

CITY COUNCIL MONTHLY MEETING CALENDAR

October-15						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				FG Delegation Recap 5:45pm - Mayor's Home		
				EDC Noon	S&CC 1st Friday	Historic FG Grave Matters 3pm
4		6	7			10
	Planning Comm 7pm	CCI 5:30pm	Bike & Ped Safety Forum 7pm - Comm Aud		WC Mayors	WC Museum 5pm
			RPAG -CB 7pm	PAC 5pm (Cancelled)	JWC Noon	Public Safety Open House Fire St - 10am
11	CITY COUNCIL 5:30 PM - EXECUTIVE SESSION (Labor) 6:15 PM - WORK SESSION (Food Waste) 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	12	13	14	15	16
		Red Cross Blood Drive 1pm - 6pm - Comm Aud	Municipal Court	ICS Class 6pm - Fire St	Next Dimension Bakery Ribbon Cutting 10am Food Film 7:30pm	Virginia Garcia Health Ct Anniversary 5:30pm
		CAO 7:30am Library 6:30pm	WEA Breakfast MPAC 5pm			Library Strategic Plan
18	Chamber Luncheon FGS&CC Bd Mtg 6:30pm	19	20	21	22	23
	Planning Comm 7pm	Fire Vision Session 6pm Fernhill Wetlands 5:30pm	P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm		Council Watershed Tour 8am Sustainability 6pm	ODF 8am WC Elder Abuse Forum Hillsboro Civic Ctr 1:30pm FG Homecoming Parade 4pm
						11th Annual Mayor's Dinner & Auction 6pm - FGSCC
25	CITY COUNCIL MEETING Moved to October 30th →	26	27	28	29	30
			Municipal Court			CITY COUNCIL 8am, Council Breakfast w/Nyuzen
			PSAC 7:30am			9:00 AM - REGULAR MEETING COMMUNITY AUDITORIUM
		HLB 7:15pm	MPAC 5pm		10:30am, Tour w/Nyuzen 11:30am, Lunch w/Nyuzen 6pm, Nyuzen Welcome Reception	
				Nyuzen Delegation Arrives 5pm, Mayor's Welcome	Nyuzen Student Delegation Visit - Oct 29 - Nov 2	
November-15						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1		2	3	4	5	6
HB Thompson	Planning Comm 7pm	Red Cross Blood Drive 1pm - 6pm - Comm Aud	Municipal Court	ODOT Open House Pacific Ave & Quince Imps 5pm - Comm Aud		CFC Workshop 9am
	Nyuzen Student Delegation Departs	CCI 5:30pm Election Day		EDC Noon	S&CC 1st Friday	Verboort Event 10am
				NLC Conference - Nashville		
8	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	9	10	CITY OFFICES CLOSED	12	14
HB Lowe		PERS Mtg 9:30am Library 6:30pm	MPAC TBA		PAC 5pm	WC Mayors FGSCC Flea Mkt 9am
15	Chamber Luncheon FGS&CC Bd Mtg 6:30pm	16	17	18	19	20
	Planning Comm 7pm	Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm		Food Film 7:30pm	
22	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	23	24	25	CITY OFFICES CLOSED	CITY OFFICES CLOSED
		HLB 7:15pm	PSAC 7:30am MPAC 5pm	WEA Breakfast Sustainability 6pm TBA		
29		30				
December-15						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		CCI 5:30pm	Municipal Court		LOC Board Mtg Salem S&CC 1st Friday	Holidays In Grove Light Parade 5pm
6		7	8	9	10	11
	Planning Comm 7pm	Red Cross Blood Drive 1pm - 6pm - Comm Aud Library 6:30pm	MPAC 5pm		PAC 5pm	FGSCC Flea Mkt 9am
13	CITY COUNCIL 7:00 PM - REGULAR MEETING COMMUNITY AUDITORIUM	14	15	16	17	18
		Fernhill Wetlands 5:30pm	Municipal Court P&R 7am CFC 5:15pm CAO 5pm CWAC 5:30pm		Food Film 7:30pm	WC Mayors
20	Chamber Luncheon FGS&CC Bd Mtg 6:30pm	21	22	23	24	CITY OFFICES CLOSED
	Planning Comm 7pm	HLB 7:15pm	PSAC 7:30am MPAC 5pm	WEA Breakfast Sustainability 6pm TBA		
27	NO CITY COUNCIL MEETING	28	29	30	31	
					New Year's Eve	

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FOREST GROVE CITY COUNCIL

Friday, October 30, 2015

Special Meeting Agenda

9:00 AM – Regular Meeting

**Community Auditorium
1915 Main Street
Forest Grove, OR 97116**

Forest Grove City Council Meetings are televised live by Tualatin Valley Community Television (TVCTV) Government Access Programming, Ch 30. To obtain the programming schedule, please contact TVCTV at 503.629.8534 or visit <http://www.tvctv.org/government-programming/government-meetings/forest-grove>.

PETER B. TRUAX, MAYOR

Thomas L. Johnston, Council President
Richard G. Kidd III
Victoria J. Lowe

Ronald C. Thompson
Elena Uhing
Malynda H. Wenzl

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.

8:00 AM – 8:30 AM **CITY COUNCIL BREAKFAST:**
 City Council, City Manager and invited Department Directors will be joining Nyuzen Town Officials for a continental breakfast at 8:00 a.m., in the Community Auditorium foyer, prior to the start of the Council meeting.

