

CITY COUNCIL MONTHLY MEETING CALENDAR

April-10

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|---|--|----------------------------|--|-----------------------------------|----------|
| | | | | EDC Noon | 1 | 2 |
| 4 | 5 | 6 | 7 | 8 | Arbor Day Event Noon-Rogers Pk | 9 |
| | Planning Comm 7pm | Fire Bd 8pm | Water Consortium EC 5:30pm | PAC 5pm | JWC Noon | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| | CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | Library 6:30pm | | Fernhill Wetlands 5pm | | |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| | Planning Comm 7pm | CCI 5:30pm Senior Ctr Bd 5:30pm FERC Town Hall Mtg 10 am - Comm Aud | P&R 7am CFC 5:15pm | COUNCIL WORK SESSION CEP PROJECT INTERVIEWS 6:00 PM - COMM AUD | | |
| 25 | 26 | 27 | 28 | 29 | 30 | |
| | CITY COUNCIL 5:30 PM - EXECUTIVE SESS (Litigation) 5:45 PM - EXECUTIVE SESS (Labor) 6:00 PM - WORK SESS (Water Revenue) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | Notary Public Training 1pm-4pm Comm Aud | PSAC 7:30am | | COUNCIL CEP EVALS DUE | |

May-10

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|---|----------------------|--|--|--------|----------|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | Planning Comm 7pm | Fire Bd 8pm | Candidate Forum 5:30 pm - Dinner 7:00 pm - Town Hall Mtg Pacific University | EDC Noon | | |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| | CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | Library 6:30pm | | PAC 5pm | | |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| | Planning Comm 7pm | Special Election Day | P&R 7am CFC 5:15pm | Fernhill Wetlands 5pm | | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| | CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | HLB 6pm | PSAC 7:30am | FIRST BUDGET MEETING 7:00 PM - COMM AUD | | |
| 30 | 31 | | | | | |
| | CITY OFFICES CLOSED HOLIDAY | | SECOND BUDGET MEETING 7:00 PM - COMM AUD | | | |

June-10

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|--------|---|------------------------------------|-----------------------|--|----------|----------|
| | | 1 | 2 | 3 | 4 | 5 |
| | | Fire Bd 8pm | | BUDGET COMMITTEE WORK SESS: SWOT ANALYSIS 7:00 PM - COMM AUD | | |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | Planning Comm 7pm | Library 6:30pm | | PAC 5pm | JWC Noon | |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| | CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | CCI 5:30pm Senior Ctr Bd 5:30pm | P&R 7am CFC 5:15pm | Fernhill Wetlands 5pm | | |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| | Planning Comm 7pm | HLB 6pm | PSAC 7:30am | | | |
| 27 | 28 | 29 | 30 | | | |
| | CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM | | | | | |



FOREST GROVE CITY COUNCIL

Monday, April 26, 2010

EXECUTIVE SESSIONS

5:30 PM – Executive Session (Litigation)
 5:45 PM – Executive Session (Labor)

Community Auditorium – Conf. Room
 1915 Main Street
 Forest Grove, OR 97116

Thomas BeLusko, Jr.
 Thomas L. Johnston
 Victoria J. Lowe

PETER B. TRUAX, MAYOR

Camille Miller
 Ronald C. Thompson
 Elena Uhing

All meetings of the City Council are open to the public and all persons are permitted to attend any meeting except as otherwise provided by ORS 192. The public may address the Council as follows:

➔ **Public Hearings** – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign in for any Public Hearing prior to the meeting. The presiding officer will review the complete hearing instructions prior to testimony. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

➔ **Citizen Communications** – Anyone wishing to address the Council on an issue not on the agenda should sign in for Citizen Communications prior to the meeting. The presiding officer will call the individual or group by the name given on the sign in form. When addressing the Council, please use the witness table (center front of the room). Each person should speak clearly into the microphone and must state his or her name and give an address for the record. All testimony is electronically recorded. In the interest of time, Citizen Communications is limited to two minutes unless the presiding officer grants an extension.

The public may not address items on the agenda unless the item is a public hearing. Routinely, members of the public speak during Citizen Communications and Public Hearings. If you have questions about the agenda or have an issue that you would like to address to the Council, please contact the City Recorder at 503-992-3235.

City Council meetings are handicap accessible. Assistive Listening Devices (ALD) or qualified sign language interpreters are available for persons with impaired hearing or speech. For any special accommodations, please contact the City Recorder at 503-992-3235, at least 48 hours prior to the meeting.

A G E N D A

EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC. Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.

The City Council will convene in the Community Auditorium - Conference Room beginning at 5:30 p.m. to hold the following executive sessions:

Paul Downey
 Administrative Services
 Director

5:30 In accordance with ORS 192.660(2)(h) to discuss Council's legal rights and duties with regard to current litigation or litigation likely to be filed. ORS 192.660(2)(f) to consider records that are exempt by law from public inspection.

Rob DuValle
 Human Resources
 Manager

5:45 In accordance with ORS 192.660(2)(d) to conduct deliberations with person designated by the governing body to carry on labor negotiations.



FOREST GROVE CITY COUNCIL

Monday, April 26, 2010

6:00 PM – Work Session (Water Revenue Update)
7:00 PM – Regular Meeting

Community Auditorium
1915 Main Street
Forest Grove, OR
97116

Forest Grove City Council Meetings are broadcast by Tualatin Valley Community Television (TVCTV) Government Access Programming. To obtain the monthly programming schedule, please contact TVCTV at 503.629.8534 or call the City Recorder at 503.992.3235.

Thomas BeLusko, Jr.
Thomas L. Johnston
Victoria J. Lowe

PETER B. TRUAX, MAYOR

Camille Miller
Ronald C. Thompson
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A G E N D A

Rob Foster
Public Works Director
Susan Cole
Assistant Finance
Director

6:00

WORK SESSION: WATER REVENUE UPDATE

The City Council will convene in the Community Auditorium to conduct the above work session. The public is invited to attend and observe the work session; however, no public comment will be taken. The Council will take no formal action during the work session.

7:00

1. REGULAR MEETING: Roll Call and Pledge of Allegiance

Katie Anderson
Oregon State Library

Kerry Aleshire
Police Chief

Jon Holan
Community
Development Director

James Reitz
Senior Planner

Rob DuValle
Human Resources
Manager

1. A. **PROCLAMATION:**
 - *National Silver Star Service Banner Day - May 1, 2010*
1. B. **AWARD PRESENTATION:**
 - *State of Oregon Ready to Read Outstanding Project Award, presenting to Ann Dondero and Linda Taylor, Forest Grove Library Youth Services*
1. C. **POLICE AWARD PRESENTATIONS:**
 - *Commendations*
 - *Employee of the Year*
2. **CITIZEN COMMUNICATIONS:** Anyone wishing to speak to Council on an item not on the agenda may be heard at this time. *Please sign-in before the meeting on the Citizen Communications form posted in the foyer.* In the interest of time, please limit comments to two minutes. Thank you.
3. **CONSENT AGENDA:** See Page 3
4. **ADDITIONS/DELETIONS:**
5. **PRESENTATIONS:**
- 7:15 5. A.
 - *Metro Quarterly Exchange Update, Kathryn Harrington, Metro Councilor District 4*
- 7:30 6. **CONTINUANCE OF PUBLIC HEARING, ORDER NO. 2010-02:**
APPROVE OR DENY COMPREHENSIVE PLAN MAP AMENDMENT CPA-09-01 AND DEVELOPMENT CODE MAP AMENDMENT ZC-09-01 TO REDESIGNATE AND REZONE ONE PARCEL, LOCATED AT 4015 PACIFIC AVENUE, WASHINGTON COUNTY TAX LOT NO. 1N3-32D-1400, FROM COMMUNITY COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND COMMUNITY COMMERCIAL TO MULTI-FAMILY (LOW) RESIDENTIAL. APPLICANT: DOROTHY ROYCE, ROSE GROVE MOBILE HOME PARK. FILE NOS. CPA-09-01 AND ZC-09-01
- 8:00 7. **RESOLUTION NO. 2010-33 ADOPTING REVISIONS TO THE CITY OF FOREST GROVE EMPLOYEE HANDBOOK, AMENDING RESOLUTION NO. 2004-06**

Rob DuValle
Human Resources
Manager

8:15

8. RESOLUTION NO. 2010-34 ADOPTING THE CITY OF FOREST GROVE EMPLOYEE VOLUNTEER HANDBOOK

Michael Sykes
City Manager

8:30

9. CITY MANAGER'S REPORT:
- *Forest Grove Senior and Community Center and Ride Connection, Inc., Usage Agreement*

8:45

10. COUNCIL COMMUNICATIONS:

9:00

11. ADJOURNMENT:

-
3. CONSENT AGENDA: Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).

- A. Approve City Council Regular Meeting Minutes of April 12, 2010.
-

April 26, 2010

STAFF REPORT – WATER REVENUES

PROJECT TEAM: Rob Foster, Director, Public Works
Susan Cole, Assistant Director, Administrative Services
Paul Downey, Director, Administrative Services
Michael Sykes, City Manager

ISSUE STATEMENT: City staff has completed the annual financial review of the water fund revenue requirements for fiscal year 2010-11. This annual review evaluates current and future operating and capital needs of the water utility, and compares those needs with the fund's revenue sources. Last year, in March of 2009, staff estimated that annual six percent (6%) rate increases would be necessary for a number of years in order to adequately fund operations as well as fund the multi-year capital program. However, recent events may necessitate higher rate increases over time to keep the City's water utility operating efficiently.

BACKGROUND: In 2009, the Joint Water Commission (JWC) completed its Master Plan outlining a number of capital improvements to keep the JWC's water treatment plant and water delivery system operating effectively and efficiently over time. Projects were identified for the short-term and long-term, ranging from valve and filter replacements to expanding the plant and possibly changing its treatment process. (See staff report dated March 30, 2009, attached). In order to fund these projects, Forest Grove would have to annually raise rates approximately 6%, if all other revenues and expenditures in the water utility remained the same.

Unfortunately, the revenue picture in the water fund has changed, and staff have been re-evaluating the rate path of the water fund. The water fund has been receiving approximately \$260,000 per year, on average, over the past seven years for leasing its stored water and treatment capacity to other JWC partners. The largest lessee was the Tualatin Valley Water District (TVWD), with Tigard leasing some in the past. TVWD has decided not to lease water from the JWC effective March 1, 2010, the expiration date of the current lease. Therefore, Forest Grove will no longer receive revenue from leasing stored water or treatment capacity. While Forest Grove did plan on reduced revenues from leasing, the City did not expect such an abrupt discontinuance, and had hoped that TVWD would renew for the upcoming summer season. However, TVWD made an economically-based decision based on their contract for water with the City of Portland, and deemed it in their best financial interest to cease leasing water from the JWC upon the expiration of the current lease. This loss of lease revenue significantly impacts Forest Grove's ability to participate in JWC capital improvements.

Another revenue impact on the water fund relates the amount of revenue collected from rates, or service charges from customers. Revenues from the Commercial and Industrial categories of customers are below current estimates by approximately \$90,000. While the exact reason is not known, staff suspect the recession as businesses and industries restructure, conserve resources or leave.

Also, revenue analysis has shown that overall, the per capita consumption of water is declining, and the result is that the gross amount of revenues raised in percent terms does not reflect the percent of rate increase. For example, a 6% increase in rates does not mean a 6% increase in revenues. When rates were increased 5% in FY '07-08, revenues only increased by 3%. This pattern has been seen over the last several years, and therefore affects the forecast of future revenues yielded from rate increases. In other words, if the City plans on increasing rates by 6%, most likely revenues from rates may only go up 3% to 4%. Staff believes the reason for this is the societal value placed on smaller lots and conservation, seen through low flow fixtures and less irrigation.

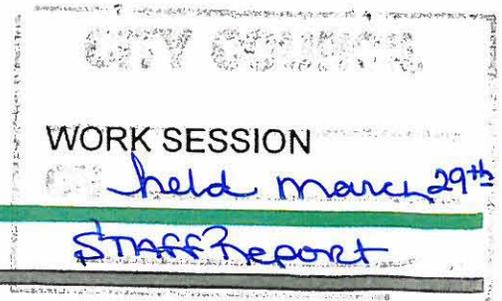
Timber harvests also affect the overall revenue picture in the revenue fund. Timber harvest revenue is pledged to covering expenses of the harvest and servicing the debt in the water fund. For the current year, revenues from the timber harvest are expected to fall short of covering the debt obligation, although harvest expenses are covered. This topic of the timber harvest will be addressed in a following work session, and so is not covered here. The impact of lower than expected revenues from the timber harvest for the purpose of this work session is to point out that the water fund reserves must make up the difference, and these reserves need to be replenished over time. This adds to the pressure on water rates.

On the expenditure side, the Department has done well controlling expenses. Most expenses in the water utility are fixed, in terms of maintaining the system, operating the City's water treatment plant, and costs associated with obtaining water from the JWC.

Conservative financial planning for the water fund means that the previously mentioned revenue shortfalls can be recovered over time, thus avoiding a spike in rates now to make up for these shortfalls. Staff believes that a 6% water rate increase for FY 10-11, which was the original plan, is manageable. However, given the current revenue picture, the relative fixed costs of operating the system, and future capital investment necessary, rates may have to increase by as much as 7% to 8% in the following years, depending upon the scheduling of capital projects and any other unforeseen changes to the water fund finances.

FISCAL IMPACT: Water rate increases to meet the water fund's revenue requirements.

RECOMMENDATION: Staff recommends a water rate increase of 6% effective July 1, 2010, and also asks that the City Council provide feedback and guidance as to the amount and timing of a rate increases in the future.



March 29, 2010

**CITY OF FOREST GROVE
WATER MASTER PLAN UPDATE**

Project Team: Rob Foster, Public Works Director
Jon Holan, Community Development Director
Dan Riordan, Senior Planner
Susan Cole, Assistant Director, Admin Services
Paul Downey, Administrative Services Director
Derek Robbins, Civil Engineer
Michael Sykes, City Manager
Ronan Igloria, HDR Engineering, Inc.
City Public Works & Water Treatment Plant Staff

ISSUE STATEMENT: The purpose of this Work Session is to introduce and discuss the City of Forest Grove Water Master Plan update.

BACKGROUND/UPDATE: Since early December 2009, Forest Grove City Staff and HDR Engineering have been working to update the City of Forest Grove Water Master Plan. Staff is very pleased with the progress. Many of the project tasks are ahead of schedule and others are very close behind. One task that received a lot of attention was an extended study of the water demand forecast, which included extensive input from Community Development on various growth and land use expansion ideas. This extended demand forecast analysis has helped to further frame Forest Grove future water supply and infrastructure needs. Initial results from the demand forecast analysis, as discussed in the attached details, reveal no immediate need for new water supplies over the next 40 years.

This work session presentation has been organized to both inform and receive feedback from the City Council regarding the project development and preliminary results. The work session and the attached presentation material focus on the following:

- Overall Project Status
- Overview of Water Demand Forecast
- Overview of Supply Circumstances
- Initial findings from System Analysis/CIP Development

RECOMMENDATION: This is an informational Work Session with City Council. The Project Team is seeking input from City Council and will answer any questions the Council may have.

| | |
|---|--|
| Subject: Project Update and Status – City Council Meeting | |
| Client: City of Forest Grove | |
| Project: Water Master Plan | Project No: 343702-124983-005 |
| Meeting Date: Monday, March 29, 2010 5:30 pm – 7:00 pm | Meeting Location: Community Auditorium 1915 Main Street |

General Project Status

The City of Forest Grove retained HDR Engineering, Inc. (HDR) to update the City's Water Master Plan (WMP), including development of both a 40-year capital improvement program (CIP) and a shorter term, 7-year CIP. The WMP update will address water infrastructure deficiencies and long-term water supply issues based on comprehensive assessment of future growth, land use changes and development. The WMP is scheduled for City Council review and adoption in June 2010. CIP projects identified for fiscal year 2010-2011, will be identified in time for the budgeting process.

To date, City staff and HDR have completed a detailed water demand forecast incorporating various growth and urban expansion scenarios consistent with City's latest land use analysis and Comprehensive Plan. The demand forecast will also include scenarios for "aggressive" conservation and climate change. A complete update to the water distribution system hydraulic model has been developed and is currently being calibrated. The model will be used as part of the system analysis to identify system deficiencies based on current and future water demands. HDR is also completing a water quality and regulatory compliance review.

In the next two months, HDR will complete the evaluation of the transmission and distribution system, storage, and treatment plant and will develop a preliminary CIP to be finalized with City staff as part of a workshop. The draft WMP is expected to be submitted in late April 2010 for City staff review.

Demand Forecast

The City has decided on a 40-year planning period for the WMP to account for the long-range regional planning issues with urban-rural reserves and regional water supply planning. The demand forecast used a "scenario-based, disaggregated" demand model that considered the major water use sectors separately (residential, commercial/industrial, public, and school). Historical water use, demographic, and land use planning data from the City was used to complete the demand forecast. Three demand scenarios accounting for various growth and land use assumptions were developed in a series of meetings and workshops with City staff:

- Scenario A (low) – Infill and Increased Density Only (current land use policies – no change)
- Scenario B (medium) – Redevelopment and Urban expansion (land use policies change – e.g. includes urban renewal district, transit oriented development, etc.)
- Scenario C (high) – Redevelopment and Urban expansion with North Area Concept

Each scenario included assumptions regarding residential growth rates consistent with the Economic Opportunity Analysis (EOA); and residential infill, commercial and industrial growth consistent with the land absorption timeline developed by the Community Planning Department. The major urban expansion areas included the David Hill area; “Purdin Rd. Area” to the north of the City and west of Highway 47; and the “North Concept Area” to north of the City and east of Highway 47.

Under the three scenarios, average day demands (ADD) are expected to increase from 2.8 million gallons per day (mgd) in 2010 to 4.3-6.9 mgd in 2050. Maximum day demands (MDD) are expected to increase from 6.2 mgd in 2010 to 9.6 to 14.8 mgd in 2050. For the purposes of the water system analysis, Scenario B is the primary demand scenario that will be used to identify develop the 7-year CIP. Scenarios A and C will be used to account for the “uncertainty” in the demand forecast and the extent to which the City should be aware of the timing of any long-term system improvements identified.

Existing Supply

The City of Forest Grove currently operates its own water treatment plant (FG WTP) using a source of supply from the Clear Creek watershed. The FG WTP has a firm capacity of ~3.7 mgd. The City of Forest Grove is also a member of the Joint Water Commission (JWC) and has a 13.33% share of the JWC water treatment plant (JWC WTP) equivalent to ~10 mgd. Treated water from the JWC is delivered to the City through a 24-inch transmission line with a capacity of 6.1 mgd based on a 50% ownership share of the transmission line with the City of Hillsboro.

