFFECTIVE DATE

WHEREAS, the City of La Grande has deemed it necessary to codify the City's Ordinances and desires to provide community members with a City Code that is accessible and convenient; and,

WHEREAS, in November, 2021, City Staff met with four different companies to compare their codification services. After review, City of La Grande hired Municode to begin the codification process to create a well-organized and professionally edited Code of Ordinances; formatted to allow for continued growth and expansion; in conformity with the laws of the State of Oregon and readily accessible to staff and community members alike; and,

WHEREAS, on October 31, 2023, the final proof draft of the Code of Ordinances for the City of La Grande was returned to City Staff from Municode. City Staff and the City Attorney proofread the draft to assure agreed upon substantive changes have been impressed into the proofs; and,

WHEREAS, on November 27, 2023, City Council and City Staff held a Work Session to discuss the codification process and review. This review of the proof with minor changes was sent back to Municode Staff to begin the process of finalizing the Codification and to prepare the Code of Ordinances to be shipped to the City of La Grande; and,

WHEREAS, on March 5, 2024, the completed Code of Ordinances for the City of La Grande was received from Municode.

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

Section 1. The Code entitled "Code of Ordinances, City of La Grande, Oregon," published by Municode, consisting of chapters 1 through 113, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before August 2, 2023, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 5. Ordinances adopted after August 2, 2023, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 6. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after its

City of La Grande
Ordinance Number _____
Series 2024
Page 2 of 2

adoption by the City Council of the City of La Grande, Union County, Oregon, and its approval by the Mayor; specifically, May 31, 2024.

**ADOPTED AND APPROVED on this First (1st) day of May, 2024, by _____ (____)
of _____ (____) Councilors present and voting in the affirmative.**

Justin B. Rock, Mayor

ATTEST:

**Stacey M. Stockhoff
City Recorder**

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: April 3, 2024

PRESENTER: Robert A. Strope, City Manager

COUNCIL ACTION: **CONSIDER RESOLUTION CONSENTING TO UNION COUNTY ORDINANCE 2024-01 IMPLEMENTING MEASURES TO REDUCE INCIDENTS OF TRUANCY FROM UNION COUNTY PUBLIC SCHOOLS**

- 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 consenting to Union County Ordinance 2024-01 be read by Title Only, Put to a Vote, and Passed.

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

EXPLANATION: The entities of Union County, La Grande School District No. 1, North Powder School District No. 8J, Elgin School District No. 23, Imbler School District No. 11, Union School District No. 5, and Cove School District No. 15, in conjunction with InterMountain Education Service District, desire to have a county-wide truancy program that endows Law Enforcement and School Officials with the authority to issue infraction citations and take other action with regard to students and a student’s parent, guardian or other responsible adult who fails to comply with school attendance requirements of state laws and rules. The purpose of Union County Ordinance 2024-01 (attached) creates rules for enforcement procedures intended to reduce the incidents of truancy within Public Schools in Union County.

The Union County Board of Commissioners has authority to regulate matters of County concern within the County, under the provisions of the Constitution of the State of Oregon and the revised statutes of the State of Oregon. The Ordinance applies to students in Kindergarten (K) through 12th grades, enrolled in public school located within Union County, including within the incorporated cities of North Powder, La Grande, Island City, Summerville, Union, Cove, Elgin and Imbler. This Ordinance does not apply to students attending private schools located within Union County.

While the Ordinance would allow the City of La Grande Police Department to take action, the intent would be for the UCSO School Resource Officer or La Grande School District staff to take enforcement actions, not LGPD.

Pursuant to ORS 203.040, for Union County to be able to enforce the Ordinance within the City of La Grande, the City Council must provide consent. The attached Resolution provides this consent.

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 2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, CONSENTING TO UNION COUNTY ORDINANCE 2024-01 IMPLEMENTING MEASURES
TO REDUCE INCIDENTS OF TRUANCY FROM UNION COUNTY PUBLIC SCHOOLS**

WHEREAS, the Union County Commissioners will consider passage of Ordinance No. 2024-01, an Ordinance Implementing Measures to Reduce Incidents of Truancy from Union County Public Schools (“Ordinance”); and,

WHEREAS, to be applicable within the City of La Grande, Union County, Oregon, the Ordinance must be consented to by the City Council pursuant to ORS 203.040.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the City Council of La Grande hereby consents to Ordinance 2024-01, attached to this Resolution and incorporated herein, allowing Union County jurisdiction regarding students in kindergarten through 12th grades, enrolled in full-time public schools located within the incorporated City of La Grande.

PASSED and EFFECTIVE ON this Third (3rd) day of April, 2024, 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

BEFORE THE UNION COUNTY COMMISSION, OREGON

In the Matter of an Ordinance Implementing Measures)
To Reduce Incidents of Truancy from Union County Public) **Ordinance No. 2024-01**
Schools; and Declaring an Emergency)

This matter came before the Union County Commissioners on _____.