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|---|-----------------------|-------|--|
| | <u>9:00 AM</u> | | <ol style="list-style-type: none"> 1. <u>REGULAR MEETING:</u> Roll Call and Pledge of Allegiance |
| Mayor Peter Truax | | 1. A. | <u>WELCOME HONORARY GUESTS:</u> <ul style="list-style-type: none"> • <i>Mayor Haruhito Sasajima, Town of Nyuzen</i> • <i>Mr. Shinya Ida, Town of Nyuzen</i> |
| Mayor Peter Truax | | 1. B. | <u>PROCLAMATION:</u> <ul style="list-style-type: none"> • <i>In Memory of Clifford C. Clark, Forest Grove's 41st Mayor</i> |
| | | 2. | <u>CITIZEN COMMUNICATIONS:</u> Anyone wishing to speak to Council on an item <u>not on the agenda</u> may be heard at this time. <i>Please sign-in before the meeting on the Citizen Communications form posted in the foyer.</i> In the interest of time, please limit comments to two minutes. Thank you. |
| | | 3. | <u>CONSENT AGENDA:</u> See Page 4 |
| | | 4. | <u>ADDITIONS/DELETIONS:</u> |
| | | 5. | <u>PRESENTATIONS:</u> |
| Paul Downey, Administrative Services Director
Linda Christensen, Administrative Services Manager
George Cress, Light and Power Director
Jesse VanderZanden, City Manager | 9:10 | 5. A. | <ul style="list-style-type: none"> • <u><i>Report on City of Forest Grove Utility Billing Procedures to Assist Customers in Avoiding Termination of Utility Services for Non-Payment as required by House Bill 2599:</i></u> |
| Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 9:17 | 5. B. | <ul style="list-style-type: none"> • <u><i>Employee Recognition:</i></u>
<i>Linda Christensen, Administrative Services Manager, 30 Years of Service</i> |
| Mindy Laird-Garcia, Utility Worker II
Rob Foster, Public Works Director
Jesse VanderZanden, City Manager | 9:20 | 5. C. | <ul style="list-style-type: none"> • <u><i>2015 Watershed Timber Harvest Update:</i></u>
<i>Scott Ferguson, Watershed Management Consultant</i> |
| | 9:30 | 5. D. | <ul style="list-style-type: none"> • <u><i>Metro Quarterly Exchange Update:</i></u>
<i>Kathryn Harrington, Metro Councilor District 4</i> |

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|--|-------|---|
| Brenda Camilli, Human Resources Manager
Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 9:45 | 6. <u>RESOLUTION NO. 2015-75 AUTHORIZING THE CITY OF FOREST GROVE TO COMMENCE NEGOTIATIONS TO PARTICIPATE IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTER</u> |
| Brenda Camilli, Human Resources Manager
Paul Downey, Administrative Services Director
Jesse VanderZanden, City Manager | 9:55 | 7. <u>RESOLUTION NO. 2015-76 AUTHORIZING EXECUTION OF A LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE AND FOREST GROVE POLICE ASSOCIATION (FGPA), EFFECTIVE JULY 1, 2015, AND EXPIRING JUNE 30, 2018</u> |
| | 10:00 | 8. <u>CITY COUNCIL COMMUNICATIONS:</u> |
| Jesse VanderZanden, City Manager | 10:10 | 9. <u>CITY MANAGER'S REPORT:</u> |
| Peter Truax, Mayor | 10:15 | 10. <u>MAYOR'S REPORT:</u> |
| | 10:20 | 11. <u>ADJOURNMENT:</u> |

After City Council meeting adjourns, Council will be off-site conducting the following:

- | | |
|----------|---|
| 10:30 am | <u>COUNCIL AND CITY MANAGER'S TOUR OF FOREST GROVE WITH NYUZEN DELEGATION OFFICIALS</u> |
| 11:30 am | <u>COUNCIL AND CITY MANAGER'S LUNCHEON WITH NYUZEN DELEGATION OFFICIALS:</u> (11:30 am - 12:30 pm, Stecchino Bistro) |
| 6:00 pm | <u>NYUZEN STUDENT DELEGATION WELCOME DINNER & RECEPTION:</u> (6pm, Community Auditorium) |

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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 (Marijuana Requirements Part II) Meeting Minutes of September 14, 2015.
 - B. Approve City Council Work Session (Police Station Next Steps) Meeting Minutes of September 28, 2015.
 - C. Approve Council Executive Session (Labor Negotiations) Meeting Minutes of October 12, 2015.
 - D. Approve City Council Work Session (Food Waste Composting) Meeting Minutes of October 12, 2015.
 - E. Approve City Council Regular Meeting Minutes of October 12, 2015.
 - F. Accept Economic Development Commission Meeting Minutes of June 4, July 9, and September 10, 2015.
 - G. Accept Library Commission Meeting Minutes of September 15, 2015.
 - H. Accept Public Safety Advisory Commission Meeting Minutes of July 15 and August 26, 2015.
 - I. Accept Public Arts Commission Resignation (Yasmine Weil-Pourfard, Student Advisory, Term Expiring December 31, 2015).
 - J. Community Development Department Monthly Building Activity Informational Report for September 2015.
 - K. Library Department Quarterly Statistics Report for July, August and September 2015.
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PROCLAMATION

IN MEMORY OF CLIFFORD C. CLARK

WHEREAS, Clifford Clark, an exemplary citizen and a life-long resident, served the City of Forest Grove, taking pride and interest in its civic functions serving as the City's 41st Mayor from 1986 to 1993; and

