

CITY of LA GRANDE
City Council Regular Session

[Immediately Following Urban Renewal Regular Session](#)

Wednesday, June 2, 2021

AGENDA

The meeting will be available for viewing via the City's scheduled Charter Communications channel 180 that will begin at 6:00 p.m. on June 2, 2021, on the La Grande Alive website at <https://eoalive.tv/city-events/> or on the Eastern Oregon Alive.TV Facebook page at <https://www.facebook.com/EOAliveTV>.

Any person may submit written comments or questions in advance of the meeting. Written comments must be received by 5:00 p.m. on Tuesday, June 1, 2021. The written comments will be read during the public comment section of the respective Agenda Item. Please email Public Comments to rstroke@cityoflagrande.org.

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

- a. Call to Order
- b. Roll Call
 - Per ORS 192.670(1), Councilors will be participating in this Regular Session by electronic communication.

2. **AGENDA APPROVAL**

3. **CONSENT AGENDA**

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

- a. **Consider:** Approval of Regular Session Minutes; May 5, 2021
- b. **Consider:** Approval of OLCC license change of ownership [Bell]
- c. **Consider:** Awarding Bid for Concrete Work; 2021 City Sidewalk Voluntary LID [Carpenter]
- d. **Consider:** Accepting "Exhibit A" for Fiscal Year 2021-2022; City/Urban Renewal Agency Intergovernmental Agreement [Strope/Rajkovich]

4. **PUBLIC COMMENTS**

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

5. **PUBLIC HEARINGS**

- a. **Consider:** Resolutions:(1) Adopting Budget, Making Appropriations, Levying Taxes; Fiscal Year 2021-2022 (2) Declaring City's Election to Receive State Revenue Sharing; Fiscal Year 2021-2022 [Strope/Rajkovich]
- b. **Consider:** Ordinance, First Reading; Vacation of Public Right-Of-Way, File Number 01-Vac-21 [Boquist]

6. **UNFINISHED BUSINESS**

7. **NEW BUSINESS**

8. **UNION COUNTY COMMISSIONER'S UPDATE**

9. **STAFF COMMENTS**

10. **CITY MANAGER COMMENTS**

11. **CITY COUNCIL COMMENTS**

12. **ADJOURN**

Sandra Patterson, City Recorder

The City Council is currently scheduled to meet again in a Regular Session on Wednesday, July 7, 2021, at 6:00 p.m. The City Council of the City of La Grande reserves the right to convene an Executive Session for any purpose authorized under ORS 192.660. Persons requiring special accommodations who wish to participate in the City Council Meeting are encouraged to make arrangements prior to the meeting by calling 541-962-1309. The City of La Grande does not discriminate against individuals with disabilities.

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **June 2, 2021**

PRESENTER: Robert A. Strobe, City Manager

COUNCIL ACTION: CONSIDER CONSENT AGENDA

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

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

OR

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

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

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

- a. **Consider:** Approval of Regular Session Minutes; May 5, 2021
- b. **Consider:** Approval of OLCC license change of ownership [Bell]
- c. **Consider:** Awarding Bid for Concrete Work; 2021 City Sidewalk Voluntary LID [Carpenter]
- d. **Consider:** Accepting "Exhibit A" for Fiscal Year 2021–2022; City/Urban Renewal Agency Intergovernmental Agreement [Strobe/Rajkovich]

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
May 5, 2021

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

MINUTES

COUNCILORS PRESENT:

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

COUNCILORS ABSENT EXCUSED:

John Bozarth, *Councilor*

STAFF PRESENT

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

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

CALL TO ORDER/ROLL CALL
AGENDA APPROVAL

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

CONSENT AGENDA

- a. **Consider:** Approval of Regular Session Minutes;
April 7, 2021

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

MOTION

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

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

PUBLIC COMMENTS

STROPE made the Council aware that he has received one (1) phone call and two (2) emails from citizens expressing their concern regarding the extension of the Emergency Declaration. He followed up to explain that the extension was not adding restrictions in the City, but was put in place to allow the City to act quickly if needed to respond to the pandemic and assure the City could accept federal funding if the funding required such a declaration.

Mayor CLEMENTS asked if the City did not extend the Emergency Declaration, would the COVID funding still be offered to the City to utilize, to which STROPE stated that the funds from the American Rescue Plan Act (ARPA) would still be offered to our City, but for the FEMA grant funding related to COVID-19, it was important to have an Emergency Declaration in place to receive.

PUBLIC HEARINGS

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

RULES OF ORDER

Mayor CLEMENTS announced that the Public Hearing was still open for the Ordinance to be read a Second Time by Title Only and considered for Adoption; and that the Rules of Order for this Public Hearing were read in their entirety during the Regular Session of April 7, 2021.

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kyle CARPENTER, *Public Works Director*

CARPENTER stated that the Council established a City-Wide Voluntary Sidewalk Local Improvement District (LID) for the year 2019 during the May 1, 2019, Regular Session. A Local Improvement District offers property owners a way to improve their property and maintain existing sidewalks within the right-of-way. This process assists in facilitating sidewalk repair work upon property owner request and approval.

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

CARPENTER stated that the Council accepted the Final Study and Report during the March 3, 2021, Regular Session and the First Reading of the proposed Ordinance was held at the April 7, 2021, Regular Session.

MIESNER asked if the LID could include driveways also, to which CARPENTER stated yes.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

Mayor CLEMENTS announced that the Public Hearing was closed at 6:10 p.m.

MOTION

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

MOTION: I move that the proposed Ordinance establishing final assessments for the 2019 City Wide Voluntary Sidewalk Local Improvement District Number 19-064 be Read by Title Only for the Second Time, Put to a Vote, and Adopted.

COUNCIL DISCUSSION

None

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON, ESTABLISHING THE FINAL ASSESSMENTS TO THE PROPERTY DETERMINED TO BE SPECIFICALLY BENEFITED BY THE 2019 CITY WIDE VOLUNTARY SIDEWALK LOCAL IMPROVEMENT DISTRICT NUMBER 19-064; AND DECLARING AN EFFECTIVE DATE [3251]

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

UNFINISHED BUSINESS

None

NEW BUSINESS

a. Consider: Establishing a City-Wide Voluntary Sidewalk Local Improvement District; #21-065

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Kyle CARPENTER, *Public Works Director*

CARPENTER stated that Staff was recommending that a City-Wide Voluntary Sidewalk Local Improvement District be established for the year 2021. The City continues to receive calls from property owners about how they may make improvements to their sidewalks. Implementation of City-Wide Voluntary Sidewalk Local Improvement District Number 21-066 allows a method of financing this work and offers property owners a way to improve their property and maintain existing sidewalks. Property owners may seek other financing methods or do the work themselves. Staff

has reviewed all nine (9) areas within the sidewalk program. They would continue working with those property owners who have not completed repairs in the past, concentrating on Areas One (1) and Two (2), which was the southern side of town bordered to the north by "E" Avenue and extending from Walnut Street to the railroad tracks. Each area was set to be reviewed every five (5) years per the Sidewalk Handbook. They would also continue to work with those property owners who would like to voluntarily make sidewalk improvements or necessary improvements received on a complaint basis. This was an annual request to support public improvements in the right-of-way.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

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

MOTION: I move that we establish the 2021 City-Wide Voluntary Sidewalk Local Improvement District Number 21-066.

COUNCIL DISCUSSION

None

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

b. **Consider:** Accepting a Certified Local Government Grant from the Oregon Parks and Recreation Department State Historic Preservation Office

STAFF REPORT

Mayor CLEMENTS requested the Staff Report.

Michael BOQUIST, *Community Development Director*

BOQUIST stated that during the February 3, 2021, Regular Session of the City Council, the Planning Division and Landmarks Commission requested the City Council's support in applying for a \$10,000 Certified Local Government Grant offered through the Oregon State Historic Preservation Office (SHPO). The purpose of this grant was to update the City's Downtown Historic District Standards. This grant requires a 1:1 hard dollar match, which was included in the FY 2021-2022 Proposed Budget.

BOQUIST noted that on April 2, 2021, the Planning Division was notified that the City was successful with this grant request, with the possibility of being awarded an additional \$2,000, which the City could match in-kind. The Resolution adopted by the City Council in February, 2021, authorized the Planning Division Staff to apply for the grant; however,

during the Council discussions, the Council requested a copy of the project scope and budget for review prior to the City accepting the grant. In the Council's packet were supporting documents outlining the work that would be done by the consultant with associated estimated costs for each element of the work; 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. If the City Council approves accepting the grant, the Resolution also authorized the City Manager to sign any documents related to the grant so no further Council action would be required.