WHEREAS, Oregon state law requires all minors enrolled in Kindergarten through 12th grades to attend school on a regular basis; and

WHEREAS, the Oregon Department of Education in Oregon Administrative Rule 581-020-0631 defines Chronic Absenteeism as missing 10 percent or more of school days; and

WHEREAS, regular school attendance has been shown to dramatically increase Student academic achievement, increase graduation rates, decrease Student mental health issues and decrease incarceration rates; and

WHEREAS, as a metric, school districts are held accountable to maintain a high number of Students enrolled in school who are not considered Chronically Absent; and

WHEREAS, attendance at school is the necessary basis for the fundamental education for children and access to specialized services, and such education is necessary for the continuing growth and progress of a healthy society, economy and community; and

WHEREAS, the entities of Union County, La Grande School District No. 1, North Powder School District No. 8J, Elgin School District No. 23, Imbler School District No. 11, Union School District No. 5, and Cove School District No. 15, in conjunction with InterMountain Education Service District, desire to have a county-wide truancy program that endows Law Enforcement and School Officials with the authority to issue infraction citations and take other action with regard to Students and a Student’s parent, guardian or other Responsible Adult who fails to comply with school attendance requirements of state laws and rules.

NOW, THEREFORE, THE UNION COUNTY COMMISSION ORDAINS AS FOLLOWS

Section _____

Truancy from Union County Schools

- 1. Title
- 2. Authority and Purpose
- 3. Jurisdiction
- 4. Definitions
- 5. Prohibited Conduct
- 6. Proceedings
- 7. Penalties
- 8. Separate Offense
- 9. Severance

10. Emergency

1. Authority and Purpose

- (1) The Union County Commission has authority to regulate matters of County concern within the County, under the provisions of the Constitution of the State of Oregon and the revised statutes of the State of Oregon.
- (2) This ordinance applies to Students in Kindergarten (K) through 12th grades, enrolled in public school located within Union County, including within the incorporated cities of North Powder, La Grande, Island City, Summerville, Union, Cove, Elgin and Imbler, the city councils of which have consented pursuant to ORS 203.040.
- (3) This ordinance does not apply to Students attending private Schools located within Union County.
- (4) The purpose of this ordinance is to create rules for enforcement procedures intended to reduce the incidents of truancy within Public Schools in Union County. It is in the best interest of a Student to attend school regularly and complete the educational courses of study.

2. Jurisdiction

The Union County Circuit Court has jurisdiction and venue over infractions and proceedings in this ordinance.

3. Definitions

- (1) “Chronically Absent” or “Chronic Absenteeism” means a Student is not attending school for 10 percent or more school days in a school year
- (2) “Law Enforcement Official” means Union County Sheriff Deputy, city police officer, School Resource Officer/Deputy, or any other person that meets the definition of Peace Officer under ORS 161.015(4).
- (3) “Public School in Union County” or “School” means a school operated by: La Grande School District No. 1, North Powder School District No. 8J, Elgin School District No. 23, Imbler School District No. 11, Union School District No. 5, and Cove School District No. 15
- (4) “Responsible Adult” means a person at least eighteen (18) years of age, who is the parent, guardian or other authorized adult to have the care or custody of a Student.
- (5) “School Official” means any personnel appointed or designated by a School or School District, including but not limited to principal, vice-principal, superintendent or designee.
- (6) “Student” means a minor between the ages of 5-17 or an 18-year-old person who has not completed the 12th grade, and is enrolled in a Public School in Union County.

4. Prohibited Conduct

- (1) Except as otherwise provided herein, Students are required to attend School regularly. It is unlawful for a Student to be Chronically Absent from School as described in this ordinance.
- (2) Every Responsible Adult having the custody or care of a Student shall make every reasonable effort to assist the Student to comply with this ordinance, and shall send the Student to School and maintain the Student in School so that the Student is not Chronically Absent.
- (3) This ordinance does not limit or supersede any provisions of Oregon law, which exempts certain children from compulsory school attendance (ORS 339.030); neither does this ordinance limit the duties, powers and responsibilities of public School Officials.