WHEREAS, Mayor Clark's exceptional personal commitment to the residents and community of Forest Grove was further exhibited by his professionalism and keen interest in the betterment and future of Forest Grove; and

WHEREAS, Mayor Clark's formidable leadership talents, entrepreneurial instincts and passion for civic duty, helped guide and shape Forest Grove as it is today; and

WHEREAS, Among the list of Mayor Clark's many accomplishments during his tenure, Mayor Clark was instrumental in establishing the Sister City Affiliation between Forest Grove and Town of Nyuzen, Toyama, Japan, signing the Sister City Covenant on May 12, 1989, with a firm belief that such relationship would enhance goodwill and deepen mutual respect for the people of Forest Grove and Nyuzen; and

WHEREAS, until his passing on August 30, 2015, Mayor Clark was a model of citizenship and service to this community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST GROVE hereby makes this special proclamation in memory of **Clifford C. Clark** for his superior commitment and dedication to the City of Forest Grove. This proclamation shall be made a permanent record of the City of Forest Grove in honor of the memory of Mayor Clifford Clark.

Richard G. Kidd III, Councilor

Victoria J. Lowe, Councilor

Ronald C. Thompson, Councilor

Elena Uhing, Councilor

Malynda H. Wenzl, Councilor

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Seal of the City of Forest Grove, Oregon, be affixed this 30th day of October, 2015.

Peter B. Truax, Mayor

Thomas L. Johnston, Council President



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**FOREST GROVE CITY COUNCIL WORK SESSION
(MARIJUANA REQUIREMENTS PART II)
SEPTEMBER 14, 2015 – 6:00 PM
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:10 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Chris Crean, City Attorney; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; J. F. Schutz, Police Chief; Kevin Ellingsburg, Police Captain; and Anna Ruggles, City Recorder.

2. WORK SESSION: MARIJUANA REQUIREMENTS PART II

Holan, Police Chief Schutz, Captain Ellingsburg, City Attorney Crean and VanderZanden facilitated the work session, noting the purpose of the work session was to discuss and provide guidance on the appropriate course of actions for Forest Grove and whether or not to consider bans that could be enacted relating to recreational marijuana activities and/or banning early sales of recreational marijuana by medical marijuana dispensaries. Holan clarified this evening's presentation relates to commercial marijuana activities, noting activities for personal use is a law enforcement matter and the Police Department would be working with City Attorney if any code changes were necessary. Holan provided background information on various State Legislative actions as outlined below and in the staff report, noting based on legislation and current Forest Grove requirements, there are two general areas of discussion: 1) where recreational marijuana facilities should be located (if at all) and what type of requirements should be applied; and 2) whether Forest Grove should ban or allow early sales of recreational marijuana by medical marijuana dispensaries. Holan advised the City would need to refer local measures to the voters prohibiting recreational marijuana activities, noting if the measure is approved, the City would be ineligible to receive state tax revenues and would be unable to impose a local tax or fee. Holan further advised the City could also adopt an ordinance declaring a ban on the early sale of recreational marijuana by medical marijuana dispensaries, if enacted by October 1, 2015, which is the start date for legal sales of recreational marijuana by medical marijuana dispensaries, with an effective date through December 31, 2016. In addition, Holan reported in November 2014, General Election, Oregon voters approved Measure 91 (Forest Grove abstract of votes: 4033 in support (53 percent) and 3508 opposed (47 percent)), legalizing the growing, distribution, possession and use of marijuana in certain amounts for non-medical personal use. In 2015, the State Legislature made comprehensive reforms to Measure 91 and addressed

**FOREST GROVE CITY COUNCIL WORK SESSION
(MARIJUANA REQUIREMENTS PART II)
SEPTEMBER 14, 2015 – 6:00 PM
COMMUNITY AUDITORIUM
PAGE 2**

issues of local control; specifically, the Legislature adopted the following bills:

- HB3400 (OR Laws 2015, Ch614), the omnibus bill that amends the Oregon Medical Marijuana Act (OMMA) and the Control and Regulation of Marijuana Act (also known as Measure 91);
- HB2041 (OR Laws 2015, Ch699), which revises the State tax structure for recreational marijuana;
- SB460 (OR Laws 2015, Ch784), which authorizes early sales of recreational marijuana by medical marijuana dispensaries; and
- SB844 (awaiting the Governor's signature), which creates a marijuana task force, provides for expungement of certain offenses, adds a new qualifying debilitating medical condition, and allows certain hospice and residential facilities to be designated as an additional caregiver.

