

RESOLUTION NO. 22-888-09

A RESOLUTION OF CITY OF JOHN DAY TO DISSOLVE THE JOHN DAY POLICE DEPARTMENT AS A CITY DEPARTMENT

WHEREAS, City of John Day (“City”), an Oregon municipal corporation, 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, the John Day Police Department (“Department”) is a duly established department of the City of John Day government; and

WHEREAS, the city council passed Resolution No. 21-869-17 suspending operations of Department on October 12, 2021 due to the failure of a local option levy to finance Department and inadequate Department staff; and

WHEREAS, the power to organize and reorganize the departmental structure of the city government is given to the city manager under Section 22(6)(g) of the City of John Day Charter (the “Charter”); and

WHEREAS, Section 22(6)(h) of the Charter authorizes the city manager to prepare and transmit to the council an annual city budget; and

WHEREAS, the budget transmitted to and approved by the budget committee did not include funding for Department police operations in the fiscal year beginning July 1, 2022; and

WHEREAS, funding from the Department of Justice Community Oriented Police Services (COPS) grant may be available to the Grant County Sheriff’s Office should City dissolve the Department;

NOW, THEREFORE, BE IT RESOLVED that City of John Day city council resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. 22-888-09 (this “Resolution”) are hereby adopted.
2. Authorization; Notice. Council authorizes, approves, and directs the city manager, and his or her designee, acting individually and without further Council approval and/or authorization, to take all actions necessary or appropriate to dissolve the Department and implement this Resolution effective upon its passage.
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.

ADOPTED by the City Council of City of John Day and signed by the mayor this 10th day of May, 2022.

Ron Lundbom, Mayor

ATTEST:

Nicholas Green, City Manager