The City owns several water rights which serve to supply the FG WTP, as well as the JWC WTP. The water rights are listed in the tables below. It should be pointed out that the water availability is limited by hydrology (i.e. stream flow) and other senior water rights in the watershed. For example, in late summer, the Clear Creek flows limit the amount of water available to 1.5 mgd (compared to the 3.7 mgd capacity of the FG WTP).

| Sources for Forest Grove WTP | Permit/Cert. | Rate (cfs) | Rate (mgd) |
|------------------------------|--------------|--------------|-------------|
| Clear Creek Tribs | c. 2194 | 0.8 | 0.52 |
| Clear Creek Tribs | c. 13471 | 1 | 0.65 |
| Clear Creek Tribs | c. 13797 | 1 | 0.65 |
| Gales Creek | c. 85513 | 4.46 | 2.88 |
| Roaring Creek | p. S-40615 | 2.43 | 1.57 |
| Clear Creek | p. S-40615 | 2.83 | 1.83 |
| | Total | 12.52 | 8.09 |

| Sources for JWC WTP | Permit/Cert. | Quantity | Peak Season rate (May-Oct) (mgd) | Annual Average rate (mgd) |
|------------------------|--------------|----------|----------------------------------|---------------------------|
| Barney Reservoir | c. 81022 | 500 AF | 0.79 | 0.45 |
| Scoggins Reservoir | by contract | 4,500 AF | 7.97 | 4.02 |
| Barney Buy-back option | by contract | 800 AF | 1.42 | 0.71 |
| Tualatin River | c. 85916 | 33 cfs | | 21.33 |

Notes:

AF – acre feet; cfs – cubic feet per second; mgd – million gallons per day

Based on a comparison of the demand forecast with the City's existing water supply, there is no immediate need for new water supplies (over the next 40 years to the 2050 planning period). As long as the City has continued access and use of the stored water in Barney Reservoir and Scoggins Reservoir, peak summer demands can be met through year 2050 in terms of water rights and available flows and storage. However, the ability to meet long-term water demands is primarily limited by two factors:

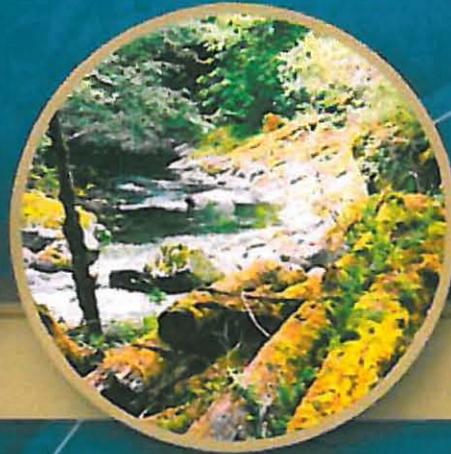
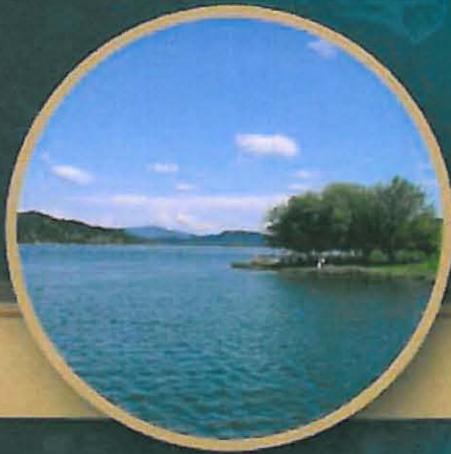
- City supply: available streamflow in Clear Creek (1.5 mgd during late summer)
- JWC supply: capacity of the 24-inch transmission line from the JWC (6.1 mgd)

In terms of infrastructure, the FG WTP has excess capacity (3.7 mgd) in the summer due to limited streamflow availability in the Clear Creek watershed (~1.5 mgd). While most of the City's water rights have been certificated, key water rights issues yet to be resolved include developing a strategy to certificate the existing permits (S-40615 which includes Roaring Creek and Clear Creek). The City also needs to consider whether and how the excess winter water rights can be optimized or used to increase redundancy or supply reliability. Finally, since major water supply development does not appear to be needed, water conservation could be used to provide incremental benefit and added reliability to existing supplies to meet incremental supply deficiencies to meet water demand.

City of Forest Grove Water Master Plan

City Council Meeting

Project Status: Demand and Supply



city of
forest
grove

HDR

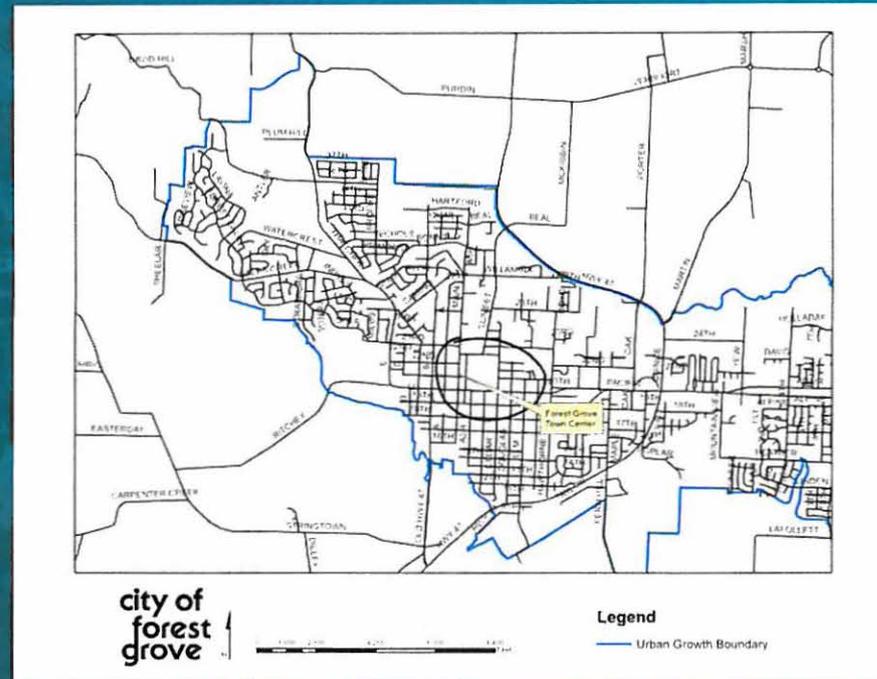
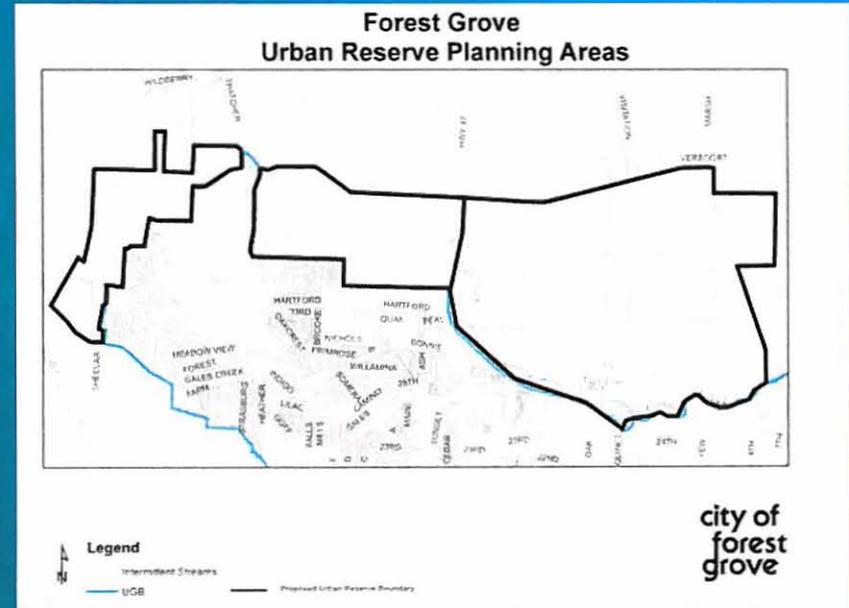
March 29, 2010

Overall Project Status

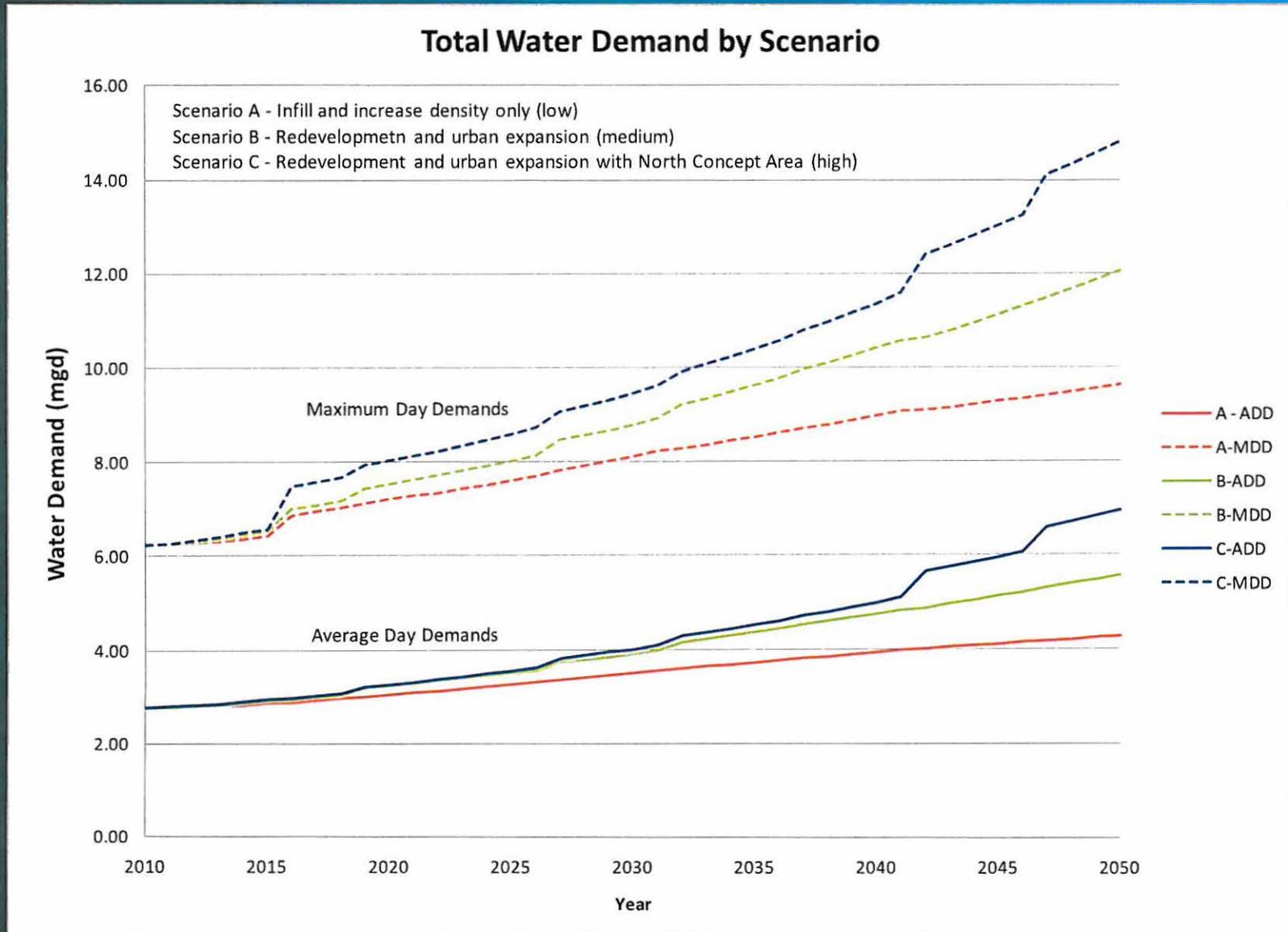
1. Demand forecast completed
2. Preliminary supply evaluation completed
3. Water system model built
4. System analysis upcoming (March)
5. CIP development (April)

Demand Forecast

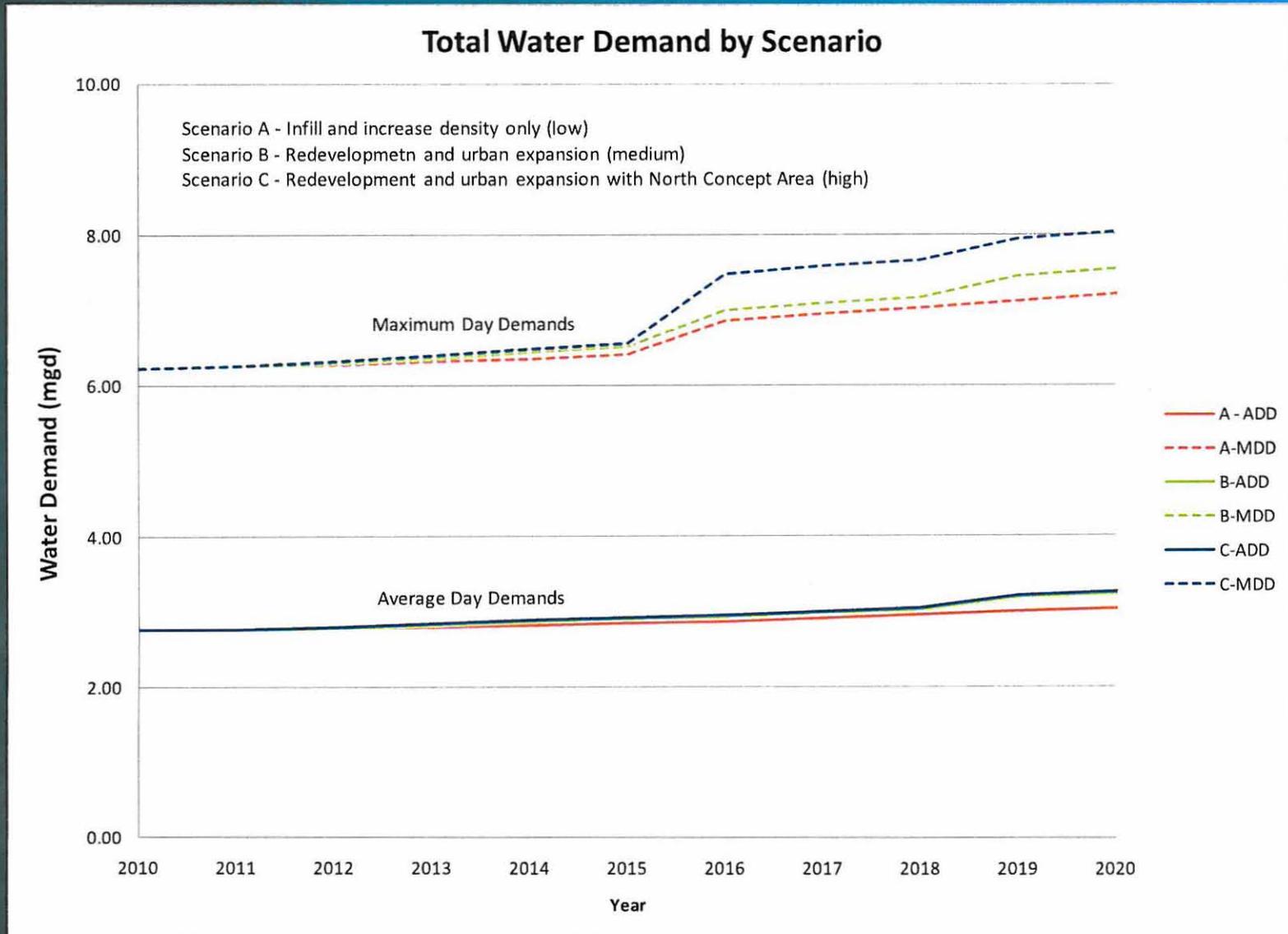
- A. Infill and increased density
- B. Redevelopment and urban expansion
- C. Redevelopment, urban expansion with North Area Concept



Demand Forecast



Demand Forecast

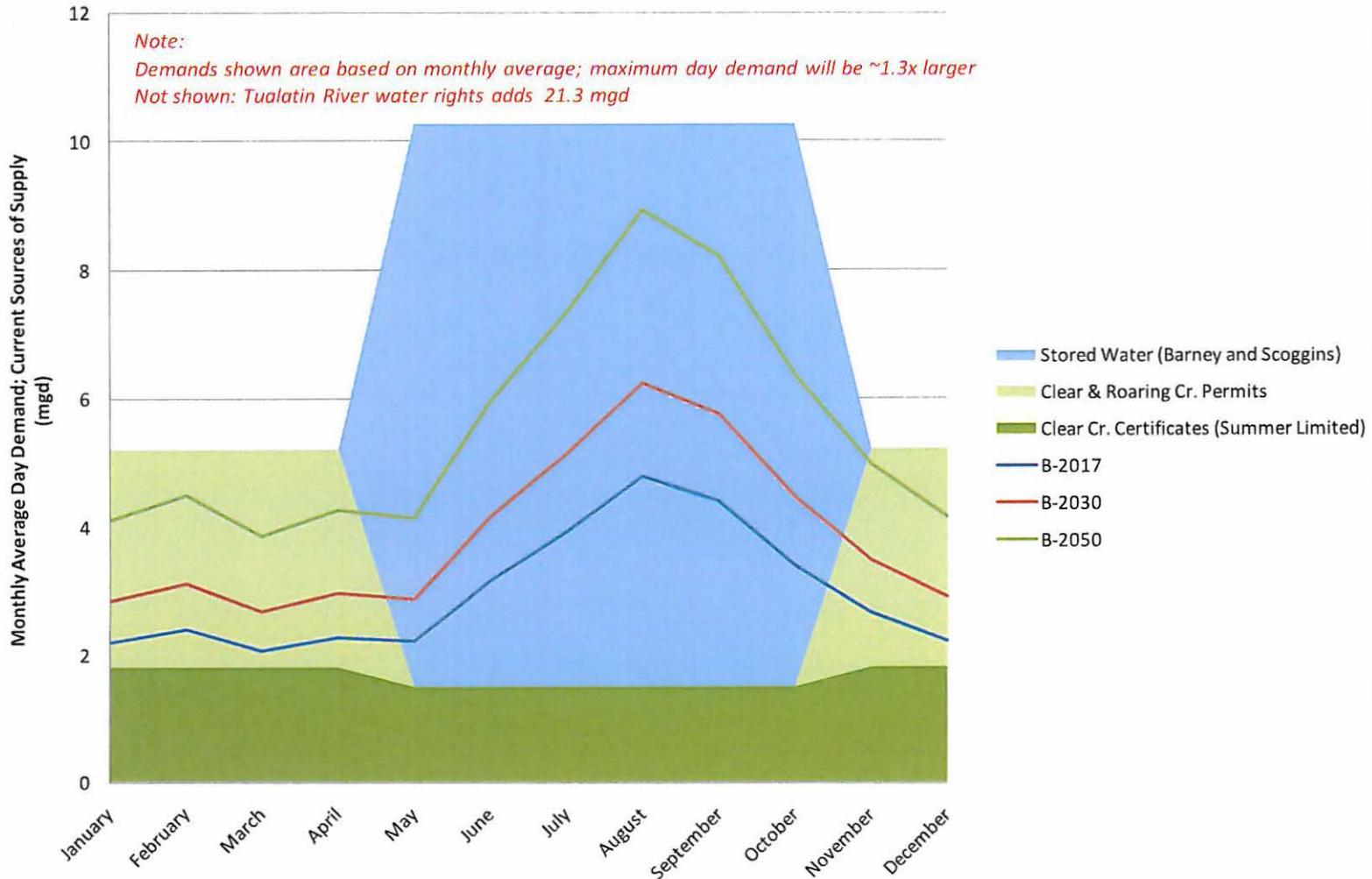


Overview of Supply Issues

1. No immediate need for new supply
2. Redundancy and reliability needs
 - Infrastructure limitations (WTP, transmission)
3. Water rights and water availability
 - Summer limited
 - Winter excess

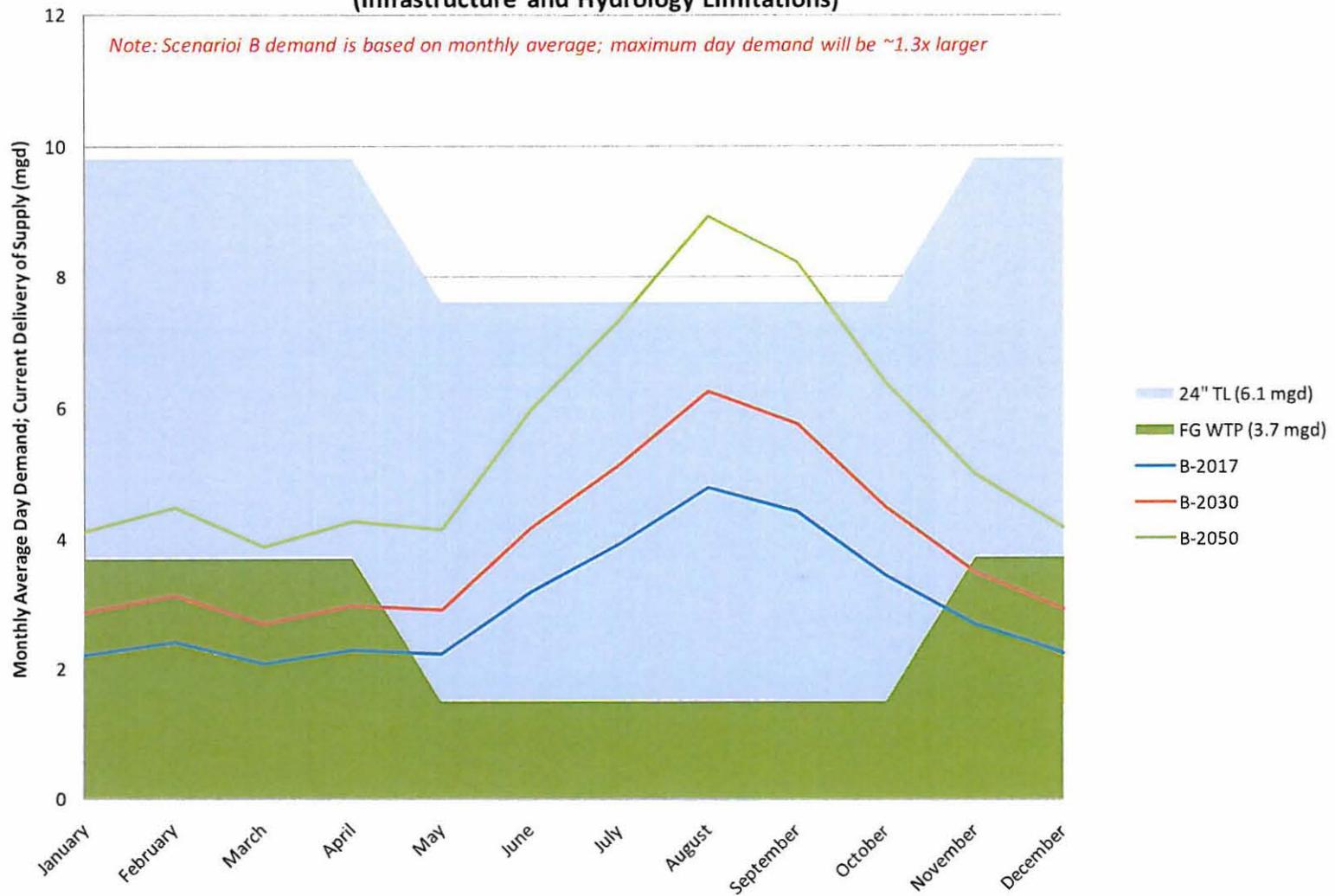
Existing Use of Supply

Monthly Average Day Demand vs. Current Sources of Supply
(Water Rights and Hydrology Limitations)



Seasonal Limitations

Monthly Average Day Demand vs. Current Delivery of Supply
(Infrastructure and Hydrology Limitations)



March 30, 2009

STAFF REPORT ON WATER RATES AND CAPITAL PLANNING

PROJECT TEAM: Rob Foster, Public Works Director
Susan Cole, Assistant Finance Director
Derek Robbins, Civil Engineer
Paul Downey, Administrative Services Director
Michael Sykes, City Manager

ISSUE STATEMENT: Projections for the City's water fund have revealed the need to increase water rates over the next several years by significant amounts in order to adequately fund the capital program. This capital program consists of projects needed for the City's own water utility and also Forest Grove's share of projects needed for the Joint Water Commission's facilities. This report is to provide context and possible options, and to solicit feedback. A more detailed plan will be brought forth during the upcoming budget meetings.