In addition, Holan referenced Attachment 1, titled 2015 Marijuana Legislation: What Local Governments Need to Know; Attachment 2, titled League of Oregon Cities: Local Government Regulation of Marijuana in Oregon; Attachment 3, titled House Bill (HB) 3400; Attachment 4, titled HB, 2041; Attachment 5, titled Senate Bill (SB) 460; Attachment 6, titled Marijuana Zoning Analysis; and Attachment 7, a map showing Community Commercial and Town Center Corridor, School Buffer (1,000') and Vacant Retail Land and Buildings. In conclusion of the above-noted work session presentation, Holan advised if Council determines to ban early sales of recreational marijuana by medical marijuana dispensaries, an emergency ordinance needs be enacted at the Council meeting of September 28, 2015.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to whether or not Forest Grove should consider bans that could be enacted relating to recreational marijuana activities and/or banning early sales of recreational marijuana by medical marijuana dispensaries. Holan, Schutz, Crean and VanderZanden responded to various concerns, inquiries and scenarios Council presented pertaining to placement and requirements of where commercial sales and grow operations could be located; various bans that could be enacted relating to marijuana sales and imposing local tax sales; and legal sales of recreational marijuana where medical marijuana can be obtained, noting two businesses have shown interest in setting up medical marijuana dispensaries in Forest Grove and of those two, at least one would like to pursue recreational sales for the "tax holiday" period after October 1, 2015. Holan

**FOREST GROVE CITY COUNCIL WORK SESSION
(MARIJUANA REQUIREMENTS PART II)
SEPTEMBER 14, 2015 – 6:00 PM
COMMUNITY AUDITORIUM
PAGE 3**

explained for medical marijuana dispensaries that also sell recreational marijuana, sales on non-medical marijuana would not be taxed prior to 2016. In conclusion of the above-noted Council discussion, Council collectively concurred to not ban any marijuana-related activities or early sales of recreational marijuana by medical marijuana dispensaries. In addition, Council expressed concerns of where recreational marijuana facilities should be placed and the need to avoid residential areas.

Council took no formal action nor made any formal decisions during the work session.

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:55 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL WORK SESSION
(POLICE STATION NEXT STEPS)
SEPTEMBER 28, 2015 – 6:15 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:29 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Victoria Lowe; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; J. F. Schutz, Police Chief; Jon Holan, Community Development Director (in the audience); and Anna Ruggles, City Recorder.

2. WORK SESSION: POLICE STATION NEXT STEPS

Downey, Police Chief Schutz and VanderZanden facilitated the work session, noting the purpose of the work session discuss next steps on the Police Facility Needs Assessment Report and Findings, prepared by Mackenzie, which looked at the needs of the Police Department over the next 30 years. Downey reported staff held a work session with Council on August 10, 2015, to discuss and review the Needs Assessment Report and Findings, noting Council requested an additional work session to discuss the next steps with the following options presented:

- New facility remodel and expand current building (Estimated costs \$10,781,000, not including relocation during construction).
- Demolish current building and rebuild on existing site (Estimated costs \$10,226,000, not including relocation during construction).
- Build new facility at different location (Estimated costs \$12,717,000, including \$700,000 for land).

In addition, Downey presented a PowerPoint presentation outlining the existing facility needs assessment findings and posed key questions to Council to help determine if a new police facility should be built; if a new facility is built, should it be built on current site or different location (different location needs to be determined); if a new facility is built, the City will need to ask voters for funding, most likely through a general obligation bond (if so, which bond election); if a different site is used, what happens to the current facility; and determine when to include public and Public Safety Advisory Commission in the process. Chief Schutz reported in 2022 all police stations in Oregon must to meet state seismic code standards, noting the current facility was built in 1977 and does not meet

**FOREST GROVE CITY COUNCIL WORK SESSION
(POLICE STATION NEXT STEPS)
SEPTEMBER 28, 2015 – 6:15 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

current standards for public facilities. In conclusion of the above-noted work session presentation, Downey advised if a new site is a realistic alternative, staff is asking Council to authorize staff to begin the formal search for alternatives to bring back to Council, i.e., Request for Proposal for architecture and engineering services for preliminary design through final construction.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to staff pursuing the possibility of building a new police station on a different site than its current location and the advantages and disadvantages of renovating the current building or replacing it with a new structure on the same site, as well as finding an available location that meets the size requirements, to which Council collectively concurred that acquisition of property by condemnation was not an option on the table. In addition, Lowe posed the question for consideration in event that citizens inquire about turning over police operations to the Washington County Sheriff's Office. Mayor Truax stressed the City would still need officers, and he is not interested in contracting police services, noting Forest Grove needs its own independent police department, to which Council collectively concurred. In addition, Downey, Chief Schutz and VanderZanden addressed various Council concerns, inquiries, and scenarios posed by Council pertaining to new development, renovations costs, advantages and disadvantages of the current site versus a new site; seeking a general obligation bond; and public safety levy renewal, noting the current public safety levy expires in June 2018, meaning the City would likely ask voters to renew in November 2017, election, making it bad time to ask voters for a new police station bond. Downey reported the next May election coincides with the final payment of the general obligation bond for library and parks, noting this bond is costing taxpayers approximately \$69 annually for an assessed value of \$200,000, and building a new police facility would be approximately \$15.5 million, costing taxpayers \$160 annually for an assessed value of \$200,000. Downey advised the City would not be ready with a new bond measure by May 2016, election; as a result, leaving November 2016, the earliest date to put a new bond on the ballot. In conclusion of the above-noted Council discussion, Council collectively expressed interest and asked staff to proceed with pursuing the next steps of building a new police station on a different site as outlined in the presentation and including the Public Safety Advisory Commission in educating the public about the project and its importance. In addition, Council collectively concurred to start the Request for Proposal process of selecting architecture and engineering services for preliminary design through final construction. Downey noted this would allow staff to bring back to Council at a

**FOREST GROVE CITY COUNCIL WORK SESSION
(POLICE STATION NEXT STEPS)
SEPTEMBER 28, 2015 – 6:15 P.M.
COMMUNITY AUDITORIUM
PAGE 3**

later date the preliminary planning and design costs to be incurred prior to determining the bond election.

