

**RESOLUTION NO. 19-809-10**

**A RESOLUTION OF CITY OF JOHN DAY AUTHORIZING CITY TO APPLY FOR A 2019 OREGON PARKS AND RECREATION DEPARTMENT PLANNING GRANT FOR PURPOSES OF DEVELOPMENT OF A FACILITIES PLAN FOR A NEW AQUATIC AND RECREATION CENTER IN CITY; AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION ON BEHALF OF CITY.**

WHEREAS, City of John Day (“City”) has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, Oregon Parks and Recreation Department (“OPRD”) is accepting applications for planning grants under the Local Government Grant Program (the “Program”); and

WHEREAS, City desires to participate in the Program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements, and enhancements in City; and

WHEREAS, City has available local matching funds to fulfill its share of the obligation related to the Program grant application should planning grant funds be awarded to City; and

WHEREAS, City owns certain property (and all improvements located thereon) commonly known as the Gleason Park and Pool (the “Property”); and

WHEREAS, the pool on the Property was constructed in 1958 and is beyond its useful life; and

WHEREAS, the lease agreement between City and the John Day/Canyon City Parks and Recreation District (the “District”) concerning the operation and maintenance of the Property (the “Lease”) expires on August 8, 2020 and the John Day City Council (the “City Council”) intends to retire the pool upon expiration of the Lease; and

WHEREAS, the City Council is willing to negotiate with the State of Oregon to sell the Property to OPRD for purposes of OPRD’s development and construction of a new Kam Wah Chung visitor’s center at the Property upon expiration of the Lease; and

WHEREAS, the City Council has identified creating a new pool and recreation center as a high priority need to promote recreation in City; and

WHEREAS, the City Council finds that a new pool will better serve the long-term needs of area residents; and

WHEREAS, City has organized a steering committee and drafted a memorandum of understanding with the various public agencies having an economic interest in the pool to explore a shared-resource model for developing, constructing, and operating the facility; and

WHEREAS, the City Council desires that City apply for a planning grant under the 2019 OPRD Program for purposes of developing a facility plan for the pool to help inform decision making around the proposed facility’s location, costs, service area, governance structure and operating model;

NOW, THEREFORE, City of John Day resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. 19-809-10 (this "Resolution") are hereby adopted.

2. Approval; Authorization. The City Council hereby supports, approves, and authorizes City's application for a planning grant under the Program for purposes of development of facilities plan for a pool and recreation center in Center. The City Council hereby authorizes the mayor to sign the application on behalf of City and to take all necessary action to effectuate the grant application in furtherance of this Resolution.

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

APPROVED AND ADOPTED by the City Council of the City of John Day and signed by the mayor this 14th day of May 2019.

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Ron Lundbom, Mayor

ATTEST:

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Nick Green, City Manager