5. Proceedings

- (1) A Law Enforcement Official or School Official may issue a citation to a Student and Responsible Adult for violating this ordinance as set out in section 4, above.
- (2) Prior to issuing a citation, a School Official shall provide the Student and Responsible Adult with written notification to include the following:
 - a. The Student is required to attend School, and the Student is deemed Chronically Absent in violation of board policy, this ordinance, Oregon Administrative Rule, and ORS 339.010 & 339.065.
 - b. The failure of a Responsible Adult to send the Student to School and maintain the Student in School so that the Student does not miss 10 percent or more of School days is a violation of this ordinance.
 - c. The Student and Responsible Adult must attend a conference with a designated School Official on a specified date and time where expectations for the Student's regular attendance at School will be outlined.
 - d. The Student and Responsible Adult have the right to request an evaluation if the Student is not on an individualized education program (IEP). If the Student is on an IEP, the right to request a review of the IEP.
 - e. The Student and Responsible Adult may be cited to Union County Circuit Court for Chronic Absenteeism under this Ordinance.
- (3) Following the notification and process in section (2), above, if the Student remains Chronically Absent in violation of this ordinance or the Student or Responsible Adult fails to attend the conference in section (2)(c), an infraction citation may be issued. The citation will direct the Student, if the Student is in grades 6 through 12, and the Responsible Adult to appear at the Union County Circuit Court on a date and time certain.

- (4) If a Responsible Adult fails to appear at the date and time on the citation, the Circuit Court shall continue the matter and issue an order to show cause for the Responsible Adult to appear. A warrant may be issued for the Responsible Adult who fails to appear at the show cause proceeding.

6. Penalties

- (1) Order to attend School. Upon finding a violation of this ordinance, the Circuit Court shall order the Student to regularly attend School; and order the Responsible Adult to send the Student to School and maintain regular attendance.
- (2) Conditions. A representative for the School may give recommendations to the Circuit Court as to appropriate conditions. In addition to the order to attend School, the Circuit Court may impose conditions the Student, Responsible Adult, or both must meet or comply with for violating this ordinance. Conditions imposed by the Circuit Court may include, but are not limited to:
- a. Set future dates and times for the Student and Responsible Adult to personally appear and provide progress reports demonstrating the Student's proof of attendance, current grades, other school related information requested by the Circuit Court, and compliance with other conditions, if any. The School may provide this information to the Circuit Court in writing, in lieu of a future court hearing.
 - b. At the expense of the Responsible Adult, order the Student, the Responsible Adult or both, to complete age-appropriate and relevant classes, groups, services or programs in Union County or online which the Circuit Court and/or School deems as appropriate.
- (3) Fine. The Circuit Court may impose a civil penalty on the Responsible Adult for an initial infraction up to \$500 for the first offense, and up to \$1,000 for each subsequent offense. The fine may be suspended and then subsequently dismissed if the Student and/or Responsible Adult completes the order under 2(a) and (b) under this section to the satisfaction of the Circuit Court. There may be only one suspension of the fine under this subsection with respect to a Responsible Adult.
- (4) The Circuit Court, School Official, or a Law Enforcement Official will, when the circumstances warrant, refer a Responsible Adult to the Union County District Attorney's Office for prosecution in Union County Circuit Court under ORS163.577(1)(c).

7. Separate Offenses

Each violation of this ordinance shall be deemed a separate offense.

8. Severance

In the event that any part of this ordinance shall be held by a court of competent jurisdiction to be invalid or unenforceable, the remaining portions will continue in full force and effect.

9. Emergency

This ordinance is immediately necessary for the preservation of the public peace, health and safety; an emergency is hereby declared to exist and this ordinance shall take effect immediately/30 days from passage.

First Reading: _____

Second Reading: _____

Dated this _____ day of _____ 2024.

CITY of LA GRANDE

COUNCIL ACTION FORM

Council Meeting Date: April 3, 2024

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

COUNCIL ACTION: **CONSIDER RATIFYING EXPENDITURE FOR FENCING INSTALLATION ALONG BORDER OF GREENWAY TRAIL EXTENSION PROPERTY AND ADJACENT TO NEARBY PROPERTY OWNERS**

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

Suggested Motion: I move to ratify the expenditure of \$24,250 for fencing to be installed along the border of the Greenway extension property and adjacent to the nearby property owners.

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

EXPLANATION: The Parks & Recreation Department and Public Works Department Staff began laying out the trail extension in the fall of 2023. When nearby property owners saw the trail orientation, they presented a sales agreement from 2011 that was new information to Staff. It required that a fence be installed on the property line bordering the trail project. On the advice of the City Attorney, an amendment to the agreement was agreed upon regarding the placement of fence and an allowance for the adjacent property owners to pay for privacy slats at their expense. Subsequently, Staff sought quotes and was only able to find one contractor who would do the project. Although initial inquiries regarding the cost of the project appeared to be under the \$10,000 range, the actual fencing bid came in over \$10,000; and given it was not specifically identified in the FY 2023-2024 Adopted Budget, the expenditure must be approved by the City Council. These funds will be made up by a mix of grant funding, project savings, and general fund dollars. This will not overspend the existing Parks & Recreation Department budget. In order to assure the project is completed on time, at the City Manager's direction, the Parks and Recreation Director accepted the bid. Based on this, the motion is to ratify the expenditure.

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: _____