Council took no formal action nor made any formal decisions during the work session.

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:54 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL EXECUTIVE SESSION
ORS 192.660(2)(D) LABOR
OCTOBER 12, 2015 – 5:30 P.M.
COMMUNITY AUDITORIUM – CONFERENCE ROOM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Executive Session to order at 5:30 p.m. **ROLL CALL: COUNCIL PRESENT:** Thomas Johnston, Council President; Richard Kidd; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Victoria Lowe, excused. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Brenda Camilli, Human Resources Manager; and Anna Ruggles, City Recorder.

2. EXECUTIVE SESSION:

The City Council met in Executive Session in accordance with:

ORS 192.660(2)(D) to conduct deliberations with person designated by the governing body to carry on labor negotiations.

3. ADJOURNMENT

Mayor Truax adjourned the Executive Session at 6:23 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

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**FOREST GROVE CITY COUNCIL WORK SESSION
(FOOD WASTE COMPOSTING)
OCTOBER 12, 2015 – 6:15 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

Minutes are unofficial until approved by Council.

1. ROLL CALL:

Mayor Peter Truax called the Work Session to order at 6:29 p.m. **ROLL CALL:**
COUNCIL PRESENT: Thomas Johnston, Council President; Richard Kidd; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax.
COUNCIL ABSENT: Victoria Lowe, excused. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; J. F. Schutz, Police Chief (in the audience); and Anna Ruggles, City Recorder.

2. WORK SESSION: FOOD WASTE COMPOSTING

Holan, Downey and VanderZanden facilitated the work session, noting the purpose of the work session was to discuss whether the City should implement a food waste composting program with a potential start date of March 1, 2016, as identified by the Sustainability Commission (similar to Portland’s curbside composting program). Holan introduced consultants from Waste Management and Nature’s Needs Composting, North Plains, and presented a PowerPoint presentation outlining the curbside composting program proposal, which would allow single-family residences to put food waste into the same curbside bin as yard debris. Holan reported Waste Management would pick up the combined waste bins as part of its normal operation and transport to a facility certified to accept such waste, noting the proposed cost-of-service would be \$1.68 per month. Holan noted Waste Management currently brings yard debris to a facility in Cornelius, with a curbside composting program, Waste Management would bring the combined yard and food waste to Nature’s Needs Composting facility in North Plains. In addition, Holan summarized key elements in the White Paper on Food Waste Composting and explained the curbside composting program proposal includes: 1) any needed adjustment in residential rates; 2) addressing any detailed operational issues; and 3) develop an educational program for residents in conjunction with other participants. In conclusion of the above-noted staff report, Holan advised staff is seeking Council direction whether the City should proceed with a food waste composting program, noting Waste Management is on board should the Council express the same interest.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued pertaining to whether the City should proceed with implementing a food waste composting

**FOREST GROVE CITY COUNCIL WORK SESSION
(FOOD WASTE COMPOSTING)
OCTOBER 12, 2015 – 6:15 P.M.
COMMUNITY AUDITORIUM
PAGE 2**

program. In addition, Holan, Downey and consultants addressed various Council concerns, inquiries, and scenarios posed by Council pertaining to how the program could have an impact to service costs, combining yard and residential food waste in one single bin, and need for public awareness, noting other agencies who have implemented similar programs emphasize the need of having a substantial education effort. Holan indicated staff recommends beginning public awareness about six months prior to a beginning date of service, noting staff estimates costs of approximately \$1,000 to \$5,000 for startup material preparation, printing and other miscellaneous costs if there is interest in pursuing this program. In conclusion of the above-noted Council discussion, Council collectively expressed interest and asked staff to proceed with pursuing the next steps identified in the presentation to implement a curbside composting program proposal for Council's consideration at a later date.

Council took no formal action nor made any formal decisions during the work session.

3. ADJOURNMENT

Mayor Truax adjourned the work session at 6:56 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

**FOREST GROVE CITY COUNCIL REGULAR MEETING
OCTOBER 12, 2015 – 7:00 P.M.
COMMUNITY AUDITORIUM
PAGE 1**

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 Johnston, Council President; Richard Kidd; Ronald Thompson; Elena Uhing; Malynda Wenzl; and Mayor Peter Truax.

COUNCIL ABSENT: Victoria Lowe, excused. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Administrative Services Director; Jon Holan, Community Development Director; Rob Foster, Public Works Director (in the audience); J. F. Schutz, Police Chief (in the audience); and Anna Ruggles, City Recorder.

1. A. AWARD PRESENTATIONS:

Bruce Roll, Clean Water Services Watershed Director, presented the City with a Tree For All Award and showed a video presentation, noting the award is for Forest Grove's participation in the planting of native trees and shrubs in the Tualatin River and its tributaries.

Mayor Truax commended Briana Larios, Forest Grove, who was present in the audience, for receiving a 2015 Governor's Youth Volunteer Award, noting Council will be appointing Larios under Consent Agenda Item 3. D. to serve as a Student Advisor on the Committee for Citizen Involvement.

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 (B&C Interview) Meeting Minutes of September 28, 2015.