The Joint Water Commissioners will be asked to consider for their approval the Master Plan for the Joint Water Commission (JWC) at the next quarterly meeting, scheduled for April 10, 2009.

An update on the project to raise Scoggins Dam will be provided verbally and therefore is not part of this report.

BACKGROUND: The Joint Water Commission (JWC) has recently completed a draft Master Plan. The JWC Master Plan lays out an aggressive and comprehensive capital improvement plan. Some capital projects expand the capacity of the facilities, while other projects improve the current facilities. Many projects are slated to begin either in this upcoming fiscal year, 2009-10, or the next, FY 2010-2011. The main driver for the timing of many of these projects included in the Master Plan is the expansion of the Water Treatment Plant (WTP) by 60 million gallons a day (MGD). This project is timed to coincide with current efforts by the Tualatin Basin Water Supply Project to raise Scoggins Dam. One JWC partner, the Tualatin Valley Water District (TVWD), is projecting a need for a replacement water supply by the year 2016, and hence is exploring the possibility that both the dam raise and WTP expansion can occur by mid-year of 2016.

Forest Grove is electing to not participate in this WTP expansion. JWC partners are able to opt out of expansion projects for which they do not have a need. However, the Master Plan does include projects that would improve the operations of the current plant. All partners are required to financially participate in plant improvement projects. Plant improvement projects do not necessarily increase the production of the plant; rather, they improve the water quality and/or reliability.

Many projects in the JWC Master Plan are scheduled to coincide with the 2016 expansion of the WTP to take advantage of economies of scale and joint design work. Some plant improvement projects will be designed and sized so that both the existing plant and the expansion plant can make use of them. The costs of these projects are therefore allocated to current partners and to those partners expanding capacity, and the projects are scheduled for completion at the same time as the expansion project to realize efficiencies. Forest Grove is expected to participate in the improvement projects, according to our percent ownership in the current plant.

Another important project included in the Master Plan, but not necessarily tied to the expansion of the WTP, is the exploration of the feasibility of Aquifer Storage and Recovery, or ASR. ASR is the injection of potable water into an aquifer through wells or by surface spreading and infiltration and then pumping it out when needed. The aquifer essentially functions as a water bank. Water is injected during the heavy flow times of winter and spring, and is withdrawn during the summer peak use time. The JWC is planning to initiate exploratory work for locating ASR wells over the next few years.

A project not included in the JWC Master Plan is the Raw Water Pipeline from Scoggins Dam to the current and expanded water treatment plants. Currently, Forest Grove is slated to participate in this project at approximately \$2 million. This pipeline is envisioned to be utilized for summer-time raw-water flow and also for winter-time pump-back flow. Forest Grove would only utilize the raw water pipeline in the summer, and so would participate financially for its portion of the pipe for summer-time flow.

While the Master Plan does a very thorough job of evaluating the various partners' water demands and needs, as well as comprehensively analyzing the state of facilities and necessary improvements and expansions, it does imply an aggressive schedule that financially challenges Forest Grove's water utility.

Preliminary financial analysis shows that in order for Forest Grove to fund both its own city water capital improvement program and its share of the raw water pipeline and the JWC projects, whether through pay-as-you-go cash or through debt financing, the City Council would need to approve significant rate increases. To pay for these projects over the next six years through rates, without issuing debt, rates would need to increase 70% between the fiscal years 2009-10 and 2014-15. (The average annual rate increase would be 11.66%.) However, due to the timing outlined in the Master Plan, as much as 50% of this increase would need to occur by FY 2010-11.

Conversely, if the City were to sell bonds against the revenue of the water fund, rates would need to increase approximately 50% over the six years of 2009-10 to 2014-15.

(Average annual rate increase of 8.33%.) Due to the scheduling of the projects, the bonds would most likely be sold in two separate issues, three years apart. The first bond issue would be approximately \$1.8 million in FY 2010-11, and the second issue would be approximately \$2.3 million in 2013-14. This assumed debt would be 20 year revenue bonds, at a 4.5% interest rate. To afford the first debt issuance, rates would need to increase approximately 30% over the time period of 2009-10 through 2011-12, and then increase an additional 20% for the next debt issuance the next three years, for a total 50% increase over the six year time frame. These estimates are based on the project schedules discussed below and on assumptions made regarding which projects would be eligible for debt financing.

One way to mitigate these rates increases would be to reevaluate the timing of when projects are slated to be completed. If the completion date for the projects tied to JWC WTP expansion were delayed from the schedule in the JWC Master Plan, which is 2016, and instead timed for completion by 2018 or 2020, the rate increases could be spread over ten years instead of six. This would mean more modest rate increases would be necessary beginning in fiscal year 2009-10 of approximately 6% per year. It is important to note that one Forest Grove capital project, the "Distribution Main Improvements", would be moved to contingency (e.g. emergency-based) funding in order to keep rates at an annual increase of 6%.

Most of the revenue generated from these annual rate increases of 6% per year would need to be set aside for the capital projects that would begin in future years. Some allowance for inflationary increases in operating costs has been built into the financial analysis that determined these estimated rate increases, but operating increases that exceed modest inflation would mean additional rate increases.

Below is a table summarizing the main projects included in the JWC Master Plan:

| Project Title | Project Description | Estimated Total Cost (Beginning FY 09-10, through FY 23-24, all partners combined) |
|--|--|---|
| ASR | Injection of potable water into an aquifer through wells. Future ASRs may help to meet future water demand at a lower cost than expanding other facilities such as the treatment plant or transmission lines. | \$53,000,000 |
| Clearwell – existing plant | A well to the side of the plant to allow treated water to sit in order for chemicals and sediments to settle out prior to transmission. The total well will be 10 million gallons, but 2.63 million gallons will be allocated for the use of the existing plant. | \$4,200,000 |
| Clearwell – expansion plant | Same as above – of the 10 million gallon capacity, 7.37 million gallons will be allocated for the use of the expansion plant. | \$11,600,000 |
| Forest Grove/Hillsboro Transmission Line | After 2035, water demands are projected to exceed the capacity of the Transmission Line serving Forest Grove and Hillsboro customers. This project will expand that capacity. | TBD |

| | | |
|--|--|--------------|
| Master Plan update | A periodic update of the master plan, scheduled for approximately the year 2014. | \$350,000 |
| Ozone Pilot Study | <p>This study will explore the ozone treatment technology and its applicability and feasibility for both the existing plan and the expansion plant.</p> <p>Other jurisdictions have used ozone treatment successfully to improve taste and odor and to reduce chemical by-products. By-products of chlorine treatment become worse as water travels longer in the pipe. Because ozone does not produce these by-products, water quality is higher as it travels long distance through the pipeline. Ozone treatment may also help meet future clean water regulations.</p> | \$315,000 |
| Ozone retro-fit of existing plant | The JWC may wish to move to using ozone to treat water at the current plant to reduce chemical by-products and improve water taste and odor. | \$13,900,000 |
| Ozone – expansion plant | In addition to the description of ozone above, the Scoggins Dam raise may present new and unknown raw water quality challenges to the plant, which ozone could more effectively handle. | \$10,900,000 |
| Pump Station | Major maintenance and replacement of pumps at existing treatment plant. | \$1,200,000 |
| Rapid Mix – existing plant | Rapid mix is used in initial treatment to mix chemicals. This is proposed to be a dual rapid mix and will be sized to handle 185 MGD, to meet the needs of the expansion plant and providing redundancy to the current plant. | \$365,000 |
| Rapid Mix – expansion plant | Rapid mix is used in initial treatment to mix chemicals. This is proposed to be a dual rapid mix and will be sized to handle 185 MGD, to meet the needs of the expansion plant and providing redundancy to the current plant. | \$1,435,000 |
| Seismic life-safety, existing plant | Improvements to meet life safety following a medium earthquake event and some operational needs following a small earthquake event. | \$3,000,000 |
| Short-term capital improvements | This category of projects include major maintenance and replacement of valves, feeders, meters, and other smaller equipment systems. | \$2,300,000 |
| South Transmission Line | After 2038, water demands are projected to exceed the capacity of the S. Transmission line serving TVWD and Beaverton. | TBD |
| South Transmission Line Booster Pump Station | A booster pump station on the existing S. Transmission line just south of TVWD will extend the service of the existing line and help meet future demand needs of TVWD and Beaverton. | TBD |
| Sludge removal – existing | The treatment process causes sludge to build up. This project removes it every 3 years. The dollar estimate covers only the next six years. | \$540,000 |

| | | |
|---|---|----------------------|
| Stand-by power (power generator) | Back up power for JWC plant to run at 50% peak capacity. | \$3,000,000 |
| Thickener – existing plant | Sludge and solids are a by-product of the treatment process, and this is a way to separate solids from the water reducing the sludge. This project is split between the existing plant and the expansion plant. | \$1,000,000 |
| Thickener – expansion plant | Sludge and solids are a by-product of the treatment process, and this is a way to separate solids from the water reducing the sludge. This project is split between the existing plant and the expansion plant. | \$600,000 |
| Transmission Line Encroachment Survey | Identifies encroachments on transmission main right of ways. | \$815,000 |
| Valve Repair & Replacement – existing plant | This project is for major maintenance and replacement of major valves, such as replacing six 30-inch butterfly valves. | \$690,000 |
| Water Rights consultant of record | This project is to extend the JWC and update the water right permit (S-50879 for 75 cfs) for future development. The JWC filed an extension application on 6/29/01, and it is still pending at this time. | \$26,000 |
| Water Sense Feasibility | This project is between Hillsboro and Beaverton to analyze the cost & benefits of implementing a water sense rebate program. Water sense is a new labeling program developed by the EPA for water efficient appliances. | \$15,000 |
| Water Mgmt/Conserv. Plan | Nearly complete; plan reporting on each partner's water supply management and conservation measures. | \$40,500 |
| WTP Expansion to 60 MGD | Expanding plant facilities on JWC property to treat an additional 60 million gallons a day. | \$150,000,000 |
| WTP Expansions – future | Expanding plant facilities in the future to meet partner demands. Currently, projections indicate adding 20 MGD in two separate phases, 30 to 50 years from now. | TBD |
| TOTAL | | \$259,291,500 |

The Master Plan outlines an aggressive schedule for funding these projects. As discussed above, TVWD is projecting a need for a replacement water supply by 2016, and thus the majority of projects are planned to be accomplished by that year. The table below represents the timing of projects outlined in the Master Plan in which Forest Grove would participate. The ASR project is still undergoing review and study, thus no funding allocations have been assigned.

| <i>PROJECT</i> | <i>2009-10</i> | <i>2010-11</i> | <i>2011-12</i> | <i>2012-13</i> | <i>2013-14</i> | <i>2014-15</i> | <i>TOTAL</i> |
|---------------------------------------|----------------|------------------|----------------|----------------|----------------|----------------|------------------|
| ASR | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Clearwell - original plant | 0 | 112,000 | 112,000 | 112,000 | 112,000 | 112,000 | 560,000 |
| Master Plan | 0 | 0 | 0 | 25,926 | 0 | 0 | 25,926 |
| Ozone Pilot Study | 23,333 | 0 | 0 | 0 | 0 | 0 | 23,333 |
| Ozone Retro Fit of current plant | 0 | 370,667 | 370,667 | 370,667 | 370,667 | 370,667 | 1,853,333 |
| Pump Station #1 | 0 | 26,667 | 133,333 | 0 | 0 | 0 | 160,000 |
| Rapid Mix current | 0 | 48,667 | 0 | 0 | 0 | 0 | 48,667 |
| Seismic Retro Fit of Current Plant | 0 | 60,000 | 20,000 | 320,000 | 0 | 0 | 400,000 |
| Short-Term capital improvements | 0 | 40,000 | 266,667 | 0 | 0 | 0 | 306,667 |
| Sludge/Scrubber Project Removal | 20,000 | 0 | 0 | 20,000 | 0 | 0 | 40,000 |
| Stand by Power (Power generator) | 66,667 | 333,333 | 0 | 0 | 0 | 0 | 400,000 |
| Thickener | 0 | 26,667 | 26,667 | 26,667 | 26,667 | 26,667 | 133,333 |
| Transmission Line Encroachment Survey | 18,582 | 0 | 0 | 0 | 0 | 0 | 18,582 |
| Valve Repair & Replacement | 52,000 | 20,000 | 20,000 | 0 | 0 | 0 | 92,000 |
| Water Right Consultant of record | 0 | 3,467 | 0 | 0 | 0 | 0 | 3,467 |
| Water Management/Conservation Plan | 5,400 | | | | | | 5,400 |
| | 185,982 | 1,041,467 | 949,333 | 875,259 | 509,333 | 509,333 | 4,070,708 |

This JWC capital improvement plan is in addition to Forest Grove's water utility capital improvement plan, for its own treatment plant, pipe infrastructure and watershed. The table below indicates the preliminary capital improvement plan for Forest Grove's water utility, independent of the JWC and not including projects eligible for funding from System Development Charges.

| <i>PROJECT</i> | <i>2009-10</i> | <i>2010-11</i> | <i>2011-12</i> | <i>2012-13</i> | <i>2013-14</i> | <i>2014-15</i> | <i>TOTAL</i> |
|--------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------|
| Distribution Main Improvements | 267,800 | 275,834 | 284,109 | 292,632 | 301,411 | 310,454 | 1,732,240 |
| Fiber | 22,000 | | | | | | 22,000 |
| Heather Street PRV Intertie | | | | | 250,000 | | 250,000 |
| Storage - site analysis and prop acq | 137,500 | 137,500 | | | | | 275,000 |
| Telephone upgrade | 12,500 | | | | | | 12,500 |
| Watershed Road Improvements | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 50,000 | 300,000 |
| | 489,800 | 463,334 | 334,109 | 342,632 | 601,411 | 360,454 | 2,591,740 |

One other project not displayed is the Raw Water Pipeline. This project is in conjunction with the Tualatin Basin Water Supply partnership, and adds about \$2 million. Preliminary negotiations with partners indicate that Forest Grove could pay for this project at \$100,000 per year for 20 years. This project is on the same timeline as the 60 MGD WTP expansion. This amount has been included in the financial analysis, even though it is not represented in these tables.

The Forest Grove JWC Commissioners have been briefed on the JWC Master Plan projects and the impact to Forest Grove. The Commissioners endorse the projects presented in the Master Plan, but agree that the schedule is too ambitious. The Commissioners expressed support for slowing the scheduling of the projects so that Forest Grove may adequately prepare to fund them.

The Council may want to note that the formal schedule included in the JWC Master Plan for many capital projects, and especially for expanding the WTP to 60 MGD, is based on informal information from the Tualatin Basin Water Supply Project partnership. Because

TVWD has a need to replace their water supply by 2016, the district is hoping that the Scoggins Dam can be raised by that time. However, a partnership meeting in July of 2008 with the Federal Bureau of Reclamation, the current owner of Scoggins Dam, estimated the completion of the dam raise project between 2018 and 2020. It may be beneficial for the JWC and the Tualatin Basin Water Supply Project partnership to discuss and clarify the schedule for raising the dam, since many JWC projects are contingent upon the dam raise.

RECOMMENDATION:

The JWC Commission meets on April 10, 2009, to discuss and approve the JWC Master Plan, as well as the JWC operating and capital budget. The City Council's perspective on these issues would be informative to Forest Grove's JWC Commissioners and help guide the budget development for the Water Fund.

MEMORANDUM

TO: Mayor Peter Truax and City Councilors

PROJECT TEAM: Anna D. Ruggles, CMC, City Recorder

DATE: April 26, 2010

SUBJECT: Proclamation Silver Star Service Banner Day

A formal proclamation has been prepared in recognition of Silver Star Service Banner Day pursuant to a request received from The Silver Star Families of America (SSOFA). The proclamation will be mailed to SSOFA National Headquarters, Clever, MO, who will donate the proclamation to the Stars and Stripes Museum where the original Silver Star Service Flag is on display for all to see.

PROCLAMATION

Silver Star Service Banner Day – May 1, 2010

WHEREAS, The City of Forest Grove, Oregon, has always honored the sacrifice of the men and women in the Armed Forces; and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag; and

WHEREAS, To date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families; and

WHEREAS, The members of The Silver Star Families of America have worked tirelessly to provide the wounded of this City and Country with Silver Star Banners, Flags and care packages; and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember the sacrificed for this City, State and Nation; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE DOES HEREBY PROCLAIM:

May 1, 2010, as "Silver Star Service Banner Day"

In Forest Grove, Oregon, as the official day to honor our wounded, ill and injured troops and veterans of the City of Forest Grove. The Forest Grove Mayor and Council sends its greatest appreciation and thanks to *The Silver Star Families of America* and wholeheartedly honor their commitment to ensure that we never forget the many personal sacrifices that our Armed Forces members and veterans have made on our behalf.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Forest Grove, Oregon, to be affixed this 26th day of April, 2010.

A handwritten signature in blue ink, appearing to read "P. Truax".

Peter B. Truax, Mayor, City of Forest Grove



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Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:03 p.m. and led the Pledge of Allegiance. **ROLL CALL: COUNCIL PRESENT:** Thomas BeLusko, Jr., Thomas Johnston, Victoria Lowe, Camille Miller, Ronald Thompson, and Mayor Peter Truax. **COUNCIL ABSENT:** Elena Uhing, excused. **STAFF PRESENT:** Michael Sykes, City Manager; Paul Downey, Administrative Services Director; Janet Lonneker, Light and Power Director; Rob Foster, Public Works Director; Dan Riordan, Senior Planner; Colleen Winters (present in the audience); Jeff Williams, Police Captain (present in the audience); and Anna Ruggles, City Recorder.

1. A. PROCLAMATIONS:

NATIONAL SEXUAL ASSAULT AWARENESS WEEK

Mayor Truax publicly proclaimed the week of April 12 - April 18, 2010, as "Sexual Assault Awareness Week in Forest Grove". Mayor Truax presented the proclamation to Sebastian Bannister-Lawler, Pacific University student and Committee for Citizen Involvement student advisor, who received the proclamation on behalf of Pacific University's three fraternities (Alpha Zetas, Gamma Sigmas, and Pi Kappa Rhos) who requested the proclamation as part of their efforts to stand against sexual assault violence during White Ribbon Week.