BOQUIST gave a quick background as discussed during the City Council's Joint Work Session with the Landmarks Commission on February 1, 2021. The Historic District Standards were written in 1999, as "guidelines" later changed to "standards" in 2009 by Resolution of the City Council. However, the change from "guidelines" to "standards" did not include significant regulatory edits, thus many standards were recommended, suggested or implied, but were not clear. The lack of clarity in the standards was often confusing for property owners, and had also resulted in inconsistent implementation of some standards. Through this grant, the City would hire a consultant to facilitate a public process and assist in improving and rewriting the standards to remove the ambiguity.

BOQUIST noted that during the February 3, 2021, Regular Session of the City Council, the Council discussed whether the intended outcome of this Code update could be accomplished with minor amendments prepared by Staff and the Landmarks Commission, instead of hiring a consultant for a full re-write of the Code; and whether Staff could facilitate the robust public involvement process that was required as part of the code amendment process. Staff relayed the Commission's concerns that a simpler process of only amending the existing Code could occur, but would likely result in a band-aid approach that would not provide a long-term solution that was supported by the community; and it may not provide the clarity needed in the standards, consistency with decisions, or flexibility desired for the different classifications of historic buildings. Additionally, Staff and the Landmarks Commission do not feel that the City could adequately facilitate a robust and productive public engagement process that would result in strong community support or buy-in for the proposed amendments.

BOQUIST stated that some Councilors expressed similar concerns as Staff, and stated the desire for a third-party consultant that was knowledgeable in historic preservation and had the strong public engagement skills required to

effectively facilitate the code amendment process. A consultant would be an unbiased and neutral party that may be more successful at developing and rewriting the Downtown Historic District Standards and gaining community support.

BOQUIST added that the Planning Division Staff was seeking City Council support for accepting this grant as was contemplated at the Work Session, contingent upon budget approval.

In response to LILLARD's question, BOQUIST answered that the full \$22,000 (\$12,000 from the State Grant and \$10,000 from the City) would be paid to the consultant.

Mayor CLEMENTS asked if by having some of the standards already in place, would this make the process easier for the consultant to enhance the document, to which BOQUIST stated that he believed it would help aid in the process and further explained the steps that the consultant would be taking to address the goals and outcome of the revised documentation.

In response to MIESNER's question regarding the location the consultant would be hired from, BOQUIST stated that most consultants come from the West side of the State or Bend area, although we would be looking towards the Tri-Cities and Boise area as well. We would be looking to hire a consultant that had experience working with rural communities and that could develop a comprehensive set of codes that best fit our historic district.

GLABE asked if we turned down the grant this year, could we reapply for this grant again next year, to which BOQUIST answered that we could reapply next year but explained that there could be added risks by doing so; for example, less funding and/or higher competition among applicants.

In response to GLABE's comment in regards to utilizing a State Historic Preservation Officer (SHPO) for free consultation and a template available from SHPO to aid in reconstructing our documents, BOQUIST stated the template available from SHPO was a more generalized Landmarks Code that addresses the creation of a Landmarks Commission, desired qualifications of Commission members, how often they meet, their review authority over projects such as demolitions, remodels and new construction, etc. The City currently has this Ordinance in place and was not looking to amend this Ordinance. The only document that needed to be revamped would be the Resolution specific to our downtown historic district standards which would be unique to our community and this document could not be reconstructed by using a "template" from SHPO.

In response to Mayor CLEMENTS' question, BOQUIST explained that the only document that the consultant would draft and finalize would be the Standards document. SHPO would only be able to provide guidance towards reconstructing our Ordinance that we currently have in place and that document does not need updated.

MIESNER asked if there were any other cities around the same size as La Grande that have the same types of issues with different building types, to which BOQUIST answered that they have looked at other jurisdictions and other cities that have done a better job with their code compared to our code but that each Historic District was unique. He also added that this project was too big of a task for Staff and the Landmarks Advisory Commission and felt that the best option would be to hire a consultant with expertise in historic preservation, to which HOWARD and MIESNER agreed.

Mayor CLEMENTS asked what needs to be implemented in order to get what we need from the consultant, BOQUIST stated that Staff and the Landmarks Advisory Commission would be working alongside the consultant throughout the project and expressed confidence that the project would be successful.

A discussion was held regarding the revised Standards document size when complete and the expectations for the project to include assuring the consultant takes into account La Grande's needs and unique situation.

PUBLIC TESTIMONY

None

COUNCIL DISCUSSION

None

MOTION

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

MOTION: I move that the City Council approve the acceptance of the Certified Local Government Grant from the Oregon Parks and Recreation Department – State Historic Preservation Office contingent upon Budget Approval as presented.

COUNCIL DISCUSSION

Mayor CLEMENTS thanked BOQUIST for all his hard work.

VOTE

MSC. FIVE (5) of the SIX (6) Councilors present voted in the affirmative; LILLARD voting against.

c. Consider: Appointing Citizen to Parking, Traffic, Safety and Street Maintenance Advisory Commission; *Rodney Sands*

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

Mayor CLEMENTS asked if City Staff reach out to members once their term either expires or a member resigns early, to which STROPE stated yes. If the member's term expired, they would receive a letter with an application for renewal, if they desired to reapply. Usually when a member resigns early or they decide not to renew their term, they let us know the reason.

MOTION

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

MOTION: I move that Rodney Sands be appointed to the Parking, Traffic Safety, and Street Maintenance Advisory Commission for the remainder of a three-year term, expiring December 31, 2023.

COUNCIL DISCUSSION

Mayor CLEMENTS stated that he was excited to see SANDS back on a City Commission.

VOTE

MSC. SIX (6) of the SIX (6) Councilors present voted in the affirmative.

UNION COUNTY COMMISSIONER'S UPDATE

SCARFO stated that as of the last COVID-19 case check, Union County was still in the low-risk category and gave a brief update on the current status of the statewide metrics and how that effects what risk level a county would fall under.

SCARFO reported that 8,105 Union County residents, which was about 40% of the population, have had at least one (1) vaccine shot. He also stated that both the Pfizer and Moderna vaccines were available by scheduling an appointment through a vaccine clinic, Safeway, Bi-Mart, Rite Aid, or Walmart.

SCARFO noted that they were still waiting for the American Rescue Plan Act (ARPA) funds to come in and the guidelines for what the funds could be used for. He also mentioned that \$500,000 designated for Union County by State Representative Bobby Levy would be utilized for business support and Representative Levy would move the County Commissioners' request for business support to the next phase in distribution.

SCARFO gave a quick update on the proposed funding request to provide Union County Fairgrounds with sewer service.

Mayor CLEMENTS thanked SCARFO for his updates.

MIESNER asked if Governor Brown had responded to the letter that the County submitted regarding Union County

taking control of how to handle decisions during the pandemic, to which SCARFO stated she did not respond directly back to them with an answer but it was clear that at this time, the guidelines were remaining the same under her Emergency Declaration and direction.

STAFF COMMENTS

None

CITY MANAGER COMMENTS

STROPE reminded the Council that the Budget Hearing Meetings were the following week starting on Monday, May 10, 2021, and would continue to the following night or two, depending on how the meetings go.

STROPE mentioned that he emailed the April, 2021, Monthly Report to the Council.

STROPE noted that OSHA rules related to COVID-19 had been set to expire, but would remain as permanent rules within the workplace. MIESNER asked if these rules apply to someone who has been fully vaccinated, to which STROPE stated unless they change again, the rules are permanent and need to apply within the workplace whether you were vaccinated or not.

CITY COUNCIL COMMENTS

Mayor CLEMENTS proclaimed the month of May, 2021, as *Poppy Month* and May 20, 21, and 22, as *Poppy Days*.

There being no further business to come before this Regular Session of the Council, Mayor CLEMENTS adjourned the meeting at 7:12 p.m. The Council is scheduled to meet again in Regular Session on Wednesday, June 2, 2021, at 6:00 p.m., via electronic communications due to COVID-19 pandemic.