B. Approve City Council Executive Session (Real Property) Meeting Minutes of September 28, 2015.

C. Approve City Council Regular Meeting Minutes of September 28, 2015.

D. **RESOLUTION NO. 2015-73 MAKING APPOINTMENT TO**

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**COMMITTEE FOR CITIZEN INVOLVEMENT (APPOINTING
BRIANA LARIOS, STUDENT ADVISORY, TERM
EXPIRING JANUARY 31, 2016).**

- E. **RESOLUTION NO. 2015-74 MAKING APPOINTMENT TO
HISTORIC LANDMARKS BOARD MEETING (APPOINTING
MJ GUIDETTI-CLAPSHAW, TERM EXPIRING DECEMBER
31, 2018).**

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

4. **ADDITIONS/DELETIONS:** None.
5. **PRESENTATIONS:** None.
6. **HEARING FOR THE PURPOSE OF DETERMINING CITY COUNCIL'S
RECOMMENDATION OF A NEW LIQUOR LICENSE APPLICATION
(BREWERY – PUBLIC HOUSE) FOR KAISER BREWING COMPANY,
LLC, 1607 HAWTHORNE STREET (APPLICANT: JONATHAN KAISER)**

Staff Report:

Ruggles presented the above-noted staff report for Council consideration, noting at the September 28, 2015, Council Meeting, Council asked staff to conduct further investigation to determine if zoning was within the defined reasons for the City to submit an unfavorable recommendation to the Oregon Liquor Control Commission (OLCC). Ruggles referenced Attachment 1, a memo from OLCC's investigator who has advised the City that zoning issues do not fall within the statutorily defined reasons that the OLCC can deny a license. Ruggles reported the applicant indicates the reason he has applied for a Brewery – Public House license is that this type of license allows taking his license off-premise, i.e., special events. In addition, Ruggles referenced Attachment 2, Reasons OLCC can Deny or Restrict a License; Attachment 3, Time, Place and Manner pertaining to ORS 471.164; Attachment 4, License Types; and Attachment 5, Development Code pertaining to Home Occupations. In conclusion of the above-noted staff report, Ruggles advised holding the hearing to allow the applicant an opportunity to address Council, noting after the hearing, Council shall make a recommendation to grant, deny or restrict the liquor license application pursuant to ORS 471.133, Oregon Liquor Laws, or request an additional 45 days to conduct further

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investigation if considering an unfavorable recommendation.

Public Hearing Opened:

Mayor Truax opened the Public Hearing and explained hearing procedures.

Proponents:

Jonathan Kaiser, Kaiser Brewing Company, 1607 Hawthorne St, applicant, testified and gave an overview of his home brewing occupation business plan. In response to various Council concerns and inquiries, Kaiser replied he would request that the OLCC change the hours of operation to 4pm-9pm, instead of 11pm, and reported his business will be by appointment only; he will be pouring one-ounce tastings; he will not allow consumption on-premises; and he will adhere to the City Code regulations regarding noise, parking and traffic.

No one else testified and no written comments were received.

Opponents:

No one testified and no written comments were received.

Others:

No one testified and no written comments were received.

Council Discussion:

Thompson indicated if the above-noted business grows rapidly, there is going to be ongoing complaints and problems and product sold on the premises would create noise, traffic and parking issues. In response to Thompson's concerns, Kaiser replied he anticipates a low volume of vehicles a week (about four), noting he has sufficient parking in his driveway for six vehicles. In addition, Thompson stressed the Public Notice posted by the OLCC for the above-noted liquor license was posted on the garage (where the brewery will be located) and was not visible from the street. Thompson further stressed the need for stronger City Code regulations in general for home occupation businesses located in residential zones, especially if the business is generating high volumes of traffic, due to sales and shipments, excessive noise, as well as overflow street parking.

In response to Wenzl's concern pertaining to the type of liquor license, Kaiser explained a Brewery – Public House license is the only license that

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allows taking his license off-premise with a special event permit, noting he plans to grow his business out of his garage and eventually move his business into brick and mortar.

Uhing advised she would take Council's concerns pertaining to City Code regulations for home occupation businesses to the Economic Development Commission for further discussion. Uhing thanked Kaiser for cutting back on his business hours and limiting tastings to one ounce.

Council President Johnston indicated he cannot find valid grounds to deny the above-noted liquor license, noting noise, zoning, parking and traffic are local regulations and do not fall within OLCC's statutorily defined reasons for denying or restricting a license.

Mayor Truax pointed out examples of other home occupations, i.e., New Dimension's Bakery, noting the business started as a home business and growth required the business to transition into a commercial area.

Hearing no further discussion from the Council, Mayor Truax asked for a motion and vote as noted below.

MOTION: Councilor Uhing moved, seconded by Councilor Kidd, to Approve Endorsement of the New Liquor License Application (Brewery – Public House) for Kaiser Brewing Company, LLC, 1607 Hawthorne Street (Applicant: Jonathan Kaiser).

VOICE VOTE: AYES: Councilors Johnston, Kidd, Uhing, Wenzl, and Mayor Truax. NOES: Councilor Thompson. ABSENT: Councilor Lowe. MOTION CARRIED 5-1.

7. COUNCIL COMMUNICATIONS:

Council President Johnston reported attending the Forest Grove Rural Fire Protection District meeting. In addition, Johnston reported on other matters of interest, upcoming community-related events, and upcoming meetings he was planning to attend.

Kidd reported Public Arts Commission cancelled its October meeting. In addition, Kidd reported on other matters of interest, upcoming community-related events, and upcoming meetings he was planning to attend.

Lowe was absent.