1. B. NATIONAL LIBRARY WEEK

Mayor Truax publicly proclaimed the week of April 11 - April 17, 2010, as "National Library Week in Forest Grove". Mayor Truax presented the proclamation to Doug Martin, Library Commission Chair, and Charles McAvoy, Friends of the Library President and Library Foundation Boardmember, who received the proclamation on behalf of the Library. McAvoy distributed copies to Council of the Friends of the Library Spring 2010 Newsletter.

1. C. NATIONAL ARBOR DAY

Mayor Truax publicly proclaimed April 12, 2010, as "Arbor Day in Forest Grove". Mayor Truax presented the proclamation to Stephanie Beall, State

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of Oregon Forestry Department and Community Forestry Commission (CFC) Chair, who received the proclamation on behalf of CFC. Ms. Beall presented the *Tree City USA® Recognition Growth Award* to Mayor Truax on behalf of the City. The City has received this national award for 20 consecutive years.

2. **CITIZEN COMMUNICATIONS:** None.

3. **CONSENT AGENDA:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the Consent Agenda item(s).
 - A. Approve City Council Work Session (Water Master Plan) Meeting Minutes of March 29, 2010.
 - B. Approve City Council Regular Meeting Minutes of March 29, 2010.
 - C. Accept Committee for Citizen Involvement Meeting Minutes of January 12 and February 16, 2010.
 - D. Accept Community Forestry Commission Meeting Minutes of February 17, 2010.
 - E. Accept Historic Landmarks Board Meeting Minutes of February 23, 2010.
 - F. Accept Public Arts Commission Meeting Minutes of February 11, 2010.
 - G. Community Development Department Monthly Building Activity Informational Report for March 2010.
 - H. Library Circulation Statistics Report for April 2010.
 - I. Endorse Liquor License Renewal Applications for Year 2010:
 1. My Place Tavern, 1930 21st Avenue (Limited-On Premises Sales)

MOTION: Councilor Miller moved, seconded by Councilor Lowe, to approve the Consent Agenda as presented. **ABSENT:** Councilor Uhing. **MOTION CARRIED 6-0** by voice vote.

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4. ADDITIONS/DELETIONS:

Sykes asked that Agenda Item 6 be rescheduled to the Council meeting of Monday, April 26, 2010, because the applicant's attorney was unable to attend tonight's meeting due to illness. Refer to Agenda Item 6 for additional information.

5. PRESENTATIONS:

5. A. Forest Grove Community Garden Update

Mike Federman, Forest Grove Community Garden volunteer member, provided an update to Council on the Forest Grove Community Garden, located near the intersection of 22nd Avenue and Oak Street. Federman introduced and recognized Walt Wentz, co-chair, who was present in the audience, for all his efforts and assistance in making a highly successful community garden. In addition, Federman thanked various City departments for assisting in various capacities and thanked Council for awarding a Community Enhancement Program grant last year, noting the grant was used for fencing materials, plumbing materials, and an irrigation system. In conclusion, Federman announced the Community Garden is accepting applications for 2010 season, noting 50 plots have already been rented.

5. B. Highway 8 Pavement Update

Foster provided a summary of the findings of the pavement structure investigation conducted for Highway 8 , Pacific Avenue (westbound) and 19th Avenue (eastbound) and B Street (connector), noting staff met with the Oregon Department of Transportation (ODOT) to review ODOT's findings pertaining to a forensic investigation they conducted on the above-noted section of Highway 8. Foster reported the rehabilitation work was performed in 2004 with the expectation of a 15-year design life; however, current conditions indicate multiple fatigue distress areas and surface rutting in various locations of both the inside and outside lanes, as well as near some of the bus pullouts. The objective of ODOT's investigation was to offer an assessment as to the structural condition of the existing pavement, and whether the preservation treatment recommended in 2004 was appropriate and effective. Foster indicated that ODOT concluded that there was no significant increase in traffic loadings, including consideration of increased number of daily Tri-Met buses, as compared to the overall 15-year design values, noting ODOT's overall conclusion of the investigation was the

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observed distresses were attributed to materials quality rather than inadequate structure. In conclusion, Foster addressed Council inquiries pertaining to the warranty of the work, standards of materials used, and whether the contractors could be held liable, to which Foster advised the work had a one-year warranty, noting staff will continue to work with ODOT to determine liability/responsibility and costs associated for improvements to the pavement quality.

6. PUBLIC HEARING AND ORDER NO. 2010-02 RECOMMENDING CITY COUNCIL DENY COMPREHENSIVE PLAN MAP AMENDMENT CPA-09-01 AND DEVELOPMENT CODE MAP AMENDMENT ZC-09-01 TO REDESIGNATE AND REZONE ONE PARCEL, LOCATED AT 4015 PACIFIC AVENUE, WASHINGTON COUNTY TAX LOT NO. 1N3-32D-1400, FROM COMMUNITY COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND COMMUNITY COMMERCIAL TO MULTI-FAMILY (LOW) RESIDENTIAL. APPLICANT: DOROTHY ROYCE, ROSE GROVE MOBILE HOME PARK. FILE NOS. CPA-09-01 AND ZC-09-01

Staff Report:

Sykes asked that the above-noted item be rescheduled to the next Council meeting of Monday, April 26, 2010, because the applicant's attorney was unable to attend tonight's meeting due to illness.

Council Discussion:

Mayor Truax advised persons present in the audience that he would proceed opening the Public Hearing and accept testimony, noting the staff report and applicant's testimony would be heard at the meeting of April 26, 2010.

Public Hearing Opened:

Mayor Truax opened the Public Hearing.

Written Testimony Received:

The following written testimony was submitted and referenced as part of the record.

Dorothy Royce, Rose Grove Mobile Home Park, applicant, submitted a letter dated April 7, 2010, encouraging Council to approve her application request to redesignate and rezone the parcel to allow expansion of the existing

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adjacent mobile home park. Royce's letter cited that since her approval of the application for a recreational vehicle (RV) park, the economy has substantially curtailed the number of travelers that would use the RV park.

Teri Koerner, Forest Grove Chamber of Commerce Executive Director, submitted a letter, on behalf of the Chamber Board of Directors, dated April 9, 2010, encouraging Council to oppose the expansion of Rose Grove Mobile Home Park. Koerner's letter cited that the Board feels this particular parcel should remain zoned Community Commercial due to the location of the parcel and the need for commercially-zoned land in the City.

Proponents:

No one testified and no other written comments were received.

Opponents:

No one testified and no other written comments were received.

Others:

No one testified and no other written comments were received.

Public Hearing Suspended:

Mayor Truax suspended the Public Hearing until the meeting of April 26, 2010, at which time, Council will hear the staff report, hear the applicant's testimony, and hear public testimony.

7. **RESOLUTION NO. 2010-32 AUTHORIZING CITY MANAGER TO ENDORSE THE OPERATION AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND FOREST GROVE SENIOR AND COMMUNITY CENTER FOR RENEWAL OF OCCUPANCY OF CITY-OWNED PROPERTY**

Staff Report:

Sykes presented the above-proposed resolution requesting that Council consider authorizing the City Manager to endorse the proposed Operation Agreement between the City and Forest Grove Senior and Community Center, noting both parties have agreed to the conditions outlined in the new Agreement. Sykes reported that Section 5 of the proposed Agreement outlines the Center's obligations and Section 6 outlines the City's obligations,

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noting the existing Operation Agreement for occupancy of city-owned property, located at 2037 Douglas Street, was signed over 18 years ago.

Before proceeding with the Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2010-32.

Sykes read Resolution No. 2010-32 by title.

MOTION: Councilor Lowe moved, seconded by Councilor Miller, to adopt Resolution No. 2010-32 Authorizing City Manager to Endorse the Operation Agreement between the City of Forest Grove and Forest Grove Senior and Community Center for Renewal of Occupancy of City-Owned Property.

Council Discussion:

Mayor Truax referenced an e-mail submitted by Uhing suggesting to amend Section 3, Renewal of Occupancy, by deleting the word “automatically”, citing she was uncomfortable providing language that implies favoritism, without forethought, or unconsciously.

In response to the Uhing’s concern, Mayor Truax asked for the following motion.

MOTION 1 TO AMEND: Councilor Lowe moved, seconded by Councilor Thompson, to amend Section 3, Renewal of Occupancy, by deleting the word “automatically”.

Council Discussion:

Lowe opposed deletion of; noting that both parties met in good faith and the intent was to leave the agreement open unless either party gave written notice. Lowe advised that Section 3 also allows the agreement to be reopened for good cause as determined by an affirmative vote of at least five (5) Councilmembers.

Mayor Truax opposed deletion of; noting that both parties have put a lot of effort into negotiating this agreement.

Hearing no further discussion from the Council, Mayor Truax asked for a roll

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call vote on the above motion to amend.

ROLL CALL VOTE MOTION 1 TO AMEND: AYES: None. NOES: Councilors BeLusko, Jr., Johnston, Lowe, Miller, Thompson, and Mayor Truax. ABSENT: Councilor Uhing. MOTION FAILED 0-6.

Council Discussion:

Mayor Truax referenced Uhing's e-mail suggesting to amend Section 5, Obligations of Operator, by adding a new item M to include notification, changes, or assembly of Board caucus to be provided to Owner.

In response to the Uhing's concern, Sykes explained that Section 4, Reports, partially addresses this concern. Sykes instead suggested amending Section 4 to read, "Operator shall provide copies of agendas, including, but not limited to, copies of board minutes, calendars, and schedule of events, to City Manager regarding the operation of the Center on a monthly basis".

Hearing no further discussion from the Council, Mayor Truax asked for a motion to amend as noted.

MOTION 2 TO AMEND: Councilor Lowe moved, seconded by Councilor Miller, to amend Section 4 to read, "Operator shall provide copies of agendas, including, but not limited to, copies of board minutes, calendars, and schedule of events, to City Manager regarding the operation of the Center on a monthly basis".

ROLL CALL VOTE MOTION 2 TO AMEND: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

Council Discussion:

Hearing no further discussion from the Council, Mayor Truax asked for a motion to adopt Resolution No. 2010-32 as amended.

MOTION AS AMEND: Councilor Lowe moved, seconded by Councilor Miller, to adopt as amended Resolution No. 2010-32 Authorizing City Manager to Endorse the Operation Agreement between the City of Forest Grove and

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Forest Grove Senior and Community Center for Renewal of Occupancy of City-Owned Property.

Council Discussion:

BeLusko pointed out for the record that the Forest Grove Senior and Community Center is its own entity and operates as a non-profit agency with its own Board of Directors.

Hearing no further discussion from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE AS AMENDED: AYES: Councilors BeLusko, Jr., Johnston, Miller, Thompson, Uhing, and Mayor Truax. NOES: None. ABSENT: Councilor Uhing. MOTION CARRIED 6-0.

8. DEPARTMENT WORK PLANS FOR 2010-11:

- **Light and Power Department:**
Lonneker presented a PowerPoint presentation outlining the Light and Power Department's Work Plan for 2010-11 as noted in her staff report. Lonneker's report focused on the Light and Power Department's projects, including system reliability testing; overhead and underground system expansions and maintenance work; biomass feasibility study; electric vehicle charging stations implementation; meter reading automation; Master Plan building modifications; conservation and energy efficiency efforts; and continuing efforts to keep power costs low. In addition, Lonneker reported on other various department-related training, projects, activities, and goals.
- **Community Development:**
Riordan presented, on behalf of Jon Holan, Community Development Director, a PowerPoint presentation outlining the Community Development Department's Work Plan for 2010-11 as noted in his staff report. Riordan's report focused on the Community Development Department's long-range planning projects and activities; short-range planning projects and activities; and ongoing code enforcement activities. In addition, Riordan reported on other various department-

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related projects, activities, and goals.

- Engineering/Public Works Department:
Foster presented a PowerPoint presentation outlining the Public Works and Engineering Department's Work Plan for 2010-11 as noted in his staff report. Foster's report focused on the Public Works and Engineering Department's transportation projects and activities; sewer projects and activities; water projects and activities; watershed projects and activities; storm drainage projects and activities; and engineering projects and activities. In addition, Foster reported on other various department-related projects, activities, and goals.
- Administrative Services:
Downey presented a PowerPoint presentation outlining the Administrative Services Department's Work Plan for 2010-11 as noted in his staff report. Downey's report focused on the Administrative Services Department's financial and budget tasks; management tasks; and human resources tasks. In addition, Downey reported on other various department-related tasks, activities, and goals.

9. CITY MANAGER'S REPORT:

Sykes reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and events. Sykes reminded Council of the upcoming Federal Energy Regulatory Commission Town Hall meeting, scheduled for April 20, 2010. Sykes advised Council that a Western Washington County Candidate Forum (Washington County Chair and Commissioner and Metro candidates), co-sponsored by the Chamber and Pacific University, has been scheduled for Wednesday, May 5, 2010. In conclusion, Sykes provided updates on various City department-related activities and projects.

10. COUNCIL COMMUNICATIONS:

BeLusko reported the Public Arts Commission (PAC) received an outstanding response on the public arts acquisition proposal, noting the PAC will be selecting a task committee from the community to evaluate the proposals. BeLusko noted he is looking forward to the Community Enhancement Program grant application process. In conclusion, BeLusko reported he attended a

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Regional Water Providers Consortium meeting with Lowe and commended Lowe for her work and interest in water-related issues. In conclusion, BeLusko reported on upcoming meetings he was planning to attend.

Johnston reported on the League of Oregon Cities Finance and Taxation Committee meeting and reported on the Fire Volunteer Appreciation Dinner. In addition, Johnston commended all City staff for their work and dedication to the City, noting Council, as a political body, needs to support training for police and fire emergency personnel, especially training dealing with mental health-related issues. In conclusion, Johnston reported on upcoming meetings he was planning to attend.

Lowe reported on the Joint Water Commission, Regional Water Providers Consortium, and League of Oregon Cities Water and Wastewater meetings, and thanked BeLusko for attending the Consortium meeting with her. Lowe referenced an article published in the *National Geographic* about global water-related issues. Lowe encouraged the public to attend the Federal Energy Regulatory Commission Town Hall meeting, scheduled for April 20, 2010. In addition, Lowe provided brief updates on the Forest Grove Senior and Community Center and Fernhill Wetlands, noting she met with Pacific University's president to discuss the overall purpose of the Fernhill Wetlands Education Center. In conclusion, Lowe reported on upcoming meetings she was planning to attend.

Miller reported on upcoming meetings she was planning to attend and various upcoming community-related events.

Thompson reported on the League of Oregon Cities Energy Committee meeting, noting discussion focused on legislative-related items. In conclusion, Thompson reported on various upcoming meetings he was planning to attend.

Uhing was absent.

Mayor Truax reported on various local, regional, Metro, and Washington County meetings he attended and reported on various upcoming meetings and community events he was planning to attend. Mayor Truax asked Thompson if

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he could submit a letter of concern to Tri-Met officials regarding their proposal to reduce services and increase ridership fees, to which Thompson concurred. In addition, Mayor Truax read a letter written by the Portland City Club, citing various recommendations, noting some of their recommendations may affect Western Washington County. In conclusion, Mayor Truax reported on various upcoming meetings and events he was planning to attend.

11. **ADJOURNMENT:**

Mayor Truax adjourned the meeting at 10:08 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

District 4 Quarterly Exchange



Forest Grove City Council

April 26, 2010

Metro Councilor Kathryn Harrington



Quarterly Exchange



- Recent natural areas purchases
- Climate Prosperity Project
- RTP update
- Metro budget information
- Urban and rural reserves update
- Integrating regional investments to build, enhance great communities

What defines a successful region



- People live and work in vibrant communities where they can choose to walk for pleasure and to meet their everyday needs.
- Current and future residents benefit from the region's sustained economic competitiveness and prosperity.
- People have safe and reliable transportation choices that enhance their quality of life.
- The region is a leader in minimizing contributions to global warming.
- Current and future generations enjoy clean air, clean water and healthy ecosystems.
- The benefits and burdens of growth and change are distributed equitably.

Natural areas acquisition: Chehalem Ridge



- Metro's largest acquisition ever: 1143 acres (size of Oxbow Park)
- Views of five peaks: Hood, St. Helens, Adams, Rainier, Jefferson
- Excellent water quality, wildlife habitat protection opportunities
- Long-term goals include recreation, trails network
- Sale negotiated between Metro, Trust for Public Land, Stimson Lumber
- More information at www.oregonmetro.gov/chehalemridge

Other recent natural areas acquisitions

Murray/Scholls area



- Local share purchase for City of Beaverton, THPRD
- 8.5 acres with mix of conifers and Christmas trees
- THPRD to own and manage property

Deep Creek



- 18 acres, connects to Cazadero Trail in Clackamas County
- Supports coho and winter steelhead habitat
- Several varieties of trees, native plants

Climate Prosperity Project



- Public/private sector effort
- Identify actions, strategies that promote regional economic development and mitigate climate change
- Leverage region's green assets to guide economic growth in sustainable industries, workforce, innovation
- Draft Climate Prosperity Strategy due later this spring

Regional Transportation Plan update



- JPACT, Metro Council accepted RTP in December for air quality conformity
- Public comment period on final RTP: March 22 to May 6
- May 6: Metro Council hearing
- June 10: JPACT, Council final vote
- Local transportation plans to be updated within one to three years
- More information:
www.oregonmetro.gov/rtp

Greenhouse gas reduction efforts



- Developing scenarios to evaluate how best to curb emissions
- 44.7% of region's GHG emissions related to materials and services
- Identify policies that can help meet state targets
- Process will inform next RTP update (adoption in 2014) and local actions
- JPACT, MPAC engaged in effort

Proposed Metro budget, 2010-11

- \$425 million budget unveiled April 1 (8.23% decrease from 2009-10)
- Metro is feeling impacts of recession
 - Revenues flat while expenses increase
 - Net decrease of 10 FTE
- Two-thirds of employees work at visitor venues (Ore. Convention Center, Zoo, PCPA, Expo Center)
- Focus on core operations, realigning resources

Urban and rural reserves



- Metro, three counties adopted historic agreements in February
- 272,000 acres set aside as rural reserve for 50 years; 28,100 acres set aside for future urban growth
- Formal land use actions in Spring
 - Metro to designate urban reserves
 - Counties to designate rural reserves
- More information:
www.oregonmetro.gov/reserves

Investing in healthy, vibrant communities



- Urban Growth Report adopted in December
 - Need to accommodate 27,400 to 104,900 new households by 2030
 - Need to find additional land for non-industrial, large-lot employment
- Metro working with cities, counties to support more growth within current UGB
- If necessary, Metro Council to expand UGB before end of year

Cornelius is part of an active region...



Your questions...

Kathryn Harrington
Metro Councilor, District 4
600 NE Grand Avenue
Portland, OR 97232

503-797-1553

kathryn.harrington@oregonmetro.gov

www.oregonmetro.gov/harrington

Agenda Date: April 26, 2010

Agenda Item: 6

NOTICE OF PUBLIC HEARING CONTINUANCE FOREST GROVE CITY COUNCIL

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will continue a Public Hearing on **Monday, April 26, 2010, at 7:00 p.m., or thereafter**, in the Community Auditorium, 1915 Main Street, to consider the following:

- Proposal:** Comprehensive Plan Map Amendment and Development Code Zoning Map Amendment to re-designate one parcel from Community Commercial to Medium Density Residential, to allow for an up to 14-unit expansion of the Rose Grove Mobile Home Park
- Location:** 4015 Pacific Avenue (Washington County tax lot 1N3 32D-1400)
- Applicant:** Dorothy Royce
- File Number:** CPA-09-01 and ZC-09-01
- Criteria:** Applications shall be reviewed and approved based on compliance with the following criteria:

Comprehensive Plan Map Amendment Criteria:

1. Justification of the proposed amendment and an explanation of how it fulfills applicable comprehensive plan goals and policies and LCDC statewide planning goals;
2. Identification of alternative locations within the City of Urban Planning Area which could be used without amending the plan, and a explanation as to why they are considered unsuitable;
3. Identification of the short and long-term environmental, social, economic and energy consequences of the proposed change on the city, region, and state, with particular attention to the impacts on public facilities and services such as streets, traffic control, mass transit, sewer, water, drainage, parks, schools, public safety, and public utilities;
4. Demonstration that the proposed new land uses will be compatible with existing adjacent land uses and with future adjacent land uses as proposed in the comprehensive plan.