Stacey M. Stockhoff
Assistant to the City Manager

Stephen E. Clements
Mayor

APPROVED: _____

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: June 2, 2021

PRESENTER: Gary Bell, Police Chief

COMMITTEE ACTION: CONSIDER APPROVING OLCC LIQUOR LICENSE APPLICATION

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

Suggested Motion: I move that the OLCC Liquor License Application for Change of Ownership, Full Off-Premises sales, for Willow Grocery, be approved and signed by the Mayor

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

EXPLANATION: Anthony and Lori Nelson, 16305 SW Woodcrest Avenue, Tigard, OR, 97224, have applied as a Limited Liability Company, Nelson Family GS, LLC, for a Change of Ownership, full off-premises sales for Willow Grocery located at 2011 Cove Avenue, La Grande, OR, 97850.

A full Off-Premises, Commercial license allows the establishment to sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. They may also sell malt beverages, wine and cider to individual in a securely covered container for consumption off the licensed premises. They are eligible to apply to get pre-approval to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. They are eligible to ship malt beverages, wine or cider directly to an Oregon resident.

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

Reviewed By: (Initial)

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

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

COUNCIL ACTION (Office Use Only)

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



LIQUOR LICENSE APPLICATION

PRINT FORM

RESET FORM

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

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp:
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	Name of City or County:
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	Recommends this license be:
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Full On-Premises, Passenger Carrier	By: _____
<input type="checkbox"/> Full On-Premises, Other Public Location	Date: _____
<input type="checkbox"/> Full On-Premises, For Profit Private Club	OLCC USE ONLY
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	Date application received: <u>4/7/21</u>
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	Date application accepted: <u>4/7/21</u>
<input type="checkbox"/> Limited On-Premises	License Action(s):
<input checked="" type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	6/30/2021 <u>C/O</u>
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/> (4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

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

NELSON FAMILY GS LLC

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See)		
<u>Willow Grocery</u>		
4. Business Address (Number and Street Address of the Location that will have the liquor license)		
<u>2011 COVE AVE</u>		
City	County	Zip Code
<u>La Grande</u>	<u>union</u>	<u>97850</u>

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



LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>Willow Grocery</i>			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in <u>OAR 845-004-0065[1]</u> .) <i>2011 COVE AVE</i>			
City <i>La Grande</i>	State <i>OR</i>	Zip Code <i>97850</i>	
9. Phone Number of the Business Location <i>541-962-7012</i>		10. Email Contact for this Application and for the Business <i>Anthony.Nelson@frontier.com</i>	
11. Contact Person for this Application <i>Anthony Nelson</i>		Phone Number <i>503-467-6639</i>	
Contact Person's Mailing Address (if different) <i>16305 SW Woodcrest Ave</i>	City <i>Tigard</i>	State <i>OR</i>	Zip Code <i>97224</i>

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

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

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

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

Applicant(s) Signature

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

<i>Anthony Nelson</i> App. #1: (PRINT NAME)	 App #1: (SIGNATURE)	<i>3/8/2021</i> App #1: Signature Date	_____ Atty. Bar Information (if applicable)
<i>Lori Nelson</i> App. #2: (PRINT NAME)	 App #2: (SIGNATURE)	<i>3/8/2021</i> App #2: Signature Date	_____ Atty. Bar Information (if applicable)
_____ App. #3: (PRINT NAME)	_____ App #3: (SIGNATURE)	_____ App #3: Signature Date	_____ Atty. Bar Information (if applicable)
_____ App. #4: (PRINT NAME)	_____ App #4: (SIGNATURE)	_____ App #4: Signature Date	_____ Atty. Bar Information (if applicable)

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: June 2, 2021

PRESENTER: Kyle Carpenter, Public Works Director

COMMITTEE ACTION: **CONSIDER BID AWARD FOR CONCRETE WORK FOR CITY WIDE VOLUNTARY SIDEWALK L.I.D.**

- 1. MAYOR: Request Staff Report
- 2. MAYOR: Invite Committee Discussion
- 3. MAYOR: Entertain Motion

Suggested Motion: I move that we award the contract for the 2021 City Wide Voluntary Sidewalk Local Improvement District Number 21-066 and Concrete Repair Projects to G. Gordon Construction Company, LLC for the unit prices as shown in the bid summary.

- 4. MAYOR: Invite Additional Committee Discussion
- 5. MAYOR: Ask for the Vote

EXPLANATION: The City continues to help property owners make improvements or repairs to their sidewalks. Implementation of a City-Wide Voluntary Sidewalk Local Improvement District Number 21-066 allows a method of financing these improvements and offers property owners a way to improve their property and maintain existing sidewalks. Property owners may seek other financing methods or do the work themselves. Staff has reviewed all nine (9) areas within the sidewalk program. Approved during the May Regular Council session, the 2021 Sidewalk LID will allow the City to continue working with those property owners who have not completed repairs in the past, concentrating on Areas One and Two (1 & 2), which is the southern side of town bordered to the north by E Avenue and extending from Walnut Street to the railroad tracks. Each area is set to be reviewed every five years per the Sidewalk Handbook. We will also continue to work with those property owners who would like to voluntarily make sidewalk improvements or necessary improvements received on a complaint basis.

Staff advertised for competitive bids to establish a contractor for the concrete repair work the City may have during the year and for work generated by of the 2021 City Wide Voluntary Sidewalk Local Improvement District Number 21-066. The City received One (1) qualified bid. The Bid Documents contain only unit prices, as the quantities will depend upon those individuals who choose to participate in the L. I. D. program and any other concrete repair work the City may have for the contractor during the year.

The bid totals are based on the 2020 quantities, as shown on the attached Bid Summary.

The City Manager recommends that this bid be awarded, as reflected in the Suggested Motion.

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: _____

2021 - City Wide Concrete Repair Sidewalk LID Projects

Bid Summary

Quotes Due: Wednesday, May 5, 2021 at 10:00 a.m.

				G. Gordon Construction Company, LLC	
NO	ITEM	2020 Construction Quantities	UNIT	UNIT PRICE	Estimated Total
1	4-Inch Sidewalk (Remove and Replace)	848	S.F.	\$9.50	\$8,056.00
2	6-Inch Sidewalk (Remove and Replace)	0	S.F.	\$11.50	\$0.00
3	6-Inch Concrete Driveway (Remove and Replace)	200	S.F.	\$11.50	\$2,300.00
4	Class 'C' Curb (Remove and Replace) (Including any street patching required)	0	L.F.	\$65.00	\$0.00
5	Curb and Gutter (Remove and Replace) (Including any street patching required)	24	L.F.	\$80.00	\$1,920.00
6	Storm Sewer Cap with Formlock (City supplied Formlock)	0	S.F.	\$10.25	\$0.00
7	4-Inch Sidewalk (New Construction)	260	S.F.	\$8.50	\$2,210.00
8	6-Inch Sidewalk (New Construction)	0	S.F.	\$10.50	\$0.00
9	6-Inch Concrete Driveway (New Construction)	55	S.F.	\$10.50	\$577.50
10	8-Inch Concrete Driveway (New Construction)	0	S.F.	\$12.50	\$0.00
11	Class 'C' Curb (New Construction) (Including any street patching required)	75	L.F.	\$65.00	\$4,875.00
12	Curb and Gutter (New Construction) (Including any street patching required)	83	L.F.	\$80.00	\$6,640.00
13	Stamped Concrete – City Supplied Stamp (See Details)	0	S.F.	\$15.00	\$0.00
14	Handicap Access Ramp (Including curb and any street patching required)	4	Each	\$1,800.00	\$7,200.00
15	Backfill and Seeding	83	S.F.	\$2.50	\$207.50
16	Asphalt Surface Restoration (Separate from curb installation)	0	S.F.	\$8.50	\$0.00
17	Relocation Existing Sidewalk Amenity (i.e.: May include but not limited to Benches, Planters, Trash Receptacle)	2	Each	\$125.00	\$250.00
18	Install New Sidewalk Amenity (i.e.: May include but not limited to Benches, Planters, Trash Receptacle)	0	Each	\$125.00	\$0.00
A-1	4-Inch Sidewalk (4000 psi, a minimum of 560 pounds of cement per cubic yard of mix, and an air content of 5 – 7% maximum allowable slump will be 4-inches) (New Construction)	0	S.F.	\$9.00	\$0.00
A-2	6-Inch Sidewalk (4000 psi, a minimum of 560 pounds of cement per cubic yard of mix, and an air content of 5 – 7% maximum allowable slump will be 4-inches) (New Construction)	0	S.F.	\$11.00	\$0.00
Total Estimated Quote - Based on 2020 Quantities					\$34,236.00

CITY OF LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: **June 2, 2021**

PRESENTER: Robert A. Strope, City Manager

COMMITTEE ACTION: **CONSIDER FY 2021-2022, "EXHIBIT A" of INTERGOVERNMENTAL AGREEMENT BETWEEN the CITY OF LA GRANDE and LA GRANDE URBAN RENEWAL AGENCY**

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

Suggested Motion: I move that "Exhibit A," of the Intergovernmental Agreement for Services between the City of La Grande and the La Grande Urban Renewal Agency be accepted as presented, effective for the period July 1, 2021, to June 30, 2022.