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Thompson reported attending the Public Safety Open House, noting attendance was excellent. Thompson reported attending Committee for Citizen Involvement/Sustainability Commission's Bike and Pedestrian Plan Public Forum, noting approximately 20 people attended. In addition, Thompson reported on other matters of interest and upcoming meetings he was planning to attend.

Uhing reported on matters of interest and upcoming meetings she was planning to attend.

Wenzl reported attending Committee for Citizen Involvement/Sustainability Commission's Bike and Pedestrian Plan Public Forum, noting approximately 20 people provided feedback on the City's bicycle plan. In addition, Wenzl reported on other matters of interest, upcoming community-related events, and upcoming meetings she was planning to attend.

8. CITY MANAGER'S REPORT:

VanderZanden reported on upcoming events as noted in the Council calendar and reported on other various upcoming local meetings and community-wide events as noted in the City Manager Report.

VanderZanden noted the October 26th Council meeting has been moved to Friday, October 30, 2015, at 9:00 a.m., Community Auditorium, noting Nyuzen's Mayor and Town Official will be attending. VanderZanden reported the Light and Power loan for \$3.8 million has been received, noting the loan is a fifteen-year loan with a 2.50 percent fixed interest rate; Times Litho demolition has commenced; and Timmons Group was selected to work on the City's GIS implementation. VanderZanden gave an update on the Oregon Department of Transportation's plans for a roundabout at Purdin and Verboort Roads to help address safety concerns at the intersection. VanderZanden commended Police Department detectives for doing an outstanding job on two arsons in town, which resulted in multiple indictments. In addition, VanderZanden referenced the City Manager's Report, which was emailed to Council in advance and outlined various attended meetings and updates on various City department-related activities, projects, and upcoming city-wide events.

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9. MAYOR'S REPORT:

Mayor Truax announced dates of various upcoming activities, events and meetings as noted in the Council Calendar. Mayor Truax reported he plans to attend the National League of Congressional Cities Conference in Nashville, November 4-7, 2015, as the League of Oregon Cities President. In addition, Mayor Truax reported on other various local, regional, Metro, and Washington County meetings he attended, upcoming community-related events, and upcoming meetings he was planning to attend.

10. ADJOURNMENT:

Mayor Truax adjourned the regular meeting at 8:05 p.m.

Respectfully submitted,

Anna D. Ruggles, CMC, City Recorder

APPROVED

Meeting Minutes

ATTENDEES: Tim Budelman, Hope Kramer, Kelly Marks, Justin Norman, John Hayes, James Draznin, Howard Sullivan, Guy Storms, Don Jones, George Cress

CITY STAFF: Jeffrey King, Cassi Bergstrom

ALSO ATTENDING: Dick Stenson, Peter Truax-Mayor, Jon Michael Kowertz, SBDC

1. **CALL TO ORDER:**

The meeting was called to order at 12:24 p.m. by EDC Chair Tim Budelman.

2. **CITIZEN COMMUNICATION:**

None.

3. **APPROVAL OF MAY 7, 2015 SUMMARY MINUTES:**

Justin Norman moved to accept the meeting minutes as presented. Howard Sullivan seconded the motion. The minutes passed unanimously.

4. **ADDITIONS/DELETIONS & STAFF SUMMARY:**

Jeff gave the following update on Staff Summary:

We are starting to see some new business activity in downtown Forest Grove. A potential of 3 restaurants are coming in. Two locations being on Main Street and one on 21st.

A small grocery store selling local products such as meats, wine, cheese, eggs, produce has bought property to renovate and is something to look forward to.

They are continuing talks with a food processor looking at a 60,000 square foot industrial site located on Elm Street. Potentially could be 12 acres because they will want to double their growth.

Washington County's Industrial site assessment project is looking at 15 sites for review, 5 being within the City of Forest Grove. The economic opportunities and infrastructure cost is being looked at. All 15 sites are found to be significantly under water. To make them development ready would take assistance from grants, state programs, infrastructure programs, etc. Final report will be eye opening, and will go into depth in July. Mr. Michael asked the question as to why the cost is so high. Mr. King explained that the highest cost was the transportation access costs. Mr. Draznin asked how we

can catch up these Tier 2 and 3 lots to a Tier 1 lot. Mr. King stated it would take a higher level discussion regionally/statewide to negotiate the cost. An ongoing grant from Metro is looking at these sites to get these to the next stage. Mr. Dranznin asked what the average salary of a food processor employee. Mr. King stated that he would have to look at the data. It is not minimum wage, but lower than a manufacturing salary.

5. BUSINESS:

A. McMENAMIN'S -HOST UPDATE:

None.

B. FOREST GROVE CHAMBER OF COMMERCE UPDATE:

Howard Sullivan updated the board on the following:

A new Visitor's Guide was handed out to everyone on the EDC board. Everyone is very happy with what it is. Forest Grove was the only community in Washington County without a Visitor's Guide. There are things in Forest Grove that no other community has, and the Visitor's Guide provides the public with that information. Only 6 weeks was spent on the creating the guide, and next year they would like to start earlier. Businesses are commenting that they would like to be in the guide next year.

Friday, June 5th at 5pm will be the ribbon cutting for Bull Run Cider. The mayor will be present.

Wednesday market went really well.

C. EDC STRATEGIC PLAN & SUBCOMMITTEES UPDATE FINALIZATION:

Mr. King wanted to finalize the four pieces:

1. Mission Plan;
2. Strategic Plan;
3. Work Plan-Appendices; and
4. Subcommittees, specifically the Ambassadors Committee.