Development Code Map Amendment Criteria:

- A. The zone change is consistent with the Comprehensive Plan Map.
- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities

below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

All persons will be given a reasonable opportunity to give testimony about this proposal. If an issue is not raised in the hearing (by person or by letter) or if the issue is not explained in sufficient detail to allow the Council to respond to the issue, then that issue cannot be used for an appeal to the Land Use Board of Appeals (LUBA).

If additional documents or evidence are provided in support of the application, any party shall be entitled to a continuance of the hearing. Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven (7) days after the hearing. The staff report will be available seven (7) days prior to the hearing; copies will be available at cost. Information pertaining to this request may be obtained from James Reitz, Senior Planner, Community Development Department, PO Box 326, 1924 Council Street, Forest Grove, 503.992.3233 or by e-mail: jreitz@forestgrove-or.gov.

Anna D. Ruggles, CMC, City Recorder



TO: City Council

FROM: James Reitz, Senior Planner
Jon Holan, Community Development Director
Michael Sykes, City Manager

SUBJECT: Proposed Rose Grove MHP Expansion
Comprehensive Plan Amendment Number 09-01
Zoning Map Amendment Number 09-01

DATE: April 26, 2010

ISSUE STATEMENT: Dorothy Royce, owner of the Rose Grove Mobile Home Park, has filed a request to change the Plan designation of one parcel from Community Commercial to Medium Density Residential and the zoning from Community Commercial to Multifamily (Low) Residential. The site is 1.15 acres in size and is located at 4015 Pacific Avenue (Washington County Tax Lot Number 1N3 32D-1400). If approved, the amendments would allow for an up to 14-unit expansion of the Rose Grove MHP.

RECOMMENDATION: The Planning Commission and staff both recommend denial of the application.

BACKGROUND: The site abuts Pacific Avenue just east of the Best Western Inn. It has been vacant for several years. It had historically been used as a sales lot for manufactured homes.

In 1998 the applicant requested and received approval for a conditional use permit to construct a recreational vehicle park. That decision was re-affirmed by the Planning Commission in 2005 and again in 2008.

No action has yet been taken to begin construction of the RV Park. The applicant requested and received approval for a one-year extension of the RV Park approval to January 27, 2011, pursuant to Development Code Section 10.1.135 *Extension of Land Use Permit*.

The site is located in the CC Community Commercial zone. The Development Code permits manufactured home parks only in the R-5, R-7 and RML zoning districts. The applicant has filed a request to amend the Comprehensive Plan map and the Zoning Map to re-designate the lot from Community Commercial to Medium Density Residential (MDR) / Multi-Family (Low) Residential (RML). If approved, the application would allow the Rose Grove MHP to be expanded by up to 14 additional units. The RV Park would not be constructed.

The Planning Commission reviewed the matter at their March 15, 2010 meeting. Roger Alfred of the Perkins Coie law firm represented the applicant. Mr. Alfred questioned whether the data contained in the draft Economic Opportunities Analysis could be used as a basis upon which to recommend denial of his client's request, since the EOA has not been officially adopted. City Attorney Chris Crean responded that, adopted or not, the EOA provided another source of data which could be considered. It would be no different than someone submitting a traffic study. It was also noted that there were several findings in the staff report that did not rely on the EOA data. No one else spoke in favor of the application.

Scott Mary, owner of the Best Western Inn, testified in opposition. He was concerned about how expansion of the park might affect the motel's business, as well as the image a mobile home park presents to those coming into the city.

Teri Koerner of the Forest Grove Chamber of Commerce also testified in opposition. She stated that the FGCC Board had voted to oppose the application because it believes the site should remain available for commercial development. No one else spoke in opposition.

The Planning Commission deliberated and concluded that:

- There is not enough existing commercial land in the city and there is demand for more.
- The location along Pacific Avenue is more suited to commercial development.
- The city has enough existing residential land to provide for affordable housing.
- The site is in a commercial area, on the regional transit line, and therefore better suited to commercial development.
- An RV Park at the site would be preferable as it would be more commercial in nature.

After these deliberations the Commission voted 6-0 to recommend denial of the amendments.

Attached is the Planning Commission staff report, Planning Commission Decision, and an Order that denies the request.

ALTERNATIVES: The City Council may:

- Accept the recommendation of the Planning Commission and staff and deny the request, and direct staff to prepare the denial Order and Findings; or
- Approve the requested Comprehensive Plan map and Development Code zoning map amendments, and direct the applicant to prepare the approval Order and Findings; or
- Continue the matter to a date certain for further considerations.

April 26, 2010

**STAFF REPORT AND RESOLUTION ADOPTING REVISIONS TO THE
CITY OF FOREST GROVE EMPLOYEE HANDBOOK**

Project Team: **Michael Sykes, City Manager**
 Rob DuValle, Human Resources Manager

Issue Statement:

The City Council authorized the issuance of the City of Forest Grove Employee Handbook, adopted pursuant to Resolution No. 2006-04, on January 23, 2006. The City has reviewed the Handbook for compliance with recent changes in legislation, policy, and best practices.

The topics proposed for modification include:

- Equal Employment Opportunity
- Americans with Disabilities Act
- Types of Appointments
- Communications and Software Systems
- Vehicle Usage and Safety
- Employee Health and Safety
- Family and Medical Leave
- Domestic Violence Leave

Please refer to the attached Resolution, Exhibit A, for a listing of the proposed modifications to the language.

Fiscal Impact:

Staff does not anticipate any fiscal impact.

Recommendation:

Staff recommends adopting the attached Resolution and amending the existing City of Forest Grove Employee Handbook as described in Exhibit A.



RESOLUTION NO. 2010-33

**RESOLUTION ADOPTING REVISIONS TO
CITY OF FOREST GROVE EMPLOYEE HANDBOOK
AMENDING RESOLUTION NO. 2006-04**

WHEREAS, pursuant to City Charter, Chapter IX, Section 36, the City Council must adopt by resolution personnel-related policies following discussion and consultation with the City Manager; and

WHEREAS, the City Council adopted by Resolution No. 2006-04, the City of Forest Grove Employee Handbook; and

WHEREAS, the Human Resources Manager is charged to periodically review the existing Employee Handbook for compliance with legislation, policy, and best practices; and

WHEREAS, the Human Resources Manager has submitted to the City Council for consideration revisions to the policies set forth in the Employee Handbook as described in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City of Forest Grove Employee Handbook Revisions, as described in the attached Exhibit A, are hereby adopted.

Section 2. Personnel policies adopted in Resolution No. 2006-04 that are conflicting with the City of Forest Grove Employee Handbook Revisions, as described in the attached Exhibit A, are hereby rescinded.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 26th day of April, 2010.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 26th day of April, 2010.

Peter B. Truax, Mayor

RESOLUTION NO. 2010-33
EXHIBIT A

- Equal Employment Opportunity
- Americans with Disabilities Act
- Types of Appointments
- Communications and Software Systems
- Vehicle Usage and Safety
- Employee Health and Safety
- Family and Medical Leave
- Domestic Violence Leave

1.3 Equal Employment Opportunity

The City is an equal opportunity employer and, as such does not discriminate against qualified employees or applicants on the basis of race, color, religion, sex, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, veteran's status, medical condition, sexual orientation, genetics or membership in any other protected class. Equal employment opportunity will be extended to all persons in all aspects of the employer-employee relationship, including recruitment, hiring, training, promotion, transfer, discipline, layoff, recall, termination or any other term or condition of employment. Except to the extent that may be provided for differently by a collective bargaining agreement, employment opportunities are based solely on the abilities and capabilities of the individual to perform the essential functions of each job assignment. All employment requirements mandated by State and Federal regulations will be observed.

In keeping with our philosophy and Federal and State law, our advertising and recruiting material will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer". Our policy, as an equal opportunity employer, is to employ persons legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, our policy, in conformity with the Immigration Reform and Control Act of 1986 (IRCA), is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

Employment decisions shall be consistent with the principles of EEO. Selection decisions will rely on valid qualifications. Other personnel actions or programs such as, but not limited to, compensation, benefits, transfers, layoffs, returns from layoff, City sponsored training, education, tuition assistance, social, and recreational programs will be administered in a nondiscriminatory manner.

The passage and implementation of the Oregon Equality Act in 2008 applies to all organizations regardless of size and prohibits discrimination on the basis of sexual orientation including gender identity. No individual will be discriminated against based upon the individual's publicly and exclusively asserted gender identity, or any declaration of intention to change the individual's perceived gender.

Reporting Policy Violations

Any employee or prospective employee who believes they (or a co-worker) have been denied equal employment opportunity, may have been the subject of unlawful discrimination; or may have witnessed some violation of this policy should promptly report the facts to the immediate supervisor.

An employee who is not comfortable discussing the matter with the immediate supervisor may utilize other management representatives in the reporting structure or report it directly to the Human Resources Manager. Human Resources will ensure that claims are investigated promptly and that appropriate corrective action is taken, including notification to the City Manager.

Any supervisor or other employee, who after appropriate investigation, is found to have engaged in unlawful discrimination, will be subject to appropriate sanctions, which may, depending upon the circumstances, include termination.

Employees who report possible incidents of unlawful discrimination or Equal Employment Opportunity violations will be treated courteously and all such reports will be swiftly and thoroughly investigated in as confidential a manner as is possible under the circumstances. No employee will be discriminated or retaliated against in any way for bringing a question or complaint to the City's attention.

The City believes that fair treatment and respect are proper concerns of business and we encourage each employee to sincerely support this policy.

1.4 Americans with Disabilities Act

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) ~~are~~ a comprehensive federal civil rights laws that specifically protects individuals with physical and mental disabilities.

Individuals are protected ~~under the ADA~~ if any of the following conditions exist:

- They currently have a physical or mental condition that substantially limits their ability to normally conduct a major life function (e.g., walking, seeing, hearing, breathing, etc.);
- They have a history of such impairment; and/or,
- They are perceived to have such impairment.

~~These laws ADA also~~ prohibits discrimination on the basis of an individual's relationship (parent, sibling, child, spouse/significant other, etc.) to someone with a disability.

The City offers equal employment opportunities for qualified individuals who may have a physical or mental disability, but are still able to perform the essential functions of the job. Essential functions are defined as the fundamental non-marginal duties of the position being held or sought by a disabled individual. A job function is essential if the position exists for the performance of the function, there are only a limited number of employees available to perform it, or the function is so highly specialized that an expert must be specially hired to perform it.

Reasonable accommodation is available to employees and applicants, as long as the accommodation doesn't cause undue hardship on the organization. Individuals protected by ~~these laws ADA~~ should discuss their need for possible accommodation with their supervisor, manager, or the Human Resources Manager.

3.3 Types of Appointments

Appointment Type:

- Volunteer: An appointment, as defined in ORS 657.015, to which the appointee volunteers or donates services without receiving or expecting remuneration. Volunteer appointments are not eligible for benefits unless specifically authorized in a written agreement by the City Manager. Terms and conditions of volunteer appointments are contained within the City's Volunteer Handbook and any specific rules promulgated by the Department for which the Volunteer appointment is made. Please refer to the Volunteer Handbook for additional information.
- Temporary: An appointment which has a duration of less than one year and less than 2080 hours. This type of appointment is considered "at will" and not eligible for benefits unless specifically authorized in a written agreement by the City Manager.
- Intermittent: An appointment that does not require a regularly scheduled workweek and is less than one-thousand forty (1040) hours in a year. This type of appointment is considered "at will" and is not eligible for benefits unless specifically authorized in a written agreement by the City Manager.
- Initial Probation: All new employees, excluding "at will", shall serve an initial probationary period of twelve (12) months. Employment during the initial probation period is considered "at will". Represented employees should refer to your collective bargaining agreement. Please refer to Chapter 8 for benefit information.
- Regular: Appointment commencing after successful completion of the Initial Probation. Employees will automatically achieve regular status at the end of their initial or transitional probationary period unless the Human Resources Manager receives written notification from the Department Director prior to the conclusion of the probationary period that the probationary period will be extended, or in the case of an initial probationary period, that the employee has not been successful in completing the probationary period. Please refer to Chapter 8 for benefit information.
- Transitional Probation: Employees who have completed their Initial Probationary Appointment and are subsequently promoted or who request a lateral transfer or reassignment will serve an additional transitional probationary period of twelve (12) months.

Employees who are not successful in completing their transitional probationary appointment may, at the City's discretion, be transferred or reassigned to another vacant position. The Human Resources Manager will be responsible for determining if the employee is qualified for the transfer or reassignment. The employee will serve an additional transitional probationary period of six (6) months following transfer or reassignment.

When an employee's position has been re-designated to a higher level position, and the employee is assigned to the position without a competitive recruitment process, the employee will not be required to serve a transitional probationary period.

Employees who are promoted or who request and are granted a transfer or reassignment while serving their initial probationary period will have the remainder of their initial probationary period run concurrently with the new transitional probationary period.

Initial probationary periods may be extended up to six (6) months at the discretion of the Department Director.

5.3 Communications and Software Systems

The City provides electronic communication systems to maintain efficient communications with internal and external customers. You are encouraged to learn more about these tools and how to use them. This policy provides directions for you regarding access and disclosure of information when using these communication systems. All employees and others outside the City who may use the systems are expected to be aware of and support this policy.

These systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, smartphones, voice mail, radios, communication tools, and other various on-line services and databases. All of these systems are operated and managed based upon this policy.

These systems and any other informational, storage, or retrieval services that the City provide are organization tools and are to be used for business purposes only, unless specified within this policy.

The use of these systems is not private or confidential under any circumstances. The City, within the bounds of current and future laws, reserves, and intends to exercise, the right to review, audit, intercept, access and search these business systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restriction. Messages sent though the system remain the property of the City.

As an employee, you must not permit any proprietary or confidential information of the City to enter the public domain through electronic transmissions. Examples of the City's proprietary and confidential information are provided in the Confidentiality Policy, Chapter 2.

Any messages or communication used through this system are subject to our harassment, equal employment opportunity, workplace violence, and non-solicitation policies. You are expected to carefully compose and review the wording, tone and content of your communications prior to transmission. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by e-mail or other form of electronic communication or displayed on or stored in City computers or other portable devices. If you encounter or receive this kind of material, you should immediately report it to your supervisor.

You should check with your supervisor if you have any questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisor or manager immediately. Improper use or violations of this policy can result in corrective action up to and including termination.

All electronic media is subject to the public records law and retention schedule of the State of Oregon as adopted by the City of Forest Grove. If you have any questions, please contact the City Recorder.

Employee network accounts and associated passwords may not be shared with any other person. Employees are responsible for protecting the confidentiality of network resources and preventing disclosure of their account information.

Electronic Mail System (E-mail)

You are reminded to be courteous to other users of the system and always conduct yourself in a professional manner. E-mail messages are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. You should write e-mail communications with no less care, judgment and responsibility that you would use for letters or internal memoranda written on organization letterhead.

E-mail communications must not be used improperly. Examples of improper use include but are not limited to:

- a) personal gain, personal business, or political ventures;
- b) soliciting junk mail, subscribing to newsgroups, or other email subscriptions unrelated to City business;
- c) the sending of offensive messages; and
- d) personal use except in compliance with this Policy.

"Offensive" for the purposes of this Policy is broadly defined as containing information or images that would be considered inappropriate in the City workplace or that would contribute to creating a hostile work environment. Examples include, but are not limited to, content which could make others feel uncomfortable because of their treatment of topics involving gender, race, disabilities, or sexual matters.

You should know that even when a message is erased through e-mail, it is still possible to retrieve and read that message. Even though the City reserves the right to retrieve and read any email messages, those messages are to be treated as confidential by other employees and accessed only by the intended recipient. We expect that employees will respect other's privacy and unless authorized to do so, will not retrieve or read electronic messages not intended for them. The use of passwords for security does not guarantee confidentiality. All passwords must be disclosed to your Department Director upon request.

E-mail is now a popular way to spread viruses. If you receive an e-mail and do not know who it is from, do not open it. Inform the Network Supervisor who will advise you of your next steps.

As stated previously, the use of electronic mail through the City network is primarily for business purposes. Incidental personal use of the electronic mail system is permitted. However, the personal use of e-mail should not interfere with City operations, nor should it cause any harm or embarrassment to the City. Any personal use of e-mail is expected to be on the employee-user's own time, not to interfere with the person's job responsibilities, and be compliant with all City policies, including harassment, EEO, and ethics. The City reserves the right to prohibit personal use if, in the City's sole judgment, prior employee conduct or usage warrants. Please refer to "Personal Use of City Communication Systems" later in this chapter.

The communication system's ability to send a message to a select group, or to "All Staff", should only be conducted on a limited basis. All broadcast e-mail messages should identify the source by department and name. Responses to broadcast messages should be directed to the source. When determining whether a message should be broadcast on a department-wide or City-wide basis, make sure that you know your audience. Avoid broadcasting messages to people with whom you do not ordinarily have direct contact. Each department is responsible for broadcast e-mails sent by employees of the department. Procedures regarding the approval of such e-mail will be left to the individual departments.

City Personal Computers

In an effort to protect the integrity of our systems, all software used on City computers must be registered with the Director of Administrative Services. Only authorized IT employees may install software or hardware or make modifications to any city personal computers and/or networks. A complete virus check of all such software must be made immediately before it is installed on any City computer. A virus check must be made of any disk originating or used on any computer outside the City, prior to use on City computers. Copying or transfer of City owned software might be done only with the written authorization of the Director of Administrative Services.

Use of Internet and Commercial Online Systems

Access to the Internet is provided as a tool in the conduct of City business. Many resources are available through Internet connections to assist employees in performing their work in a more efficient and effective manner. Typical usage includes using a browser tool to conduct research or to find information and the communication or

exchange of information with others for business purposes. Employees are encouraged to explore and use these resources when conducting City business.

Management approval is required before you can post any information on commercial on-line ~~systems or the systems, the Internet, or other social networking services~~. Approved material that is posted should obtain all proper copyright and trademark notices.

Telephone Usage (including fax machine)

The City recognizes that employees must occasionally make and receive personal telephone calls. Such calls must be held to a minimum, and should impact your work as little as possible. Unauthorized use of the telephone, including charging long distance calls to the organization, will result in corrective action, up to and including termination. Receiving personal fax documents is prohibited.

Voicemail System

The voicemail system is the property of the City and has been provided for use in conducting City business. All communications and information transmitted by, received from, or stored in this system are City records and property of the City of Forest Grove. You have no right of personal privacy in any matter stored in, created, received, or sent over the voice mail system. The City in its discretion as owner of the voicemail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received or sent over the system, for any reason and without the permission of the employee. You are not authorized to retrieve or listen to any voicemail messages that are not sent to your personal attention. Any exception to this policy must receive prior approval from the Director of Administrative Services.

Personal Use of City Communication Systems

The City does not prohibit personal use of the communication system (*i.e.*, sending e-mail over the Internet, accessing sites on the Internet, typing a letter, or making a local telephone call) provided that the use is infrequent and brief. The City recognizes that employees occasionally have a need to talk to family members, schedule service technicians, confer with children's schools, and take care of a variety of other matters during "regular" working hours. In today's electronic environment, use of electronic communication systems for these purposes may be more efficient. The City believes that personal use for these purposes during regular working hours is less disruptive than requiring employees to take formal breaks or leave work, provided that the use is brief, infrequent, and in compliance with the following guidelines and understandings:

1. There is no right of privacy for any electronic record or communication, whether personal or not.
2. The use of the City phone system for personal long-distance communication is prohibited, unless placed by using a personal calling card or by calling collect. The calls must be infrequent and brief.
3. Personal communications to group "Bulletin Boards", "Chat Rooms", "Social Networks" (Examples include MySpace, Face book, Twitter, etc.) or other subscription emails is prohibited.
4. Employees shall not use any components for illegal activities, engaging in profit making ventures, or personal business. An example of "personal business" for purposes of this Policy is on-line stock trading or subscribing to a financial newsletter for delivery via City e-mail.
5. Employees shall not access sites containing pornographic or offensive materials.
6. Downloading software or any information, which requires storage on City equipment, not related to your assigned job responsibilities, is prohibited.
7. Unauthorized access to protected resources is prohibited.
8. Employees shall not download music, videos or any other copyrighted material for personal use including streaming media. Downloads of such material for official City use is allowed only if the appropriate permissions, licenses or other authorizations are obtained and an authorized supervisor approves the downloading. Employees who use the system to violate copyright laws shall be personally liable for any fines, penalties or other costs.
9. Any personal use must comply with all City policies.