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

EXPLANATION: The Intergovernmental Agreement for Services between the City of La Grande and the La Grande Urban Renewal Agency creates the required indebtedness between the parties which is a legal necessity reflecting the partnership between the City and the Urban Renewal Agency (URA/Agency), for funding and implementing the provisions of the Urban Renewal Plan (Plan). As the Council knows, the Plan provides for the undertaking of various Urban Renewal projects, including certain administrative functions, and sets forth the terms under which the City will provide Plan implementation services to the Agency and the reimbursement for those services from the Agency to the City.

The Agreement remains in effect until an alternate funding and/or budgeting structure is proposed and adopted for the District or in the event the District is terminated. However, Section 7. of the Agreement, Compensation, requires that "Exhibit A," be amended in concert with the budget process prior to June 30, of each year the District exists. A copy of "Exhibit A," revised for Fiscal Year 2021-2022, is attached.

City Manager Strope, Economic Development Director Christine Jarski, and Finance Director Heather Rajkovich recommend acceptance of this "Exhibit A," 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: _____

IGA for Services between the City of La Grande Urban Renewal
Agency and the City of La Grande
Exhibit A
Fiscal Year 2021-2022

TOTAL LABOR COST	\$ 104,858
CONSULTANTS	\$30,000
LEGAL	\$5,000
AUDITING SERVICES	\$4,575
OTHER PROFESSIONAL SERVICES	\$45,500
POSTAGE	\$200
TELEPHONE	\$4,000
ADVERTISING-URA	\$24,800
EQUIPMENT MAINT & REPAIR	\$2,000
COMPUTER SYSTEM MAINT & REPAIR	\$820
INSURANCE	\$1,200
EQUIPMENT RENTAL	\$670
SUBSCRIPTIONS AND MEMBERSHIPS	\$2,260
TRAINING, TRAVEL & MTG EXPENSE	\$11,000
RECRUITMENT COSTS	\$500
PROFESSIONAL SERVICES & FEES	\$3,600
COMPUTER SYS MAINT AGREEMENTS	\$2,750
BOOKS/REFERENCE MATERIALS	\$300
OFFICE SUPPLIES	\$1,200
DEPARTMENTAL SUPPLIES	\$300
PROFESSIONAL PRINTING	\$1,000
OFFICE EQUIP & FURNISHINGS	\$1,000
COMPUTER SYSTEM(S/H)	\$3,000
TOTAL CONTRACTUAL & SUPPLIES	\$145,675
TOTAL CAPITAL OUTLAY	\$15,000
TOTAL ADMINISTRATIVE FEES	<u>\$92,532</u>
GRAND TOTAL	<u>\$ 358,065</u>

CITY of LA GRANDE
COUNCIL ACTION FORM

Council Meeting Date: June 2, 2021

PRESENTER:

Robert A. Strobe, City Manager and Budget Officer
Heather Rajkovich, Finance Director

COMMITTEE ACTION:

CONSIDER ADOPTING FISCAL YEAR 2021–2022 BUDGET

1. MAYOR: Announce that the Public Hearing is now Open on the Fiscal Year 2021–2022, City of La Grande Budgets and State Revenue Sharing, as approved by the City of La Grande Budget Committee on May 11, 2021.
2. MAYOR: Request Staff Report.
3. MAYOR: Ask the City Manager to read Public Testimony received in connection with the Fiscal Year 2021-2022, City of La Grande Budgets and State Revenue Sharing.
4. MAYOR: **Subsequent to Testimony**, if any, **Close the Public Hearing** on the Fiscal Year 2021-2022, City of La Grande Budgets and State Revenue Sharing and invite Council Discussion.
5. MAYOR: **Entertain Motion:**
 - a. **Suggested Motion:** I move that the proposed Resolution adopting the Fiscal Year 2021-2022, Budget and levying taxes be Read by Title Only, put to a Vote, and Passed as presented (or amended).
6. MAYOR: Invite Additional Committee Discussion
7. MAYOR: Ask the City Recorder to Read the Proposed Resolution by Title Only
8. MAYOR: Ask for the Vote
9. MAYOR: **Entertain Motion:**
 - b. **Suggested Motion:** I move that the Proposed Resolution electing to receive State Revenues be read by Title Only, put to a Vote, and Passed.
10. MAYOR: Invite Committee Discussion
11. MAYOR: Ask the City Recorder to Read the Proposed Resolution Electing to Receive State Revenues by Title Only.
12. MAYOR: Ask for the Vote

CONTINUED ON NEXT PAGE

EXPLANATION: The City of La Grande Budget Committee opened its Public Hearings on the proposed Fiscal Year 2021-2022, Budgets and State Revenue Sharing on Monday, May 10, 2021. On May 11, 2021, the Budget Committee Hearings were closed and the Committee voted to approve the General Fund Budget as amended and the Enterprise and Other Funds Budgets as presented, and to forward them to the City Council for adoption on June 2, 2021.

Subsequent to the Budget Committee Public Hearings, the La Grande School District asked that the planned joint project to install artificial turf at Optimist Field be expanded to include a second field. This would result in approximately \$225,000 of funds from the School District and Eastern Oregon University being provided to the City of La Grande to complete the project. This amount was not included in the Approved Budget and in order to expend the funds, \$225,000 of revenue and expenditures needs to be added to the Grants and Donations Fund. There will not be an adverse impact on the budget and the amount of the increase in appropriations is within the Budget Law limits for increases by the City Council without further Budget Committee action. The change is reflected in the attached Resolution that adopts the City's General Fund Budget and the Enterprise and Other Fund Budgets and levies taxes.

As part of the Budget Adoption process, the City must accept the State Revenues. The Resolution to Receive State Revenues is also attached.

City Manager/Budget Officer Robert A. Strobe and Finance Director Heather Rajkovich recommend adoption of the Fiscal Year 2021-2022 Budget with the change to the Grants & Donations budget as reflected above.

Reviewed By: (Initial)

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

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

COUNCIL ACTION (Office Use Only)

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

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ADOPTING THE FISCAL YEAR 2021 – 2022 BUDGET, MAKING APPROPRIATIONS, AND
LEVYING TAXES**

WHEREAS, the City of La Grande Budget Committee met on May 10 and 11, 2021, and approved the proposed General Fund Budget for Fiscal Year 2021 – 2022, as amended; and,

WHEREAS, the City of La Grande Budget Committee met on May 10 and 11, 2021, and approved the proposed Enterprise and Other Fund Budgets for Fiscal Year 2021 – 2022, as presented; and,

WHEREAS, the City Council of the City of La Grande, Union County, Oregon, conducted a public hearing during a meeting in Regular Session on June 2, 2021, to consider adoption of the Fiscal Year 2021 – 2022, Budget;

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

Section 1. The City Council of the City of La Grande, Union County, Oregon, hereby adopts the Fiscal Year 2021 – 2022 Budget in the amount of \$53,185,631 including reserves and unappropriated balances, and makes appropriations within all funds in the total amount of \$37,528,725, beginning July 1, 2021, said Budget Document being on file in the Office of the Finance Director.

Section 2. The City Council of the City of La Grande, Union County, Oregon, hereby declares the Ad Valorem Property Taxes are imposed for the tax year on the assessed value of all taxable property within the City of La Grande at the permanent rate limit levy of \$7.4392 per \$1,000, for the General Fund.