Limited personal use of City communication systems is not anticipated to increase any hardware or software costs to the City and should not result in any charges or costs to the City provided this Policy is followed. However, if personal use by an employee results in an additional fee or charge to the City, the employee shall reimburse the City for this additional cost. Printing a personal e-mail message or letter on a City printer are examples of actions which result in an additional cost.

Employees are encouraged to limit personal use of the communication systems and apply good judgment and common sense. Employees are specifically warned that, in addition to any potential violation of this Policy, routine use of City communication systems in order to avoid a financial detriment (including purchase of a computer or subscription to an Internet access provider) may be considered an ethics violation and subject an individual to penalties provided under State law, and/or corrective action up to and including termination. The City reserves the right to prohibit personal use if, in the City's sole judgment, prior employee conduct or usage warrants.

5.7 Vehicle Usage and Safety

This policy is to provide guidance on the proper use of vehicles. Vehicle crashes are costly to the City, but more importantly, they may result in injury to employees or members of the public. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. The City expects each driver to drive in a safe and courteous manner pursuant to the Driver Safety Rules section of this administrative procedure. The attitude employees take when behind the wheel is the single most important factor in driving safely.

The Human Resources Manager is responsible for general administration of this policy including verifying the validity and history of employees' driving records and verifying job applicants and employees meet driving record standards established by this policy.

The City Risk Manager is responsible for the overall administration of the City's risk management program.

Applicability

This policy applies to all City employees, volunteers, and elected officials who drive as part of their official duties and responsibilities as an employee of the City. Police and Fire employees should also refer to Department specific rules and regulations regarding vehicle use related to their specific responsibilities and driving environment/ conditions. Departments with employees who are required to possess Commercial Driving Licenses (CDL's) are required to verify and monitor the endorsement qualifications to ensure compliance with legal requirements.

Vehicle Safety Committee

The Vehicle Safety Committee is comprised of the Human Resources Manager and a minimum of one additional ~~two~~ Department Directors appointed by the City Manager, ~~per incident~~. The committee is responsible for:

- Reviewing crashes and the City's overall driver safety record to determine if there should be changes in policy or procedure; or if other corrective action (such as training, equipment changes, etc.) should be implemented to enhance the safe operation of City vehicles and/or personal vehicles on City business.
- Reviewing driving records of employees and making recommendations to Department Directors when persons should be disqualified from driving City vehicles and/or using personal vehicles for City business.
- Reviewing all other issues that arise with respect to compliance with this policy including providing an annual update to Department Directors.

City Risk Manager

The City Risk Manager will receive copies of all recommendations contained in reports forwarded by the Vehicle Safety Committee to Department Directors. It is the City Risk Manager's role to evaluate compliance with recommendations forwarded by the Vehicle Safety Committee. Additionally, the City Risk Manager may consult directly with the Department Director and/or the City Manager regarding the loss experience, recommendations, or any other issue that has the potential to result in future loss exposure to the City.

Driver Guidelines and Reporting Requirements

City vehicles are to be driven by authorized persons only, except in the case of repair testing by a mechanic or other authorized agent of the City.

Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor the next business day and *immediately discontinue operation of the City vehicle*. Failure to do so may result in corrective action, including termination of employment.

All crashes in City vehicles, regardless of severity, must be reported to the police in the jurisdiction where the crash occurs and to the employee's immediate supervisor. Crashes are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible). Crashes in personal vehicles while on City business *must* follow these same crash procedures. Crashes involving the employee's personal injury must be reported to Human Resources for Worker's Compensation purposes. Failing to stop after a crash and/or failure to report a crash may result in corrective action, up to and including termination of employment.

Drivers must report all ticket convictions received and/or no contest pleas made during the operation of a City vehicle, or while driving a personal vehicle on City business, within 72 hours to their supervisor. Employees are personally responsible for all fines imposed due to convictions and/or no contest pleas.

Motor Vehicle Records will be obtained on all drivers prior to employment and on an ongoing basis if an employee's driving record posts a conviction, crash, and/or suspension. A driving record that is considered by the Vehicle Safety Committee to be in violation of the intent of this policy will result in a loss of the privilege of driving a City vehicle.

City business is defined as driving at the request, or for the benefit, of employer. It does not include normal commuting to and from work.

Driver Criteria & Administration

Employees must have a valid and current Driver's license to operate a City vehicle or a personal vehicle with current auto insurance while on City business.

Employees are expected to drive in a safe and responsible manner and to maintain a good driving record. The Vehicle Safety Committee is responsible for reviewing records, including crashes, moving violations, etc., to determine if an employee's driving record indicates a pattern of unsafe or irresponsible driving, and to make a recommendation to Department Directors for disqualification of City vehicle driving privileges.

All employees who drive City vehicles as a part of their employment will have their driving records monitored in compliance with the Department of Motor Vehicles, State of Oregon automated reporting system (A.R.S.).

Criteria that may indicate an unacceptable record includes, but is not limited to:

- Three or more minor moving violations within a three-year period.
- Two or more chargeable crashes within a three-year period. Chargeable means that the driver is determined to be the primary cause of the crash through speeding, inattention, etc. Contributing factors, such as weather or mechanical problems, will be taken into consideration. Any citation issued at the site of a crash will be considered a single incident.
- Any combination of crashes and/or moving violations based on the Driver Screening Guidelines.
- Suspension of Driver's License.

Violations include any ticket, charge, or other law enforcement proceeding relating to these, as well as independent evidence of violations.

Driver Screening Guidelines

This information is intended to provide guidance for screening and approving City drivers. The Vehicle Safety Committee will take into account the particular job responsibilities of the position, the driving history of the employee, and the potential future exposure to the City.

Types of driving violations listed by risk category, are as follows:

Class 1 – Major Violations

- DWI/ DUI
- Refusing a substance test
- Fleeing or eluding a police officer
- Commission of a vehicular felony

- Vehicular manslaughter
- Hit and run
- Reckless driving
- Drag/ street racing

Class 2 – Crashes

- Crashes regardless of fault

Class 3 – Minor Violations

- Speeding
- Failure to yield
- Improper lane change
- Running red light or stop sign
- Suspension of driver’s license
- Various moving violations

Driver Safety Rules

The use of a City vehicle while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.

~~Cell phone use while driving should be kept to a minimum. Drivers need to be aware when use of the cell phone is creating a distraction from safe driving and adjust their usage accordingly, including pulling off the road to continue/finish the conversation if needed. Whenever possible, drivers should complete calls while the vehicle is parked. While driving, attention to the road and safety should always take precedence over conducting business over the phone.~~

No driver should operate a City vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

All drivers and passengers operating or riding in a City vehicle *must* wear seat belts, even if air bags are available.

Drivers are responsible for the security of City vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

The use of head lights and/or driving lights is encouraged at all times, or during inclement weather or at anytime when a distance of 500 feet ahead of the vehicle cannot be clearly seen. Emergency vehicles may be exempted due to Departmental operating policies.

All State and Local laws must be obeyed, including relevant Oregon Revised Statutes (ORS) Traffic Codes.

Mobile Communication Devices

The City promotes safe driving practices to prevent motor vehicle crashes due to the use of Mobile Communication Devices (MCDs) while driving. A mobile communication device is defined as a cellular phone, text messaging device or wireless two-way communication device designed to receive and transmit voice or text communication. Employees who drive City vehicles or who drive personal vehicles while conducting City business must comply with all federal and state laws that govern the use of MCDs while driving. The City encourages drivers to keep MCD use at a minimum while their vehicle is in motion and to always use a hands-free accessory if he or she absolutely must utilize an MCD while driving. If doing so, please follow these recommendations:

- Familiarize yourself with the device features for easy dialing.

- Place your hands-free device in an accessible location, preferably in a fixed holder in front of you.
- Keep your conversations short.
- Inform the person on the phone that you are speaking from the car.
- Avoid conversations that involve concentration. If you must engage in a conversation that demands your concentration, pull to the side of the road and stop your vehicle in a safe place.
- Avoid or terminate stressful or emotional calls while driving.
- Avoid using MCDs in unsafe or high risk situations while driving, e.g., construction sites, near heavy machinery, school zones, areas of greater foot traffic, etc.
- Never look up phone numbers while driving.
- Never use an MCD in adverse weather or in difficult traffic conditions.

Departments engaged in public safety operations are responsible for developing and enforcing departmental work rules related to the use of MCDs while driving and shall provide clear expectations for safe approved use.

Calls for emergency help, reporting illegal activity or to prevent injury to people or property are allowed if no other person in the vehicle is capable of doing so, but drivers shall make every effort to safely park the vehicle if possible before making such calls.

Employees who use two-way radios are permitted to monitor the radio and to briefly respond. If a longer response is needed, the driver is expected to park the vehicle before making the call.

Crash Procedures

In an attempt to minimize the results of a crash, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.

Call for medical aid if necessary.

Call the police. All crashes, regardless of severity, must be reported to the police. If the driver cannot get to a phone, he/she should write a note giving location to a reliable appearing motorist and ask him to notify the police.

Record names and addresses of driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.

Do not discuss the crash with anyone at the scene except the police. Do not accept any responsibility for the crash. Do not argue with anyone.

Provide the other party with your name, address, driver's license number, and insurance information.

Immediately report the crash to your supervisor. Provide a copy of the crash report and/or your written description of the crash to the City Risk Manager.

There will be a formal crash review conducted on each crash to determine cause and how the crash could have been prevented.

General Rules and Regulations for the Use of City Vehicles

Vehicle Priority

#1 – 24-Hour assigned vehicle

#2 - Used during work day

#3 - Pool vehicle

A vehicle assigned to an employee under priority #1 may be used for personal transportation only as specifically defined in the *Personal Use, Passengers & Authorized Drivers of City Vehicles* section at the end of this policy.

An employee to whom a 24-hour vehicle is assigned shall be fully responsible for the coordination of general maintenance and proper care of the vehicle.

The vehicle color, factory options and equipment are standardized and shall not be altered, except as authorized by the City.

It is the responsibility of the assigned driver to inform the Office Manager for Administrative Services of any pool vehicle maintenance needs or safety problems they become aware of.

Employees shall drive vehicles with reasonable prudence to conserve fuel and sustain them at the highest operating efficiency.

Employees to whom a 24-hour assigned vehicle is issued will be held accountable for maintaining proper fluid levels and tire air pressure, present the vehicle for repair, service, or adjustment whenever such is needed, and preventative maintenance when time is due.

City vehicles are provided to eligible employees to enable them to efficiently perform their job functions for the City. They are not intended to be fringe benefit items.

No employee will be allowed the use of a City vehicle and/or fuel credit card for their personal use or gain.

No vehicle will be used for transporting any bulk material that protrudes from trunk/cargo area or interior compartment without properly securing based on the loading requirements.

Assigned City fuel credit cards are to be used for fuel and/or required maintenance products only, and for the assigned vehicle only, unless otherwise authorized by their supervisor. Employees are to use the self-service fuel island and to use regular unleaded gas only, unless otherwise specified. Department Directors may authorize the use of personal vehicles and reimburse fuel expenses at a rate established by the City Manager.

City vehicles must not be taken out of the State of Oregon without prior supervisor approval.

Copies of the Vehicle Registration, a Copy of the Insurance Card, and a Vehicle Crash Report Packet must be kept in the vehicle at all times.

Use of Pool Vehicles

The City will maintain a small pool of vehicles which may be used by employees for travel on City business.

City Vehicles should be reserved and are available on a first-come, first-served basis. Out-of-town travel receives priority if a conflict exists.

The pool vehicles are to be used only for City business. When the pool vehicles are not in use, they are to be left at their assigned location. Pool vehicles are not to be taken home at night unless authorized by prior supervisory approval.

Assigned City fuel credit cards are to be used only with the assigned pool vehicle.

Pool vehicles are to be left with no less than a half a tank of fuel when returned.

Pool vehicles are meant to be used in place of a personal vehicle for business trips.

Pool vehicles are to be kept clean. Trash should not be left in the pool vehicles.

Smoking is not allowed in any City vehicles.

Personal Automobiles

The City's insurance coverage only extends to the City for liability that may arise as a result of a crash in excess of your personal auto insurance while a personal automobile is being used by the employee for official City business. Damage to employee-owned personal autos (including an employee's personal auto deductible), as well as injury to passengers and/or third parties, are the responsibility of the employee. Employees who use personal vehicles for City business must maintain all insurances required under State law.

Those employees who occasionally use their personal vehicle for City business will be reimbursed on a mileage basis pursuant to the current Federal Government reimbursement rate. Reimbursed mileage is defined as mileage driven over and above the employee's normal commuting mileage.

Personal Use, Passengers, & Authorized Drivers of City Vehicles

The use of a City-owned auto must be within the course and scope of an employee's employment. Personal use of City-owned vehicles is not allowed unless the employee has an emergency response role and is on call at the time of use. Any liability that may result from the personal use of a City-owned auto outside the course and scope of employment is the sole responsibility of the employee.

City vehicles are to be driven by authorized employees only, or in case of repair testing, by a mechanic. Spouses, other family members, or other non-employees, are not authorized to drive City vehicles.

Passengers are normally limited to those individuals who need to ride in the vehicle to conduct City business, or as approved by the Department Director.

5.98.6-Employee Health and Safety

The City is committed to providing our employees with a safe and healthy work environment. To accomplish this goal, both management and employees must diligently undertake efforts to promote safety.

The City has established a Safety Committee to bring employees and management together in a non-adversarial, cooperative effort to promote safety and health. The Safety Committee has representatives from each Department and meets monthly to review workplace hazards and make recommendations for change.

The City, through its supervisory personnel, develops and implements safety rules and regulations. This process is ongoing and requires periodic safety audits. Safety audits are undertaken to determine the necessity and feasibility of providing devices or safeguards to make the workplace safe and healthful. The organization also educates employees as to hazards of the workplace and trains employees as to such hazards and the proper and safe method to perform job tasks.

You are expected to give your full-time skill and attention to the performance of your job responsibilities utilizing the highest standard of care and good judgment. You are also expected to follow all safety rules and regulations at all times including the use of protective clothing and equipment, attendance at all training sessions related to your job description, and follow the directions of warning signs or signals and/or directions of supervisory personnel.

Safety rules and regulations will be issued or modified from time to time and shall be effective immediately. Rules and regulations will be distributed to you and posted on the safety bulletin board.

If an injury occurs you are required to:

1. Take remedial first aid actions
2. Report injury as soon as possible
3. Seek emergency care if necessary
4. Fill out accident form
5. Provide supervisor with a medical release from Doctor
6. Review incident with your Departmental Safety Coordinator

Smoking in the Workplace

The City believes that smoking is a danger to health and is a cause of material annoyance and discomfort to those who are present in the same or confined places. As a result all facilities are designated as non-smoking.

Places outside the building may be designated as a smoking area. Smoking is limited to these areas. If you have a concern about the areas designated, you should speak with your supervisor. Smoking in City vehicles is strictly prohibited.

Employee Right to Know/Hazard Communication Program

The City provides a Hazard Communication Program so that all employees are aware of chemical hazards in the workplace. By becoming knowledgeable about this information, you can help prevent injuries and illnesses from chemical exposure. If you have any questions regarding chemical hazards, do not delay in asking your supervisor, the Safety Officer, or the Human Resource Manager.

The following safety precautions have been taken to prevent injuries and illnesses from chemical exposure:

Container Labeling

Each Department Director will verify that all containers received for use will:

- Be clearly labeled as to the contents.
- Note the appropriate hazard warning.
- List the manufacturer's name and address.

It is the policy of this organization that no container will be released for use until the above data is verified.

The supervisor in each section will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels that have identification and hazard warning blocks. For help with labeling, see [title of person].

Material Safety Data Sheets (MSDS)

Copies of material safety data sheets for all hazardous chemicals that employees of this organization may be exposed to will be kept in each Department. [Location]. Data sheets will be available to all employees in their work area for review during each work shift. If data sheets are not available, or new chemicals are in use for which you do not have Material Safety Data Sheets, you should immediately contact your supervisor [title of person] before using the chemical or the machine containing it.

Employee Information and Training

Prior to starting work, you will attend a health and safety orientation and will receive information and training about the following:

- An overview of the requirements contained in the Hazard Communication Rules;
- Chemicals present in your workplace operations;
- Location and availability of our written hazard communication program;
- Physical and health effects of the hazardous chemicals;
- Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area; and,
- How to reduce or prevent exposure to these hazardous chemicals through the use of control/work practices and personal protective equipment.

After attending the training class, you will sign a form to verify that you attended the training, received our written materials, and understood the organization's policies on hazard communication.

Prior to a new hazardous chemical being introduced into any section of this organization, each employee of that section will be given information as outlined above. The Department Director is responsible for ensuring that Material Safety Data Sheets (MSDS) on new chemical(s) are available.

Security Identification (ID) Badge Program

The safety of employees, visitors, and facilities is a top priority for the City of Forest Grove. The Security ID Badge Program establishes parameters for the issuance and use of Security ID Badges and is the primary way to communicate affiliation and authorization to be in non-public areas of the City's facilities.

This policy defines the Security ID Badge Program and the related procedures for the City to help to ensure public and employee safety within City facilities and grounds. The reasons for this policy include the following public safety objectives:

- The personal safety of staff, visitors, and the public.
- The protection of the City's physical assets from potential harm, including theft, damage, or other potential risks.

- The protection of the entire community from any compromise of the select agents entrusted to the City.
- The protection of people, work product, infrastructure, and physical assets from intentional acts of disruption or terrorism.

To help achieve the City's safety and security goals, the following individuals are required to wear Security ID Badges:

- Persons who enter non-public space to provide service
- Persons working in targeted high-risk areas
- Persons who must wear identification to meet legal requirements

All Security ID Badges are the property of the City and are intended to provide official employee and visitor identification for access to non-public spaces. The Security ID Badge is not transferable and is valid for the period specified on the badge. Any misuse, alteration or fabrication of the badge will subject the holder to corrective action by the City. An expiration date is required and will be printed on the ID badge.

The Security ID Badge shall be worn and displayed face-up at all times, and presented and/or surrendered to City officials upon request. Failure by employees to wear and display the Security ID Badge may result in corrective action. Badges issued to employees and individuals affiliated with the City must be returned to the appropriate department upon separation from the assignment. Badges issued to volunteers and visitors must be returned to the issuing department at the end of the authorized period.

The Security ID Badge helps to create and promote a safe and secure environment for the City Community by:

- eliminating concerns about non-affiliated/unauthorized persons accessing restricted City spaces.
- increasing accountability of visitors to the City.
- providing a greater impetus to call attention to suspicious persons, and
- encouraging City staff to verify authorization before allowing access to non-public City spaces.

Department Responsibilities

Provide education on Security ID Badge program; provide departmental management and oversight of department activities related to the Security ID Badge Program.

- Ensure that all employees are aware of and adhere to this policy.
- Counsel any member of their staff who fails on a regular or repeated basis to comply with this policy.
- Ensure visitor compliance with this policy through check-in / check-out procedures.

All Badge Recipients

Responsible to know and comply with the Security ID Badge Program and related procedures and instructions, including the following protocol:

- Know and comply with the Security ID Badge Program.
- Provide one of the following forms of photo ID when picking up a badge: drivers license, state ID, Passport, Birth Certificate, or military ID.
- Wear the Security ID Badge at all times while in City facilities and/or during working hours.
- Wear the Badge above the waist, on the front of the person, and in a manner such that the photo and name are readily and easily visible to others.

- Do not loan or transfer the Security ID Badge to anyone, for any reason, and under no conditions.
- Do not deface or in any way alter, or duplicate the Security ID Badge in any manner.
- Immediately report the loss of the Security ID Badge to your supervisor.
- Upon termination or leave from assignment on which the Badge was issued, return the Badge according to policy for termination, leave, etc.

9.7 Family and Medical Leave

It is the City's policy to provide eligible employees unpaid leave for childbirth; adoption; foster child placement; the care of a seriously ill spouse, child, grandchild, parent, or grandparent; the employee's own serious health condition; ~~or to care for a sick child;~~ or to care for an injured service member in accordance with applicable federal and state legislation.

The Family and Medical Leave (FML) Policy covers employees including employees absent from work due to occupational related illness or injury, except to the extent provisions in applicable collective bargaining agreements, state or federal laws provide otherwise. Workplace injuries that qualify for family leave under this policy will not be counted against an employee's Oregon Family Leave Act (OFLA)~~OFLA~~ entitlement.

The Family and Medical Leave Policy (FML) consolidates provisions of the Federal Family and Medical Leave Act (FMLA), ~~and Oregon Family Leave Act (OFLA), and the Oregon Military Family Leave Act (OMFLA)~~. To the extent that provisions vary, this policy adopts the regulation more beneficial to the employee. To the extent the employee fails to qualify under this Policy, eligibility will be reviewed under leave laws individually to ensure employee rights are protected.

FML will run concurrently with other paid or unpaid leave for which the employee is eligible and qualifies, unless otherwise prohibited by collective bargaining agreement, state or federal law.

Eligibility

To qualify for FML employees, including those engaged for limited duration, must meet the following criteria~~have~~:

FMLA: Employee must have been employed by the City for at least twelve (12) months, and worked at least 1250 hours during the 12-month period immediately preceding the leave.

OFLA: Employee must have been employed by the City for at least 180 calendar days immediately preceding the leave and have worked for an average of at least 25 hours per week during the 180 days immediately preceding the leave. Employees are eligible for parental leave after being employed for 180 calendar days, without regard to the number of hours worked per week.

OMFLA: Employee must have worked an average of 20 hours per week for the City for at least 180 calendar days immediately preceding the date the employee takes OMFLA leave.

In determining the 12 calendar months and 180 calendar days, the number of days an employee has been on the payroll are counted, including all paid and unpaid time. The 1250 hours, 25 hours per week, and 20 hours per week minimums are actual hours worked.

- ~~• Been employed by the City for the 26 weeks (180 days) immediately preceding the need for leave, and;~~
- ~~• Worked an average of at least 25 hours per week. The 25 hours requirement is waived for employees eligible for parental leave.~~

Purpose of Leave:

Eligible employees may take FML leave for the purposes commonly referred to as parental leave; serious health condition leave, including time off for pregnancy-related disability; and sick child leave.

Parental: leave to care for a child under the age of 18 born to or placed for adoption or foster care with the employee. Under OFLA, an employee who uses 12 workweeks of parental leave is entitled to take up to 12 additional workweeks of sick child leave.

Employee Medical: leave because of the employee's own serious health condition, which prevents the employee from performing at least one essential function of his or her job. This includes pregnancy-related disability and absences from work due to prenatal care. Under OFLA, a woman using pregnancy disability leave is entitled to up to 12 additional workweeks of leave in the same year for any qualifying OFLA purpose.

Family Medical Care: leave to care for an employee's family member with a serious health condition. Under Federal law, covered family members include a spouse, child or parent. Under state law, covered family members also include same sex domestic partners, parents-in-law, grandparents or grandchildren of the employee.

Military Caregiver: leave to care for an injured recovering service member who is the employee's parent, child, or spouse or for whom the employee is the next of kin. Such leave may be taken for up to 26 workweeks in any single 12 month period. Leave to care for a military service member, when combined with all other FMLA leave may not exceed 26 workweeks in a single 12 month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. This is covered under federal law.

Qualifying Exigency: leave for a qualifying exigency arising out of the fact that the employee's parent, child or spouse is on active military duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. This is covered under federal law.

Oregon Military Family Leave Act: —leave for a spouse or domestic partner of a member of the Armed Forces, the National Guard, or military reserve who has been called to active duty or notified of impending call to active duty, or who has been deployed. ~~is on leave from active duty.~~ An eligible employee may take a total of 14 calendar days leave per deployment after the military spouse or domestic partner has been notified of an impending call or order to active duty and before deployment and when the military spouse is on leave from deployment. ~~call or order to active duty or notification of a leave from deployment.~~

Definition of a Serious Health Condition

Under FMLA, a serious health condition is an illness, injury, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one visit and a regimen of continuing treatment or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Under OFLA, a serious health condition is defined as set forth under ORS 659A.150(6).

Length of Leave

Eligible employees are permitted to take a total of twelve (12) workweeks of leave in a rolling 12-month period counted from the first day the employee begins leave for any qualifying event. For the purposes of determining an employee's leave entitlement, Eligible employees may be granted up to 12 workweeks of unpaid leave during a rolling 12-month period counted from the first day the employee begins the leave.—Parental leave must be taken in one contiguous block within the 12 months immediately following the birth or placement of a child, unless otherwise agreed to by the City.

Leave required due to the serious health condition of the employee, family member or child, or Oregon Military Family Leave and Qualifying Exigency Leave may be granted on an intermittent or reduced hour basis. If appropriate, an employee's request for intermittent leave will be considered as business requirements allow.

Exempt employees' salaries will be reduced proportionately by hours not worked.

With the employee's concurrence, the City may temporarily transfer the employee on approved intermittent leave to another position that can more easily accommodate recurring absence. In the case of a transfer, the employee will not suffer loss of pay or benefits and only that leave attributable to reduced hours will be counted against the employee's leave entitlement. The employee so assigned will be returned to the regular position unless leave taken plus the period of time worked in the alternate assignment exceeds leave allowable by law, in which case the City reserves the right to replace the employee's position.

Based on business demands, parents working for the same employer may be required to take leave consecutively instead of concurrently.

Whenever possible, absences for planned medical treatment or other appointments should be scheduled to minimize disruption in the workplace.

An employee who gives unequivocal notice of intent not to return to work from FML is entitled to complete the approved leave, providing that the original need for leave still exists. The employee remains entitled to all rights and protections of law and Policy, including, but not limited to, the use of accrued leave and health benefits. However, the City is relieved from job restoration obligations.

Counting Leave

FML leave is accounted for on the basis of the employee's usual workweek. For example, an employee normally scheduled for five (5), eight (8) hour work days would have one-fifth (1/5) of one (1) week or eight (8) hours counted as FML for each full day absence.

Pay

Employees will receive no regular compensation while on FML leave.

Employees absent on FML due to a serious health condition for self or qualifying family member will be required to use available accrued sick, vacation, holiday leaves, or in the case of the employee's own serious health condition, workers' compensation and/or Long-Term Disability benefits, in that order before going into authorized unpaid time. ~~For pay administration purposes, pregnancy disability is considered a serious health condition.~~

Employees who are absent for parental leave will be required to use accrued time from accrued vacation, holiday and sick leave, as elected by the employee, before going into authorized unpaid time.

Employees may choose to use accrued compensatory-time in lieu of accrued leave until it is exhausted.

Under specific conditions, an employee exempt from overtime under the Fair Labor Standards Act on reduced hours leave may have their pay docked for less than full-time absences without jeopardizing their exempt status.

Benefits While on Leave

Group employee benefits will continue if the employee makes the required employee premium payments while on leave. In the case of premium payment default, the City will advance employee cost share and recover the advance upon the employee's return to work at the rate of 10% of the employee's gross pay each pay period.

Under FMLA, leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

If the leave qualified for Oregon Family Medical Leave or the Oregon Military Family Leave Act, continued health care benefits may not be paid for by the City at its sole discretion. Employees should check with Human Resources to resolve any questions regarding the continuation of health care benefits.

The City will terminate maintenance of an employee's benefits coverage effective when employment would have terminated if the employee had not taken FML, or when:

- The employee fails to return from leave.
- The employee's leave entitlement under FML and other applicable leaves expire.
- The group health plan terminates.

Unpaid premiums not subject to the above exceptions are considered a debt owed to the City by the employee. The City will endeavor to collect the debt through whatever means practicable. The City may recover its share of the premium through deductions from any amount owed to the employee, such as unpaid wages, vacation pay, etc. Any deductions will be made in compliance with state and federal law.

Other Benefits While on Leave

While on FML, an employee will be eligible for paid holidays if in pay status the day before and the day after the holiday. Holiday hours will be counted toward the employee's FML entitlement unless leave is taken on an intermittent or reduced hours basis.

An employee on FML leave *will not* accrue seniority-based benefits, such as sick or vacation pay while not in pay status, unless provided for otherwise by policy or collectively bargained agreement.

Any period of approved FML will be treated as continued service for retirement and savings plans vesting and participation purposes.

Reinstatement after leave will be without loss of any employee benefit or right earned or accrued at the beginning of the leave, except that benefits may be reduced by the amount used during the leave, e.g. vacation hours, holiday hours, sick hours, etc.

Leave Application

In order to avoid business disruption, an employee must notify the City in writing of the request for leave at least thirty (30) days prior to the beginning of a foreseeable need. Employees are required to complete a leave application form for all leaves and to provide medical certification for leaves involving a serious health condition.

When the need for leave is not foreseeable, or its approximate timing uncertain (e.g., adoption placement, medical emergency), notice is required as soon as is practical given the particular circumstances. In this situation the employee or a representative if the employee is incapacitated, must notify the immediate supervisor as promptly as available means of communication permit. If an emergency occurs while at work, the employee must notify the immediate supervisor before leaving the workplace.

An employee seeking Oregon Military Family leave must provide notice of the intent to take leave within five (5) business days of receiving official notice of an impending call or order to active duty or for a leave from deployment, or as soon as practicable when official notice is provided less than five (5) days from commencement of leave.

Certification Requirements

~~When the City becomes aware of an employee's need for leave before the employee requests a leave; the City will provide a written request to the employee for appropriate Leave Application and Medical Certification. The employee has 15 days to return the Medical Certification.~~

An employee's request for family medical leave due to the serious health condition of the employee or the employee's qualifying family member requires written medical certification from a health care provider as soon as possible but no later than 15 calendar days following a request for certification by the City. Certification of a serious health condition shall include the date when the condition began, its expected duration and a brief statement of treatment. For medical leave of the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the position. For a family member who is seriously ill, the certification must include a statement that the patient/family member, requires assistance and that the employee's presence would be beneficial or desirable.

An employee requesting Qualifying Exigency Leave is required to complete a Certification of Qualifying Exigency for Military Leave including written documentation confirming the military member's call to active duty. A copy of the military member's active duty orders is required for an employee requesting Oregon Military Family Leave.

If an employee fails to provide notice within ~~two (2) to~~ two (2) days after the need for leave becomes apparent, the absence may be deemed unexcused, and the employee may be subject to corrective action consistent with policy and/or collectively bargained agreement.

The City may require a second medical opinion when it questions a health care provider's certification. If the second opinion conflicts with the first, the employee and City must designate a health care provider for a third opinion which will be final and binding. The City will pay associated provider expenses, as well as reasonable "out-of-pocket" travel expenses.

~~If requested by the City, re-certification of a medical condition inability~~ must be provided every 30 days for condition duration, unless waived by the City. Earlier confirmation may be required if:

- Significant changes impact the then current disability certification, e.g. complications, severity of condition necessitates more frequent absences; or,
- The City receives information that casts doubt on the stated reason for the absence.

When absent from work due to illness, injury, or other disability, the employee must refrain from engaging in activities that may impede a timely return to regular job duties without prior approval of the City and the attending practitioner.

Employer Notice

Under FMLA, the City must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

The City must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Return to Work

An employee is expected to return to work as soon as medically able, as determined by a health care provider or, in the case of parental leave, as approved in advance of the leave start date.

Generally, an employee has two (2) business days to inform the supervisor of the discovery that more or less time will be needed than originally agreed. Failure to provide such notice, especially for leave extension, may result in extension denial or corrective action up to and including termination of employment.

Return to work certification is required before an employee returns to work as outlined below.

This certification must be based on the health care provider's review of the employee's essential job duties, as outlined in their job description. Information on the release should be limited to the condition that caused the leave.

Reinstatement will be delayed until a health care provider certifies the employee as able to return to the former or equivalent job. Return to modified duty may be accommodated, not to exceed six-months unless approved in advance by the City Manager. Employment may be terminated if the employee fails to provide this certification or a new medical certification for a serious health condition. The City reserves the right to proceed with termination in the event all protected leave is exhausted, unless precluded by collectively bargained agreement.

Generally, an employee returning from FMLA leave will be reinstated to their former or equivalent job unless the employee would not otherwise have been employed at the time reinstatement is requested. If, for business reasons, the employee's former job and equivalent jobs have been discontinued during the family leave period, the employee will be reinstated to an available and suitable position, if one exists. If one does not exist, the employee will be separated in accordance with policy or collectively bargained agreement.

The employee may be required to periodically provide notice regarding intent to return to work upon the conclusion of the approved leave. The employee's unequivocal decision to voluntarily separate releases the City from its reinstatement obligation.

Other details regarding this policy are available from the Human Resources Manager.

FMLA Specific Provisions

Under FMLA is it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

9.12 Domestic Violence Leave

An employee who is a victim of domestic violence, sexual assault or stalking or is a parent or guardian of a minor child or dependent, who is a victim, may be entitled to take unpaid protected leave from work to obtain services or treatment.

Eligibility

You will be eligible to take domestic violence leave if you have worked an average of 25 or more hours per week for at least 180 days immediately prior to the period of leave.

Types of Services / Treatment

An employee may take leave to seek legal or law enforcement assistance, to secure medical treatment, to obtain counseling, to relocate or to take other reasonable steps to ensure their health and well-being of themselves or their child or legal dependent.

Employees who are the victim of domestic violence, sexual assault or stalking may request a reasonable safety accommodation in the work place. A reasonable safety accommodation could include a transfer, reassignment, modified work schedule, unpaid leave, changed work telephone number, changed work station, installed lock or any other adjustment to the job structure, work place facility or work requirement in response to actual or threatened domestic violence, sexual assault or stalking. The reasonableness of the safety accommodation will depend on the particular circumstances at issue.

Length of Leave

The amount and length of time you make take is limited to that which does not create an undue hardship on the City.

Request Procedure

An employee accessing this leave provision needs to request time off from Human Resources as much in advance as possible to aid in scheduling with their Department. Information shared will be considered confidential.

Pay While on Leave

Domestic Violence leave is unpaid; however eligible employees who take this type of lave are required to use any accrued paid time available to them.

**STAFF REPORT AND RESOLUTION ADOPTING THE
CITY OF FOREST GROVE EMPLOYEE VOLUNTEER HANDBOOK**

Project Team: **Michael Sykes, City Manager**
 Rob DuValle, Human Resources Manager

Issue Statement:

The City regards volunteers as an important and valuable resource to our community and, toward that end, seeks to provide opportunities for citizens to support City operations in a variety of volunteer positions. The City currently provides opportunities for volunteers in the Library and Fire Departments, and is in the recruitment process for Police Reserve Officers within the Police Department. The City would like to formalize the volunteer program and has established the Volunteer Handbook in order to summarize the policies pertaining to volunteers.

The policy addresses many topic areas of interest to a volunteer program including:

- the definition of a volunteer and a list of exclusions (e.g., Boards, Commissions, and other City Council appointed committees),
- the terms under which existing City Employees wishing to also serve as a volunteer would adhere to,
- the rights and responsibilities of a volunteer,
- liability implications of volunteer service,
- recruitment and selection procedures for volunteer positions,
- training responsibilities of Departments, and
- work rules related to confidentiality, communication systems, workplace violence, substance abuse, harassment, and driving.

You should note that the modifications recommended within Council Resolution 2010-33, Employee Handbook, refer to the Volunteer Handbook in Section 3.3 Types of Appointments in order to clarify specific appointment terms and conditions.

Attached you will find the proposed Volunteer Handbook (Exhibit A).

Fiscal Impact:

Staff does not anticipate any fiscal impact.

Recommendation:

Staff recommends approving the attached Resolution adopting the City of Forest Grove Volunteer Handbook as described in Exhibit A.



RESOLUTION NO. 2010-34

**RESOLUTION ADOPTING CITY OF FOREST GROVE
EMPLOYEE VOLUNTEER HANDBOOK**

WHEREAS, pursuant to City Charter, Chapter IX, Section 36, the City Council must adopt by resolution personnel-related policies following discussion and consultation with the City Manager; and

WHEREAS, the City of Forest Grove recognizes the need for the establishment of an employee Volunteer Handbook; and

WHEREAS, the Human Resources Manager is charged to establish personnel-related policies in compliance with legislation, policy, and best practices; and

WHEREAS, the Human Resources Manager has submitted to the City Council for consideration the policies set forth in the Volunteer Handbook as described in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE AS FOLLOWS:

Section 1. The City of Forest Grove Volunteer Handbook, Exhibit A, is hereby adopted as the policy document for all City employee volunteers as described in the attached Exhibit A.

Section 2. All prior City employee volunteer policies and/or resolutions in existence are hereby rescinded and replaced by the City of Forest Grove Volunteer Handbook, Exhibit A.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 26th day of April, 2010.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 26th day of April, 2010.

Peter B. Truax, Mayor

Date: 4/16/2010
To: New Volunteers & Interns
From: Rob DuValle, Human Resources Manager
Re: Welcome to the City of Forest Grove

This information has been prepared for you, the volunteer or intern, to give you the foundation, philosophies, and the policies that make the City of Forest Grove a great place to volunteer and learn.

We encourage volunteer participation from all members of our community. Anyone with an interest in helping neighbors and making a difference in our community is welcome to apply. Volunteer position availability varies. Some positions are always accepting volunteers and others are open on a one-time basis.

Volunteers are given a general orientation by the Department they volunteer for prior to commencing their service. Since volunteers are considered nonpaid staff, they are expected to adhere to all of the same policies and procedures as staff. Attached to this letter is a copy of the City of Forest Grove Volunteer Handbook for you to review and a Volunteer Handbook Receipt Acknowledgment Form.

After reviewing the information contained in the Handbook, please sign the attached Volunteer Handbook Receipt Acknowledgment Form and return it to the Volunteer Coordinator (or your supervisor) at the department for which you are volunteering.

I hope that you will find your experience with the City of Forest Grove rewarding. Please don't hesitate to let me know if there is any way that I can support you. Thank you for your service to the community.

Sincerely,

Rob DuValle
Human Resources Manager

CC: Volunteer File

City of Forest Grove Volunteer Handbook

Welcome

Welcome to the City of Forest Grove! We are glad to have you, and we believe that you will be a great complement to our team. Thank you for donating your time and your talents as a volunteer. Through volunteer service such as yours, our community is enriched and improved.

We believe that you can contribute significantly to our success and want you to share in the growth of our future. You can do this best if you understand our organization and your role. This Handbook has been prepared as a guide to give you a better understanding of the organization's policies, procedures, and practices that guide your volunteer service. The policies in this document are intended to guide and aid the City in achieving its goals through positive and efficient use of volunteer services.

We encourage you to ask questions if there are policies and procedures you don't understand. We welcome your ideas and suggestions for ways to improve our operation and/or services.

Please accept our wishes for success in your new volunteer position. We truly value both you and the contribution you make through your volunteer service, and we sincerely hope you will enjoy your volunteer service with the City.

General Information

Policy

The City of Forest Grove regards volunteers as an important and valuable resource to our community, and we endeavor to offer volunteer experiences that benefit both the community and the volunteer. The City understands that volunteering promotes service, life-long learning, and personal growth.

Purpose and Applicability

This policy has been established to summarize policies regarding volunteers. The intent of this handbook is to help you understand the volunteer service at the City of Forest Grove. It contains general information and guidelines; it is not intended to be comprehensive or to address all possible applications or exceptions to the policies and procedures described herein.

Volunteer Definition

A volunteer is any person, approved by the Human Resources Department, who donates approved service to the City of Forest Grove without pay or other remuneration other than reimbursement of approved expenses for those services rendered. Examples of volunteer positions include Police Reserve Officers, Firefighters, Library positions, and also on-the-job training programs, practicum, or other student learning focused positions.

Who is Not a Volunteer:

- Work-release inmates
- Community service workers

- Anyone who is not approved by Human Resources for volunteer service
- Individuals under the age of 18 are not eligible for City volunteer service unless the volunteer application is signed and approved by a parent or guardian
- Citizen volunteers appointed by the Forest Grove City Council to serve on Boards, Commissions, and Committees, or in any other Council-appointed capacity, are not considered volunteers under this policy
- Volunteers working under the scope of an established external volunteer program, such as the Boy Scouts, or other organization

Emergency Volunteers

In the event that City of Forest Grove emergency operations and procedures have been activated, a person may be assigned to perform emergency volunteer duties authorized by the City of Forest Grove. Emergency Volunteers will work only at approved sites and under the direction and supervision of the requesting department.

City Employees as Volunteers

City employees who meet the established criteria may perform volunteer service under the following conditions:

- The volunteer position is with an established volunteer program
- The duties of the position are outside the employee's normal work duties, as determined by the employee's supervisor
- No work time will be used to perform the volunteer duties and volunteer duties will not interfere with the employee's ability to perform their regular duties.
- The volunteer duties are performed solely at the option of the employee and there is no expectation direct or implied by the City that the employee performs the volunteer service
- The employee signs a waiver indicating the decision to volunteer is entirely his/her own and no payment for the work will be made

Scope of Volunteer Involvement

It is possible for volunteers to serve in a variety of programs and tasks. Volunteers also serve at all levels of skill.