	<u>Subject to the General Government Limitation</u>	<u>Excluded from the Limitation</u>
Permanent Tax Rate	\$7.4392 per \$1,000	\$ 0
Bonded Debt	0	\$ 0
Category Total	<u>\$7.4392 per \$1,000</u>	<u>\$ 0</u>

Section 3. BE IT FURTHER RESOLVED by the City Council of the City of La Grande, Union County, Oregon, that the amounts for the Fiscal Year beginning July 1, 2021, and for the purposes shown below shall be and hereby are appropriated as follows:

GENERAL FUND #001

Council, Manager and Personnel	100-115	\$ 3,681,444
Finance and Municipal Court	120-125	\$ 641,897
Police Department	130-136	\$ 3,687,799
Fire and EMS Department	140	\$2,950,835
Planning and Economic Development/Building Maintenance	170-172	\$ 776,308
Parks Maintenance, Aquatics, Recreation, Urban Forestry	181-184	\$ 1,251,816
Library	190	\$ 695,756
Interfund Transfers	100	\$ 113,800
Operating Contingencies	270	<u>\$ 750,000</u>
TOTAL GENERAL FUND APPROPRIATIONS		\$14,549,655

STREET AND ROAD FUND #003

Public Works Services	\$ 1,448,813
Interfund Transfers	\$ 61,382
Operating Contingencies	<u>\$ 95,000</u>
TOTAL STREET and ROAD FUND APPROPRIATIONS	\$ 1,605,195

WATER FUND #004

Public Works Services	\$ 2,972,973
Interfund Transfers	\$ 821,342
Operating Contingencies	<u>\$ 442,487</u>
TOTAL WATER FUND APPROPRIATIONS	\$ 4,236,802

WATER RESERVE FUND #019

Public Works Services	\$ 350,000
Operating Contingencies	<u>\$ 52,500</u>
TOTAL WATER RESERVE FUND APPROPRIATIONS	\$ 402,500

GRANTS AND DONATIONS FUND #005

Grants and Donations	\$ 2,478,815
Interfund Transfers	<u>\$ -0-</u>
TOTAL GRANTS & DONATIONS APPROPRIATIONS	\$ 2,478,815

PUBLIC WORKS SERVICE FUND #006

Public Works Services	\$ 3,100,819
Operating Contingencies	<u>\$ 182,401</u>
TOTAL PUBLIC WORKS SERVICE FUND APPROPRIATIONS	\$ 3,283,220

SEWER FUND #007

Public Works Services	\$ 3,071,344
Interfund Transfers	\$ 1,285,297
Operating Contingencies	<u>\$ 400,000</u>
TOTAL SEWER FUND APPROPRIATIONS	\$ 4,756,641

SEWER RESERVE FUND #008

Capital Outlay	\$ 1,285,000
Operating Contingencies	<u>\$ 192,750</u>
TOTAL SEWER RESERVE FUND APPROPRIATIONS	\$ 1,477,750

STREET MAINTENANCE FUND #010

Public Works Services	\$ 150,320
Interfund Transfers	\$ 100,000
Operating Contingencies	<u>\$ 100,000</u>
TOTAL STREET MAINTENANCE FUND APPROPRIATIONS	\$ 350,320

BUILDING INSPECTIONS FUND #011

Building Inspection Services	\$ 606,776
Interfund Transfers	\$ 44,619
Operating Contingencies	<u>\$ 100,000</u>
TOTAL BUILDING INSPECTIONS FUND APPROPRIATIONS	\$ 751,395

MOTOR POOL FUND #012

Public Works Services	\$ 871,322
Interfund Transfers	\$ 11,912
Operating Contingencies	<u>\$ 67,985</u>
TOTAL MOTOR POOL FUND APPROPRIATIONS	\$ 951,219

9-1-1 EMERGENCY FUND #013

9-1-1 Emergency Services	\$ 431,179
Interfund Transfers	\$ 26,150
Operating Contingencies	<u>\$ 40,000</u>
TOTAL 9-1-1- EMERGENCY FUND APPROPRIATIONS	\$ 497,329

STREET RESERVE FUND #015

Public Works Services	\$ 940,000
Interfund Transfers	\$ -0-
Operating Contingencies	<u>\$ 141,000</u>
TOTAL STREET RESERVE FUND APPROPRIATIONS	\$ 1,081,000

GENERAL FUND BUILDING/EQUIPMENT RESERVE FUND #016

Capital Outlay	<u>\$ 360,000</u>
TOTAL GENERAL RESERVE FUND APPROPRIATIONS	\$ 360,000

STORM UTILITY USER FEE FUND #017

Public Works Services	\$ 473,171
Interfund Transfers	\$ 150,000
Operating Contingencies	<u>\$ 73,713</u>
TOTAL STORM UTILITY USER FEE FUND	\$ 696,884

STORM UTILITY RESERVE FUND #018

Public Works Services	\$ 50,000
Interfund Transfers	\$ -0-
Operating Contingencies	<u>\$ -0-</u>
TOTAL STORM UTILITY USER FEE FUND	\$ 50,000

TOTAL CITY OF LA GRANDE APPROPRIATIONS ADOPTED	\$ 37,528,725
Total Unappropriated and Reserve Amounts, All Funds	\$ 15,656,906
TOTAL BUDGET ADOPTED	\$ 53,185,631

Section 4. BE IT FURTHER RESOLVED that the Finance Director shall certify to the Union County Clerk and Union County Assessor the tax levy made by this Resolution and shall file with them a copy of the 2021 – 2022 Fiscal Year Budget, as adopted.

PASSED, ADOPTED and APPROPRIATED during this Regular Session of the City Council of the City of La Grande, Union County, Oregon, on this Second (2nd) Day of June, 2021, by _____ (____) of _____ (____) Councilors present and voting in the affirmative.

Stephen Clements, Mayor

Gary Lillard, Mayor Pro Tem

David Glabe, Councilor

Nicole Howard, Councilor

Mary Ann Miesner, Councilor

Justin Rock, Councilor

John Bozarth, Councilor

ATTEST:

Sandra Patterson
City Recorder

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY, OREGON,
DECLARING THE CITY'S INTENT TO RECEIVE STATE REVENUES**

WHEREAS, State Revenue Sharing Law, ORS 221.770, requires cities to adopt an Ordinance or pass a Resolution each year, declaring the City's intent to receive State Revenue Sharing; and,

WHEREAS, State Revenue Sharing Law, ORS 221.770, requires that cities hold a Public Hearing before the Budget Committee to discuss possible uses of the funds; and,

WHEREAS, such Public Hearings were held on May 10 and 11, 2021; and,

WHEREAS, State Revenue Sharing Law, ORS 221.770, requires that cities schedule a Public Hearing before the City Council in connection with the proposed uses of the funds in relation to the entire Budget; and,

WHEREAS, such Public Hearing was held on June 2, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Grande, Union County, Oregon, that pursuant to ORS 221.770, the City of La Grande shall and hereby does elect to receive State revenues for Fiscal Year 2021 - 2022.

**PASSED and EFFECTIVE ON this Second (2nd) Day of June, 2021, by _____
(____) of _____ (____) Councilors present and voting in the affirmative.**

Stephen Clements, Mayor

Gary Lillard, Mayor Pro Tem

David Glabe, Councilor

Nicole Howard, Councilor

Mary Ann Miesner, Councilor

Justin Rock, Councilor

John Bozarth, Councilor

ATTEST:

**Sandra Patterson
City Recorder**

CITY of LA GRANDE
COUNCIL ACTION FORM

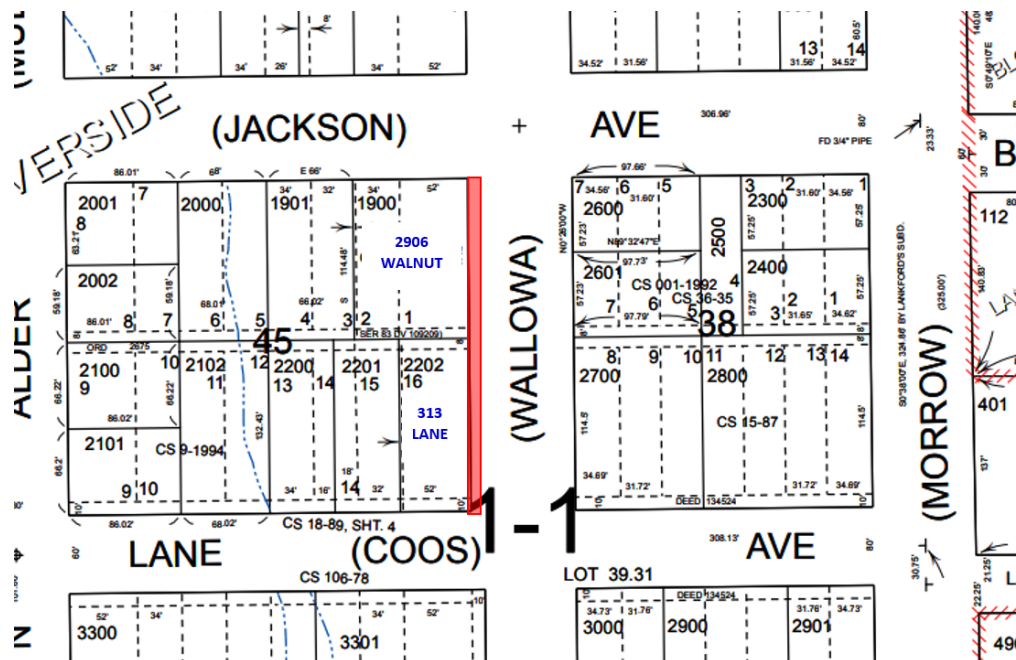
Council Meeting Date: June 2, 2021

PRESENTER: Michael Boquist, Community Development Director

COUNCIL ACTION: FIRST READING BY TITLE ONLY FOR THE VACATION OF PUBLIC RIGHT-OF-WAY, File Number 01-VAC-21

1. MAYOR: Open the Public Hearing and ask that the Rules of Order for this Public Hearing be read in their entirety.
2. MAYOR: Request Staff Report
3. MAYOR: Request that Public Testimony be read into the Record
4. MAYOR: Invite Council Discussion
5. MAYOR: Announce that the Public Hearing is Continued to July 7, 2021, at which time the proposed Ordinance is scheduled to be read a Second Time by Title Only and considered for Adoption.
6. MAYOR: Invite Additional Council Discussion
7. MAYOR: Ask the City Recorder to Read the proposed Ordinance for the First Time by Title Only

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



During the April 7, 2021, Regular Session of the City Council, the Council found the proposed right-of-way vacation request to be valid and in conformance with State laws for such request, and accepted the vacation petition for processing. By Resolution of the City Council, the Council referred the vacation petition to the Planning Commission for consideration and a recommendation; and, further scheduled the vacation petition for the City Council's consideration and a first reading of the Vacation Ordinance during the June 2, 2021, Regular Session.

On May 18, 2021, the Planning Commission considered this request during their Regular Session. Other than from the petitioner (applicant), there was no public testimony submitted regarding this request. By unanimous vote, the Planning Commission adopted the Finding of Fact and Conclusions set forth in the Decision Order, attached, and recommended approval by the La Grande City Council.

The City Manager recommends that the Council proceed with the First Reading by Title Only of the passage 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: _____

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, VACATING THE WEST TEN FEET (10') OF THE WALNUT STREET PUBLIC
RIGHT-OF-WAY BETWEEN BENTON AVENUE AND LANE AVENUE; ALL BEING
ADJACENT TO PROPERTIES DESCRIBED AS BEING IN TOWNSHIP 3 SOUTH, RANGE 38
EAST OF THE WILLAMETTE MERIDIAN, SECTION 06AB, TAX LOTS 1900 AND 2202,
LA GRANDE, UNION COUNTY, OREGON; AND, DECLARING AN EFFECTIVE DATE**

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

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

WHEREAS, on April 7, 2021, by Resolution Number 4801, Series 2021, the City of La Grande City Council accepted the vacation petition, initiated vacation proceedings; and any objections or remonstrances thereto or claims for damages as a result of such proposed vacation were scheduled to be heard before the City Council, together with a recommendation from the Planning Commission, at its regularly scheduled meeting on June 2, 2021; and,

WHEREAS, the City of La Grande Planning Commission held a public hearing on May 18, 2021, to consider the proposed vacation and unanimously recommended approval to the City Council; and,

WHEREAS, the City of La Grande City Council held public hearings on June 2, 2021, and July 7, 2021, issuing a decision to approve the proposed vacation, as described herein and as shown in Exhibit "A";

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

Section 1. That notice of the time and place for the Public Hearing in connection with the proposed Vacation of the above described public right-of-way has been given by Resolution Number 4801, Series 2021, as provided by Statute.

Section 2. That a Notice of Public Hearing was published twice in *The Observer*, a local newspaper, advertising the Public Hearing as being scheduled for the May 18, 2021, Regular Session of the Planning Commission; and the June 2, 2021, and July 7, 2021, Regular Sessions of the City Council; said notice being posted in the vicinity of the subject Vacation areas, as well as on bulletin boards at City Hall.

Section 3. That the owners of a majority of the property within the requisite area will not be adversely affected by said Vacation, as illustrated in Exhibit "A," attached hereto and by this reference incorporated herein as if fully set forth.

Section 4. That the proposed Vacation will not substantially affect the market value of property abutting said street.

Section 5. That over two-thirds (2/3) of the owners of the requisite area, as required by Statute, have consented to said public right-of-way Vacation.

Section 6. That the City Council adopts the Decision Order and Findings of Fact and Conclusions, dated July 7, 2021.

Section 7. That the following described rights-of-way, as shown in Exhibit "A," shall be and hereby are Vacated:

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

Section 8. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Oregon, specifically, August 6, 2021.

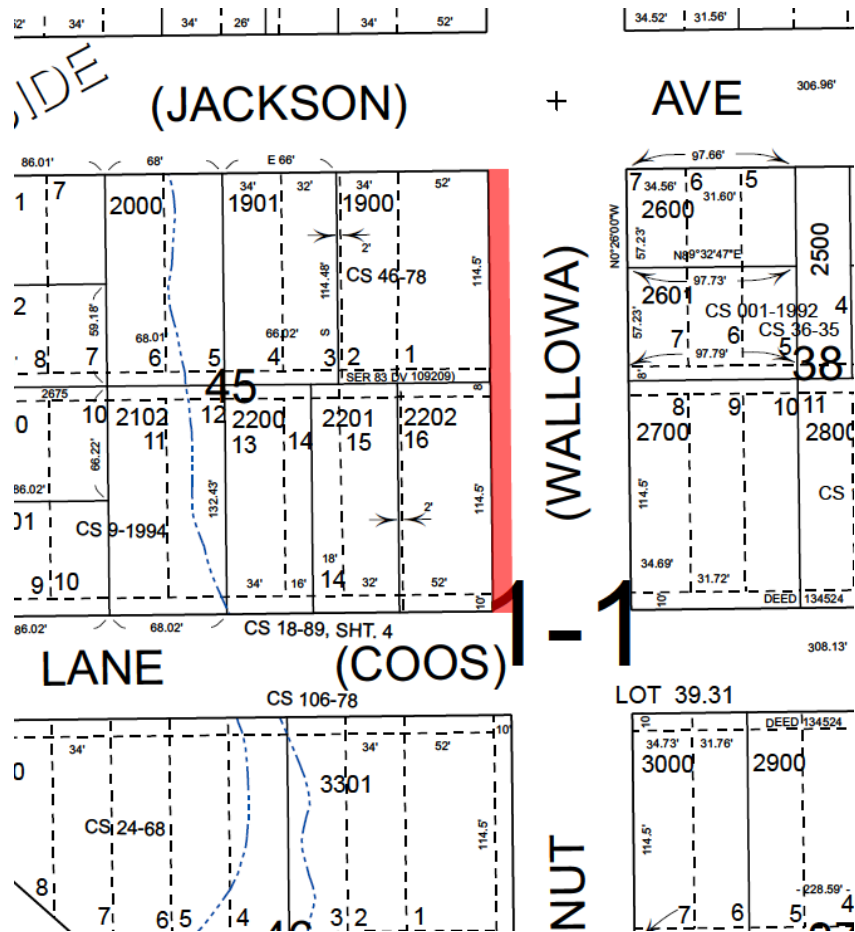
ADOPTED AND APPROVED on this Seventh (7th) day of July, 2021, by _____ (_____) of _____ (_____) Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

ATTEST:

Sandra Patterson
City Recorder

EXHIBIT "A"
(Located Within Township 3 South, Range 38 East, Section 06AB)





BEFORE THE CITY OF LA GRANDE CITY COUNCIL

ORDER OF APPROVAL

(final for adoption and 2nd Reading of Ordinance to be dated - July 7, 2021)