General Statement of Volunteer Rights and Responsibilities

Volunteers shall be extended the right to be given meaningful assignments, the right to effective supervision, and the right to recognition for work accomplished. In return, volunteers shall agree to perform their duties to the best of their abilities. They are also expected to act in accordance with all appropriate codes, laws, regulations, and policies, regardless of whether they are set by the City or outside regulatory bodies.

Volunteer General Liability

Volunteer workers volunteer their services at their own risk. Except for specified categories of volunteers, such as volunteer Firefighters and Police Reserve volunteers, the City of Forest Grove does not provide Workers' Compensation benefits to volunteers. Please note that the City of Forest Grove assumes no responsibility for any unpaid medical bills incurred while serving in a volunteer capacity.

Equal Opportunity Policy

The City of Forest Grove is an equal opportunity employer and, as such, does not discriminate against qualified employees or volunteers on the basis of race, color, religion, sex, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, veteran's status, medical condition, sexual orientation, genetics, or membership in any other protected class.

Termination of Volunteer Services

Volunteer service may be terminated at any time by either the volunteer or the City. If there is a concern about a volunteer's performance or conduct, we endeavor to address the concern in a straightforward, timely, and respectful way. When volunteer service has ended for any reason, the volunteer coordinator or supervisor must immediately notify the Human Resources Department.

Becoming a Volunteer

Volunteer Recruitment, Opportunities, and Contact Information

Volunteer opportunities may include participating in one of the established volunteer programs, an extended project, or a special one-day event. Individuals who are interested in volunteering their services to the City of Forest Grove are encouraged to view the volunteer opportunities listed on the City's website. The Human Resources department may be contacted for more information. Departments may recruit volunteer applicants independently. Each department will be responsible for creating volunteer job descriptions, maintaining lists of volunteer opportunities, and processing placement paperwork with the Human Resources Department for volunteer placement authorization.

Volunteer Application

Most volunteer positions require a volunteer application (exceptions may be made for one-time or very short-term volunteer positions). Applications can be found on the City website or from individual City departments. Applications should be completed as thoroughly as possible. Information that is required in the application may include (but is not limited to) employment history, references, and Oregon driver's license information, if applicable. Prospective volunteers may also need to complete additional steps, such as interviewing with a volunteer coordinator or City department representative. The purpose of the application (and of additional steps such as interviews) is to help determine whether there is a good match between a prospective volunteer and a volunteer position. Good volunteer/volunteer position matches help ensure a successful experience for the volunteer and the City alike. Please note that, while we do our best to match applicant interests and skills with a volunteer opportunity, availability of positions varies.

Application Processing

Human Resources will conduct criminal background checks on volunteers who are age 18 or older and will notify the sponsoring department of the background check results. Some volunteer positions may require pre-placement drug screening and/or a Department of Motor Vehicles (DMV) driving record review. In these cases, Human Resources will obtain authorization from the prospective volunteer to conduct such screening and a DMV review, as well as order a driver's certified court print if applicable. Human

Resources will also assess the volunteer's driving record and determine his or her eligibility to drive on City business.

Placement Screening

Volunteer screenings are to be conducted in the same manner as that of a new employee. City of Forest Grove volunteers operating within the scope of their assigned job duties have the same liability exposure as a paid employee. The City retains the right to refuse to place one spouse or immediate family member under the direct supervision of the other spouse or family member, where such placement creates an adverse effect on supervision, safety, security, or morale.

Implementation

Once a volunteer's application materials are completed and the Human Resources Department or authorized staff person approves the volunteer's service, Human Resources will authorize the department to proceed with volunteer placement.

Training, Orientation, and Supervision

Prior to beginning their volunteer service, volunteers must attend a volunteer orientation. The orientation is for the purpose of covering policy and procedures, so that volunteers know what to expect and what is expected of them in turn, in order to help volunteers have a positive and successful volunteer experience. Volunteers should attend an orientation within a week of beginning their volunteer service, preferably prior to beginning their volunteer service. The orientation should include (but need not be limited to) the following topics: general work rules, safety, emergency procedures, insurance coverage, use of City communication systems, confidentiality, and City policy regarding harassment, workplace violence, and drugs and alcohol. Prior to beginning their volunteer service, volunteers must complete the Volunteer Receipt Acknowledgement Form (attached), which acknowledges receipt and acceptance of the Volunteer Handbook.

Departments should provide the volunteer with a written description of the major duties of the volunteer position and review the description and duties with the volunteer. Departments are responsible for ensuring that volunteers receive all required training. Volunteers in City departments are unpaid staff and will have the same access to mandated training as regular paid City staff. Not attending an orientation and/or any department or city-mandated training may disqualify a prospective volunteer from volunteer service.

Departmental Procedures

Each department may develop specific guidelines for interns, practicum students and other volunteers that are supplemental to City wide policies. Some City of Forest Grove departments have specific procedures in place to define general guidelines, position requirements, recruitment, selection, orientation, and training specific to that department. All departments using volunteers must keep accurate records of hours of service, accomplishments, training, and any progress evaluations.

Work Rules

Confidentiality

As a volunteer, you might have access to confidential and proprietary information. Our citizens trust the City with confidential information. The unauthorized disclosure of such information would have a material adverse impact on the integrity of the City and would have an adverse impact on our relationships with our customers. No employee or volunteer should disclose any information pertaining to the organization or customers without prior explicit approval of their manager/supervisor. City records and information should remain on City premises unless the City Manager approves removing them.

City Records and Equipment

City equipment, records, and property are public property. As such, please treat it carefully and appropriately. You are responsible for those items in your custody and will be held accountable for their appropriate use and/or accuracy.

Communications and Software Systems

In your capacity as a volunteer, you may have occasion to use the City communications systems. These systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, voice mail, radios, communication tools, and other various on-line services and databases.

Please be courteous and professional in the use of City communications systems. For example, please write e-mail communications with no less care, judgment, and responsibility than you would use for letters or internal memoranda written on organization letterhead.

Use of City communications systems for personal profit, illegal activities, allowing any proprietary or confidential information of the City to enter the public domain, subscribing to news lists, chat rooms, or listserves unrelated to City business, or viewing, sending or storing offensive content is prohibited. Volunteers and employees should not use City communications systems to download music, videos or any other copyrighted material for personal use, including streaming media. In addition, management approval is required for posting any information on commercial on-line systems or the Internet.

Be aware that messages sent through the City communications systems (such as voice-mail, e-mail, and faxes) are not private or confidential and are the property of the City. All passwords must be disclosed to your Department Director upon request. However, although the City reserves the right to retrieve and read any e-mail and voice-mail messages, those messages are to be treated as confidential by other volunteers and employees and accessed only by the intended recipient. We expect that volunteers and employees will respect others' privacy and, unless authorized to do so, will not retrieve or read voice-mail or electronic messages not intended for them. Any exception to this policy must receive prior approval from the Director of Administrative Services.

To keep City communications systems secure, please observe the following rules. Volunteers and employees should not use personal or downloaded software without permission from the Director of Administrative Services. A complete virus check of all such software must be made immediately before it is installed on any City computer. A

virus check must be made of any disk originating or used on any computer outside the City, prior to use on City computers. Copying or transfer of City-owned software should be done only with the written authorization of the Director of Administrative Services. Because e-mail is now a popular way to spread viruses, if you receive an e-mail on your City e-mail account and do not know who it is from, do not open it. Inform the Network Supervisor, who will advise you of your next steps

The City communications system is mainly for City business. However, the City recognizes that sometimes it may be necessary to use the City communications systems (such as telephones and e-mail) for personal use, and limited personal use of City communications systems is permitted. Such use should abide by all City policies. Charging the City for long-distance communication and receiving personal fax documents is prohibited.

Please check with your supervisor if you have any questions about the proper use of communication or software systems. Improper use or violations of this policy can result in dismissal from volunteer service.

Workplace Violence

The City has a “zero tolerance” policy for any actions that threaten its employees, volunteers, or customers in the workplace. All violent behavior is considered inappropriate in the workplace, on both the part of employees/volunteers and customers, and will not be tolerated. Violence, as defined by this policy is strictly and specifically prohibited by the City. No existing policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

Bringing a deadly weapon to the workplace or carrying a deadly weapon while at the workplace is strictly prohibited. For the purpose of this policy, “workplace” is defined as the facility where an individual is working/volunteering and the parking lot where employees and volunteers are designated to park their cars. This prohibition does not apply to persons authorized to carry weapons as part of their job responsibility, such as police officers and specifically identified persons within the fire department. For the purpose of this policy, “deadly weapon” means a device, instrument or object that is specifically designed for causing death or serious physical injury. The prohibition applies to employees and volunteers who have a concealed weapon permit. The prohibition does not apply to personal defense devices, such as personal attack alarms, nor to chemical defense sprays, such as mace.

For the purpose of this policy, ‘workplace violence’ is defined as any act of physical, verbal, or written aggression by an individual or by a group, that occurs in the workplace or arises out of work activities. This includes any and all infliction of bodily injury or the attempt to make harmful physical contact, verbal and physical harassment, verbal and physical threats, and any actions that cause others to feel unsafe in the workplace. All staff and volunteers are responsible for notifying their supervisor if they become aware of any threat or violent act in the workplace or on City property. An incident assessment report should be completed by the supervisor or the Human Resources Manager upon notification that such an incident has occurred. Under some circumstances, the Police Department may be informed of the contents of a report for the safety and well-being of employees. While the City cannot promise complete

confidentiality due to the need to investigate, information about any complaint will be treated as confidentially as possible, consistent with proper investigation and responsive action. Generally, this means confidential information will be shared on a need-to-know basis.

Drugs and Alcohol

The City is committed to establishing and maintaining a work place free from the effects of alcohol or drug use and abuse. A City employee or volunteer may not knowingly possess, use, transfer, offer, share, attempt to sell or obtain, manufacture, or be under the influence of drugs or alcohol or the metabolite of the substance in any situation during which the employee or volunteer is engaged in a job-related activity. Prescription medication or other therapeutic substances authorized for use in Emergency Medical Services vehicles or storage in City facilities are exempted from this Policy. Volunteers have the responsibility to notify their supervisor when taking any medication (prescription or non-prescription) or other drugs which may interfere with their ability to perform their duties safely and effectively.

Harassment

It is our policy that all staff and volunteers have the right to work in an environment where the dignity of each individual is respected. For that reason, we expect all employees and volunteers to conduct themselves in a manner that complies with our Harassment Policy. Any harassment of a volunteer by an employee, or of an employee by a volunteer (or between employees or volunteers) is not permitted, regardless of their working relationship or supervisory status. Additionally, harassment of a volunteer by a citizen or of a citizen by a volunteer will not be permitted. The City will not tolerate conduct by any employee or volunteer that harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. We desire to maintain a working environment free from all forms of harassment, whether based upon race, color, religion, ancestry, national origin, age, marital or family status, veteran status, sexual orientation, physical or mental disabilities, on-the-job injuries, sex, or any other legally protected characteristic or status.

Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's race, age, national origin, disability, or mimicking one's speech, accent or disability, are examples of prohibited conduct and will not be tolerated. Employees and volunteers are also prohibited from retaliating against anyone who complains about harassment or cooperates in a harassment investigation. Employees and volunteers have an obligation to report promptly any conduct they believe violates our Harassment Policy. This will help ensure that concerns can be addressed and resolved as soon as possible.

While all forms of harassment are prohibited, it is our policy to emphasize that sexual harassment is specifically prohibited. Under the law, sexual harassment includes any unwelcome sexual advances, requests for sexual favors or other verbal/physical conduct of a sexual or gender-based nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment/volunteer service; OR
- Submission to or rejection of such conduct is used as the basis for making an employment/volunteer service decision

- Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive work environment. (EEOC Guidelines issued 1980).

The most common forms of sexual harassment include: dirty jokes, sexual innuendoes, talking about your sex life; sexual gestures; making offensive or stereotypical comments about members of one sex or the other; making derogatory comments about gays or lesbians; using E-mail or other City communication systems to transmit information of a sexual nature; sexual touching, including any type of contact with intimate body parts; making graphic comments about another employee's physical attributes; and making any type of comment that is sexual or gender-based in nature.

Often a person can stop sexually offensive conduct (dirty jokes, sexual comments, etc.) by simply telling the person who is engaging in this behavior that it is offensive and requesting that the person stop. We encourage you to take this approach, if it is comfortable to you. However, no employee or volunteer is required to complain directly to the offending person. If you are more comfortable reporting the offensive conduct to your supervisor or the volunteer coordinator, you may go directly to either of those people. You may also go to the Human Resources Manager or other Human Resources staff.

Even when harassment occurs off duty, you should report it. This is because sexually offensive conduct that occurs between employees or volunteers off the job may "carry over" to the work environment. Similarly, if a non-employee or non-volunteer subjects you to sexually offensive conduct during your volunteer time and it is offensive to you, please report it. We will investigate and address sexual harassment concerns regardless of who is engaging in the reported behavior.

Volunteers Driving

To drive on city business, volunteers need to possess a valid driver's license. *City business* is defined as driving at the request, or for the benefit, of the City (it does not include normal commuting to and from your place of volunteer service).

Volunteers are covered by City insurance during authorized operation of City vehicles. Volunteers may use private vehicles for their official work if a DMV driving check is completed and filed in the volunteer's personnel file. If the status of your license or insurance policy changes, please let your Volunteer Coordinator know in a timely fashion. In the event that there are changes in a volunteer's driver's license or insurance policy, the volunteer may be restricted from driving on City business.

Volunteers with the Police and Fire departments should also refer to Department specific rules and regulations regarding vehicle use related to their specific responsibilities and driving environment/ conditions. The Police Department and the Fire Department are responsible for reviewing driving rules and safety in regard to driving City vehicles.

Volunteers who drive on City business shall be subject to all provisions of City of Forest Grove driving and vehicle policies. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. City vehicles are to be driven by authorized persons only, except in the case of repair testing by a mechanic or other authorized agent of the City.

All staff and volunteers are expected to drive in a safe and responsible manner and to maintain a good driving record. Volunteers are personally responsible for all fines imposed due to convictions and/or no contest pleas. Any volunteer who has a driver's license revoked or suspended shall immediately notify their supervisor the next business day and *immediately discontinue operation of the City vehicle*. Failure to do so may result in dismissal from volunteer service with the City.

All crashes in City vehicles, regardless of severity, must be reported to the police in the jurisdiction where the crash occurs and to the volunteer's immediate supervisor. Crashes are to be reported immediately (from the scene, during the same day, or as soon as practicable if immediate or same day reporting is not possible). Crashes in personal vehicles while on City business *must* follow these same crash procedures. Crashes involving the volunteer's personal injury must be reported to Human Resources.

In the event of an accident, please take necessary steps to protect the lives of yourself and others. Comply with police instructions. Do not assume or admit fault; others will determine liability and negligence after thorough investigation. Please report the accident to the City of Forest Grove and the local police as soon as possible.

Volunteer Handbook Receipt Acknowledgment Form

As a volunteer / intern of the City of Forest Grove, I acknowledge the following things:

1. I have received a copy of the Volunteer Handbook. I understand that the Handbook contains important information about the City's policies and work rules. I also understand that the Handbook outlines my responsibilities as a volunteer / intern of the City. I also understand that I have the responsibility to read and understand the information in the Handbook, and to ask my supervisor for clarification of any information I do not understand.
2. I understand that this Handbook is not a contract or a guarantee of specific treatment in specific situations. Except for any supplemental safety policies and rules that apply to certain jobs or work areas, or otherwise stated in a written contract, I understand that this Handbook supersedes all prior Handbooks, policies and understandings on the subjects contained in it.
3. I understand that unless stated in a contract, the City has the right to change, modify, add to, substitute or eliminate, interpret and apply, in its sole judgment, the policies, rules and benefits described in this Handbook. I understand that should the content be changed in any way, the City will require an additional signed acknowledgment from me to indicate that I am aware of the changes.
4. I understand that I am donating my service to the City with no expectation of compensation. I understand that there are certain risks and exposures the City can not control. I do hereby fully and complete release the City of Forest Grove, its officials, employees, and agents from any and all claims, demands, and liability of every nature and description whatsoever and howsoever arising by reason of my being allowed to volunteer with the City. I further acknowledge that the City does not provide accident coverage for volunteers and that I am not covered by Worker's compensation (except for volunteers serving in the Police Reserve program or in the position of Firefighter).
5. I understand that I am not eligible to receive any fringe benefit for my service including, but not limited to, health, dental, and vision insurance, life insurance, paid leave, disability insurance, retirement, and medical leave. I also understand that the City Manager is the only person who will ever have the authority to enter into a contract, and that all such contracts must be in writing and signed by both parties to be valid.
6. I am aware that I may be given confidential information during the course of my employment. I agree not to disseminate or use such information outside of the workplace. In the event my assignment ends, either voluntary or involuntary, I agree not to use this information or communicate it to any other individual, organization, or entity.
7. I acknowledge that any photograph or videotape taken of me participating in the City of Forest Grove volunteer program may be used for outreach, education, or documentation purposes, without compensation, by the City of Forest Grove.

I also acknowledge that I have asked for and received clarification on any of the seven items listed on this acknowledgement form that I did not understand, before signing it.

Volunteer / Intern Signature

Date

Print Volunteer / Intern Name

Driver's License Number



USAGE AGREEMENT

Between:

Forest Grove Senior and
Community Center (FGSCC)
PO box 784
2037 Douglas St.
Forest Grove, OR 97116
Telephone -503-357-2021
Fax – 503-357-5544

And:

TENANT 1:
RIDE CONNECTION, INC.
3030 SW Moody Ave, Suite 230
Portland, OR 97201
Compliance Specialist: Caralee Lindsay
Direct: 503.528.1722 Fax: 503.493.7431
clindsay@rideconnection.org
www.rideconnection.org

A. Building Use

Subject to the terms, conditions, and limitations of this agreement, FGSCC grants to TENANTS the use of the middle NW office, including use of halls, restrooms and the kitchen.

B. Term, Renewal, and Termination

The term of this agreement begins April 15, 2010 and continues in effect through June 30, 2011. Unless any party is notified to the contrary, at the end of the term, this Agreement will automatically renew, for a term of one month and from month to month thereafter until terminated. Any party may terminate this Agreement, either on the renewal date or any other date by giving the other parties two (2) months advance notice of termination.

C. Rent

FGSCC is donating 145 square feet of office space to TENANT at an in kind value of \$150.00 per month (no money exchanged). Ride Connection reserves the option to renew the agreement under the same conditions at the end of the term of this Agreement.

D. Non Exclusive Usage

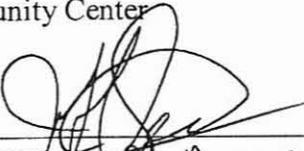
Throughout the rental period, the office may be used by TENANTS from 7:30 A.M. to 5:00 P.M. Monday through Friday. FGSCC may use it during the remaining times and at others as negotiated with a representative of TENANTS. FGSCC representatives may enter the office at any time to examine the condition thereof, display the premises, or for the purpose of any repairs. TENANTS understand and agree that the FGSCC first priority is its mission and service to its members. Those commitments will take precedence in any disagreement with the use of the facilities by TENANTS.

laws, ordinances, rules, regulations, and policies of any public or governmental authority regarding the maintenance, upkeep, operation and use of the buildings, subject to conditions listed above.

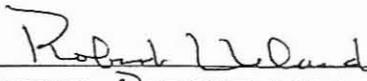
K. Limitations

The FGSCC prohibits the use of alcoholic beverages, tobacco, or possession of illegal drugs and substances, and firearms on its premises, not limited to buildings, grounds, courtyard, playground, parking lots and lawn. TENANTS' tenancy granted by this Agreement to use FGSCC buildings and grounds may be terminated immediately and without prior notice by the FGSCC if TENANTS or any person invited or permitted to enter by TENANTS uses alcoholic beverages, tobacco or possesses illegal drugs and substances, or firearms on the FGSCC premises.

Forest Grove Senior and
Community Center

By: 
Print name: Peter Duyck
Title: Pres. of BOD
Date: April 15, 2010

TENANT 1: RIDE CONNECTION, INC.

By: 
Print name: ROBERT UELAND
Title: President
Date: April 12, 2010