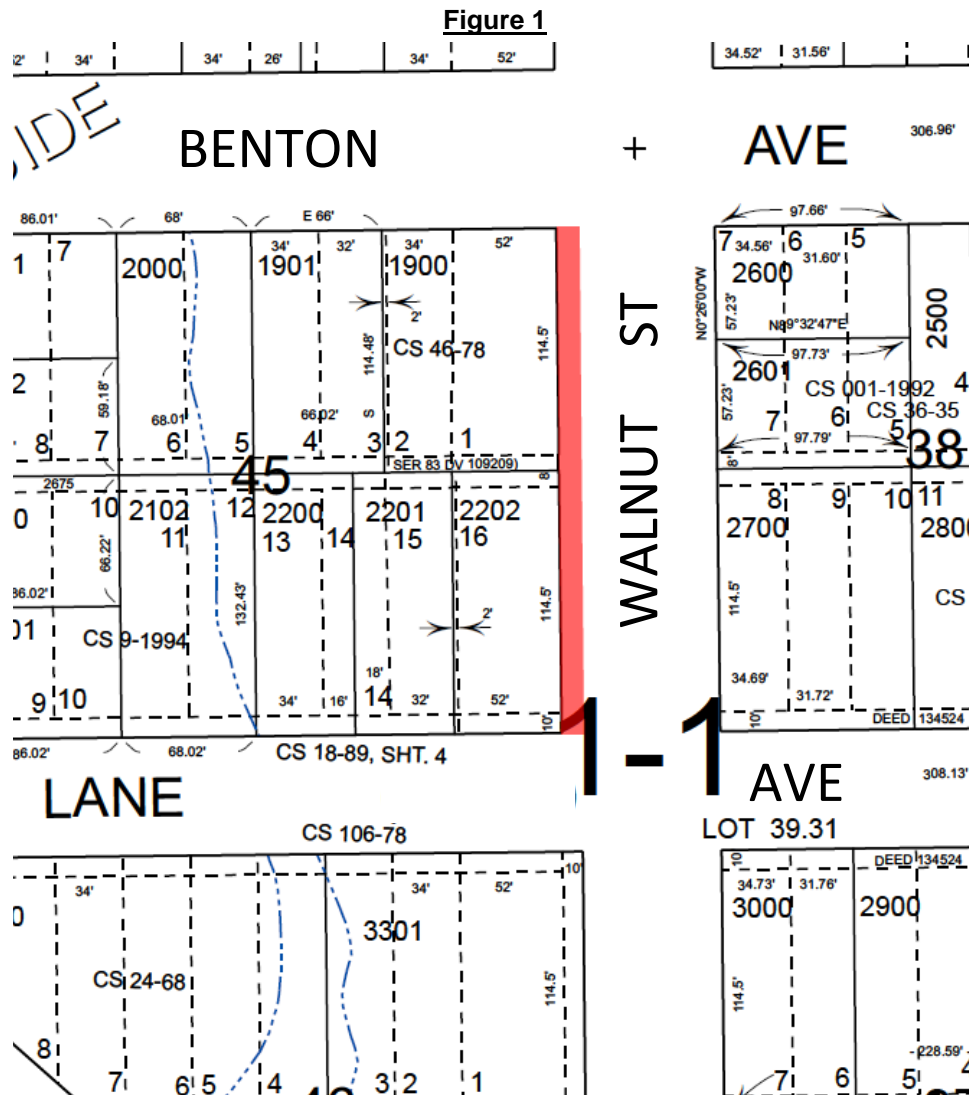
LAND USE APPLICATION(S): Public Right-of-Way Vacation, File Number 01-VAC-21

APPLICANT(S) / OWNER: Roger M. Goodman

ZONING DESIGNATION: Medium Density Residential (R-2)

I. NATURE OF APPLICATION

The applicant is requesting the City of La Grande Planning Commission and City Council's consideration to vacate the West ten feet (10') of the Walnut Street public right-of-way between Benton Avenue and Lane Avenue, as illustrated (salmon color) in Figure 1 below:



II. PUBLIC HEARINGS

In accordance with Land Development Code Ordinance 3252, Series 2021, Article 9.3, Right-of-Way Vacations are subject to the Planning Commission's review with a recommendation forwarded to the City Council. In accordance with this Article, a public hearing was held before the City of La Grande Planning Commission to consider this application. The land use application, staff report and all testimony submitted was made part of the record. In accordance with LDC Article 9.4, the final decision on a Right-of-Way Vacation is subject to the City Council's review and approval. In accordance with this Article, two (2) public hearings are schedule to be held before the City of La Grande City Council to consider this application, which includes a First and Second reading of the adopting Ordinance by Title Only.

III. FINDINGS OF FACT

A. GENERAL FACTS

1. The subject property is a large corner lot with an existing dwelling located within its South half, and with the North half being vacant. The owner desires to partition the property into two parcels, with the North parcel being available for development. However, due to the size of the property and the increased setback typically required for corners lots, the North parcel would have significantly reduced buildable area that would make new development challenging and likely inconsistent with the established patterns in the neighborhood.
2. The adjacent Benton Avenue and Walnut Street rights-of-way are 80' wide. The proposed vacation would reduce only the Walnut Street right-of-way by 10', allocating the 10' vacated area to the adjacent properties bordering the West side of Walnut which includes the subject property. This additional 10' area would increase the buildable area of the property to support the placement of a manufactured home or custom home meeting City standards. Without the right-of-way vacation, a variance may be necessary to support the further development of this property.



B. AGENCY COMMENTS

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, notice of the land use application was mailed to the following agencies: City of La Grande Building Department, City of La Grande Fire Department, City of La Grande Planning Department, City of La Grande Police Department, City of La Grande Public Works Department, Avista Utilities, Charter Communications, City Garbage Service, Frontier Communications, Oregon Department of Transportation, and Oregon Trail Electric Cooperative.

1. No written comments or concerns were received from affected agencies.

C. PUBLIC COMMENTS

In accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9, public notice was mailed to the owners of properties located within one hundred feet (100') of the subject property.

1. No written comments or concerns were received from the public regarding this request.

D. CALENDAR OF EVENTS

The above application was received and processed in accordance with City of La Grande Land Development Code Ordinance (LDC) 3252, Series 2021, Chapter 9. Following is a summary of events associated with this request.

- February 22, 2021.....Application was submitted to request consideration of a right-of-way vacation and the preparation of a Vacation Petition. Fee deposit was paid.
- March 1, 2021.....Vacation Petition with property owner consent signatures was submitted.
- April 7, 2021.....City of La Grande City Council accepted the Vacation Petition and adopted a Resolution that initiated vacation proceedings and established a public hearing date.
- April 19, 2021.....Public Notice was mailed to affected property owners within the 200' x 400' notification area surrounding the proposed rights-of-way to be vacated.
- April 29, 2021 &
- May 6, 2021.....Public Notice was advertised in *The Observer*, advertising the July 14, 2020, Planning Commission Public Hearing.
- May 18, 2021.....Planning Commission Public Hearing
- June 2, 2021.....City Council Public Hearing, First Reading of Ordinance
- July 7, 2021.....Tentative City Council Public Hearing, Second Reading of Ordinance
- August 7, 2021.....Tentative Effective Date of Adopting Ordinance

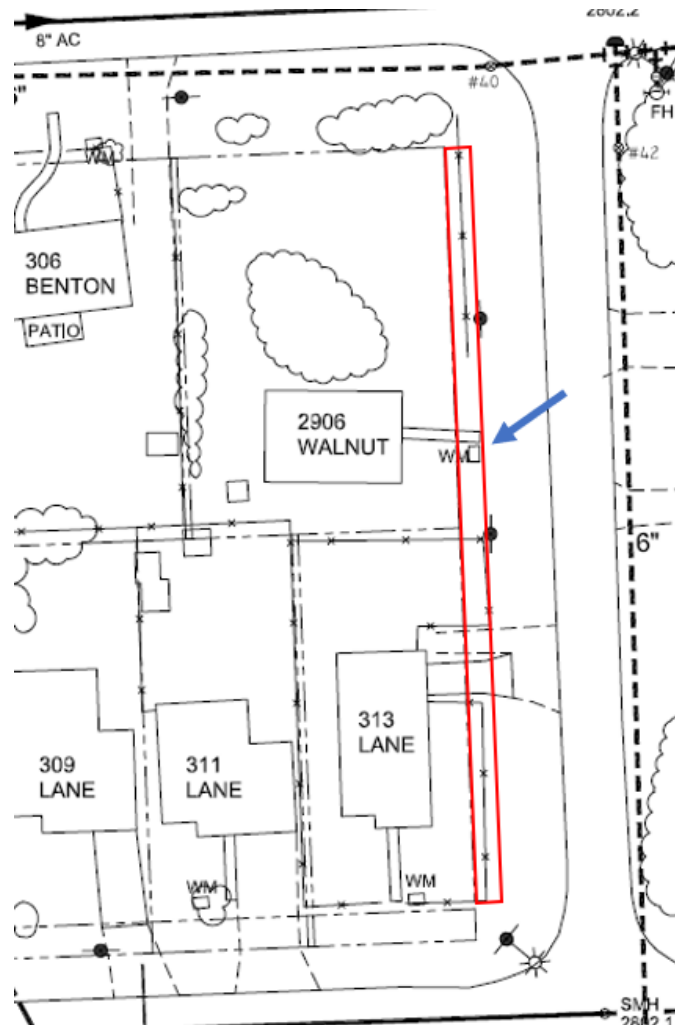
E. LDC ORD. 3252, SER. 2021, SECTION 8.10.002 – VACATION REVIEW CRITERIA

A public right-of-way vacation request is a discretionary action on the part of the City and that meeting the following review criteria does not require the City to approve the request:

- A. *The proposed Vacation may be approved when there are no public utilities or services existing within the right-of-way or proposed to be installed within the right-of-way; and when determined by the Community Development Director/Planner, a public utility easement shall be provided in lieu of the public right-of-way.*

Finding: Along the applicant's property frontage, 2906 Walnut Street, there is a City water service utility (lateral water service line and water meter) located within the proposed vacation area, see illustration below. This is the only known utility within the vacation area. No other utilities have submitted comments or concerns regarding this request. From the City's Public Works aerial drawings, it appears the power utilities are outside of the vacation area and will be unaffected by this request.

For the City water service utility, as a condition of approval to this vacation, prior to the adopting Ordinance becoming effective and recording in the deed records with the Union County Clerk, the water meter must be relocated to remain within the public right-of-way.



- B. *The proposed Vacation will have no adverse effect on the property owners adjacent to the right-of-way and the owners of "affected property" within the vicinity of four hundred feet (400') to either end of the right-of-way proposed to be vacated and within the vicinity of two hundred feet (200') to either side of the right-of-way proposed to be vacated. To ensure this is the case, a public hearing to consider a Vacation request shall not be held until property owners representing all of the property adjacent to the proposed Vacation consent to the proposal on forms provided by the City. In addition, two-thirds of the property owners (by land area) within the "affected area" shall submit their consent to the Vacation proposal prior to the hearing.*

Finding: In accordance with ORS Chapter 271, a vacation petition was prepared that included the owners of all properties within the vicinity of 200'x400' as described above. The applicant circulated and obtained signatures of consent from approximately 75% of the affected property owners and 100% of the adjacent owners. The request meets State Law requirements for obtaining consent from two thirds (2/3) or 66.6% of the affected property owners and 100% of the adjacent owners.

- C. *The Vacation may be granted if the reviewing authority finds that it satisfies all applicable requirements of the Land Development Code, Comprehensive Plan and Oregon Revised Statutes.*

Finding: Based on the Finding of Fact contained within this Staff Report/Decision Order, all applicable requirements have been satisfied. The applicable Land Development Code, Comprehensive Plan and ORS requirements focus on the processing requirements and right-of-way design standards.

- a) The processing requirements provided in LDC Section 8.10.002 and LDC Chapter 9 have been satisfied. The requirement provided in ORS Chapter 271 are discussed in the Findings below.
- b) The design requirements for public rights-of-way are provided in Chapter 6 of the Land Development Code Ordinance and City's Transportation System Plan (TSP), which identifies the design and locations for existing or planned "local streets," which call for a 60' wide right-of-way. In this case, the subject right-of-way is currently 80' wide and proposed to be reduced to 70' wide, which maintains a width that exceeds City standards. As such, this request will maintain conformance with current City street design standards.
- D. *The Vacation may be denied if access, utilities and other street improvements provided, or planned to be provided, in the right-of-way proposed to be vacated are necessary to serve development permitted by the Land Development Code and Comprehensive Plan.*

Finding: As referenced in Criterion C above, the subject rights-of-way are proposed to be reduced from 80' wide to 70' wide, which exceeds the City's 60' design standard. The proposed vacation will maintain a right-of-way that exceeds the City's minimum standards and it will not interfere with the use or function of public rights-of-way for serving other development within the neighborhood.

- E. *The Vacation will not prevent the development of through streets which are identified on the County Assessor's Plats in areas where such through street is identified on an adopted Transportation System Plan or is deemed necessary by the Community Development Director/Planner or other reviewing authority.*

Finding: The streets within the vicinity are established and include a paved surface and gravel shoulders. As discussed above, this request is to narrow an existing public right-of-way from

80' wide to 70' wide, and such reduction does not adversely impact the use or function of the existing streets. The Walnut Street right-of-way will continue to be maintained at a width in excess of minimum City standards and it will not prevent the future development or improvement of this street with curbs or sidewalks in the future.

- F. *The Vacation maintains a uniform development pattern and does not conflict with established development patterns in the same zone or vicinity.*

Finding: This vacation does not affect the development pattern in the area. In fact, a similar right-of-way vacation of 10' was approved and recorded over 30+ years ago for the block directly to the South (South of Lane Avenue). The proposed vacation is consistent this prior vacation to the South and it will maintain a consistent development pattern to what exists in the neighborhood today.

F. ORS CHAPTER 271 – USE AND DISPOSITION OF PUBLIC LANDS

271.080 Vacation in incorporated cities; petition; consent of property owners.

(1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.

Finding: As discussed in the Finding for Review Criterion 'B' above, the applicant circulated and obtained signatures of consent from approximately 75% of the affected property owners and 100% of the adjacent owners. The request meets State Law requirements for obtaining consent from two thirds (2/3) or 66.6% of the affected property owners and 100% of the adjacent owners. These signatures represent over the 2/3 or 66% required. This standard is met

271.090 Filing of petition; notice. *The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.*

Finding: The City of La Grande process recognizes the Planning Department (or Community Development Director) as the recording officer of the City for receiving the Vacation Petition. The Community Development Director found the petition to be sufficiently complete and presented the Petition to the City Council during their regularly scheduled meeting held on April 7, 2021. This standard was met

271.100 Action by city governing body. *The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.*

Finding: The Vacation Petition was presented to the City Council during their regularly scheduled meeting held on April 7, 2021. The City Council accepted the Vacation Petition by Resolution Number 4801, Series 2021. The Resolution fixed a date and time for a formal public hearing of June 2, 2021. This standard is met.

271.110 Notice of hearing.

(1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

Finding: Notice of the hearing has been given in accordance with this ORS Section, see Finding under Section D – History of Events, above. The first public hearing was held before the City of La Grande Planning Commission on May 18, 2021. The Planning Commission is responsible for issuing a recommendation to the City Council, which is scheduled to hold two (2) public hearings. The first City Council public hearing is scheduled for June 2, 2021, where public testimony will be heard and the proposed right-of-way vacation Ordinance will be read by title only for the first time. On July 7, 2021, the City Council is scheduled to hold a second public hearing where a decision is anticipated and the Ordinance will be read for the second time.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

Finding: Public notice was published in *The Observer*, which is a local newspaper of general circulation, on April 29, 2021, and May 6, 2021. Public notices were also posted within the vacation areas of Walnut Street.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor.

Finding: For this request, the applicant paid a \$75 deposit upon submitting the vacation petition, which is being held with City of La Grande. As part of the right-of-way vacation process, the City is tracking all costs associate with publication, posting and other expenses directly related to processing the request. Upon the conclusion of the vacation process, the City will invoice the applicant for actual costs, with a credit for fees previously paid. This process meets the intent of this ORS standard.

271.120 Hearing; determination. *At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.*

Finding: As discussed above, the first public hearing before the City of La Grande Planning Commission was held on May 18, 2021. The Planning Commission was responsible for issuing a recommendation to the City Council, which is scheduled to hold two (2) public hearings. The first City Council public hearing is scheduled for June 2, 2021, where public testimony will be heard and the proposed right-of-way vacation Ordinance will be read by title only for the first time. On July 7, 2021, the City Council is scheduled to hold a second public hearing where a decision is anticipated and the Ordinance will be read for the second time.

IV. CONCLUSIONS AND ORDER

Based on the Findings of Fact above, the Planning Commission concluded that the proposed right-of-way vacation (**met / did not meet**) the requirements established in LDC Article 8.10 and ORS Chapter 271; and by _____ / _____ vote recommend (**approval / denial**) to the City of La Grande City Council, subject to the following condition.

1. Prior to the Right-of-Way Vacation Ordinance becoming effective and recorded in the Union County Deed Records, the City water meter serving 2906 Walnut Street shall be relocated to the East so as to remain within the Walnut Street public right-of-way. Such relocation shall be arranged with the City of La Grande Public Works Department and all associated costs for the relocation shall be the responsibility of the property owner.

Attached Exhibits:

1. Petition to Vacate, with consenting property owner signatures
2. City Council Resolution 4801, Series 2021