Ms. Kelly read the email regarding the language around Ambassadors. Mr. King made the Ambassadors its own unique subcommittee since it will be for all the EDC members. Ms. Kramer gave opinion that the plan looks really good, very succinct and organized. Mr. Michael asked if Jeff will need support at the City Council meeting when he presents this. Mr. King appreciates the gesture and would like 3 EDC members to be present. Ms. Marks made comment that just a few formatting things to adjust on the document.

Ms. Kramer moved the motion to approve the Strategic Plan, Subcommittee and Appendices as presented and discussed. Ms. Marks seconded the motion. The motion passed unanimously.

D. 2015-16 CITY PROPOSED ECONOMIC DEVELOPMENT BUDGET:

Mr. King gave the update on the proposed budget:

It is essentially the same budget as the previous year, with the main pieces being public information (marketing). This includes food processing, Team Oregon shows, broker promotions, tourism with Travel Oregon, and professional services working with small businesses. There is a hope to see economic growth through an economic gardening program. The program has access to powerful data and research engines so it can pinpoint the opportunities within the particular market. Ms. Kramer asked if we get services in specific cases or if we are a member. Mr. King explained that the gardening programs work with specific businesses to do their market research. Mr. Stenson asked the question if the entire budget will be spent this year, and if there are projects that additional money was needed for. Mr. King answered that the entire budget will be utilized, and projects regarding commercial opportunities would be nice to have additional budget money for. At this point, it is too late to add to the ED budget. A suggestion was made by Ms. Kramer that specific projects need to be thought of for next year's budget. The sooner the better.

Mr. Stenson asked if there is more that can be done via urban renewal to prepare and finance the vacant properties. Mayor Truax answered that the urban renewal is a different operation, and the district needs built up and the limited funding won't go very far. When the new city manager comes in, it will take a bit to figure out your job, my job and then will begin to progress. Mr. King explained it will be a broad discussion across different agencies to get industrial sites up to par.

Mr. King then gave an update regarding the Business Incentive Program. The council report will be on June 8 and have found that the actual cost to the city is very little. Most of the businesses utilizing the program have been very small businesses that need it the most. It has made great strides in filling up industrial space as well.

Mr. Hayes stated that this program should remain in place until every store front is filled. Ms. Kramer suggested making this a 2 year program instead of going to council every year. Mayor Truax stated that there is no reason to send it back for council approval on an annual basis. It gives the council a sense of direction and should be approved until 2020. **Mr. Hayes moves the motion to present the Business Incentive Program to the council as a 5 year plan with annual reports. Mr. Draznin seconded the motion. The motion passed unanimously.**

Mr. Michael stated presenting this as a 5 year program shows commitment to the small businesses in Forest Grove.

E. TOURISM:

Ms. Kramer gave the update on Tourism, stating that a CEP grant application was put in for a tourism promotion piece that would be a two sided map tear off sheet, similar to what Washington County has. This will mostly be geared towards wine/cider/craft foods and other major attractions. The application is to get the funds

for designing and developing the map, printing, and distributing. It will be presented June 11 to the committee. Mr. King explained the front has the visual; the back has the contact information. Ms. Kramer went on to say that the hope is to keep adding to the information they have, and all of this will one day become an app on a smart phone. Ms. Kramer made the suggestion that the EDC has a goal to write a grant per year, and starts earlier in the year to process. Mayor Truax explained that it was later this year because processes needed to be changed. Ms. Marks suggested we have an annual calendar created to line up the meeting schedule and not forget about these deadlines.

Ms. Kramer reminded the board about having a training regarding the links on the website and where to find information. It also presents an opportunity to train the ambassadors of the board on where potential businesses can access the information.

6. COUNCIL COMMUNICATIONS:

Ms. Uhing was not present so Mayor Truax gave the following update:

The budget committee is in final talks regarding the 2015-16 budget. A budget of \$95 million was adopted. Property tax rate went to 3.9554 per thousand for a permanent rate, and \$1.60 per thousand for the local option levy that has two more years to run. An action and public hearing will take place on June 22.

Jesse Vanderzanden will be our new city manager, pending his background check. He comes from Fairbanks, Alaska where he was a manager of an airport, but is an Oregon native graduating from Glencoe High School and Oregon State.

Senator Merkley sent an email update indicating that as part of the Energy and Water Appropriations update, there is funding for capacity and infrastructure updated for Scoggins dam to make it bigger and earthquake proof as much as they possibly can. This is new territory, and just a start. If the federal government doesn't pay 85-90% of the project then Forest Grove's share of the project becomes unattainable.

Transportation issues have been addressed to the Oregon Legislature to please do something about transportation issue. There is a move to surrender streets from the state to the city or county. Forest Grove has the Highway 47 issue, and would like something to be done in the corridor of Pacific to B Street. Nationally we are always in contact with the Department of Transportation. There are 5311 funds that we are trying to access to guarantee a longer future for GroveLink. GroveLink has surpassed its two year projection only 3 months in. Figures continue to go up every month. Long term funding seems feasible.

County wide discussions will be held to help pay for transportation through a bond. This is for the four areas of huge growth coming in to Washington County north Bennet and Bethany, south Hillsboro, South Cooper Mountain, and River Terrace. Eighteen thousand homes will be coming in to the next 20 years in these areas. One third of cost will come through the city SDCs, and two thirds will come through county bonds. More discussion is needed.

Wilsonville opted out of the Joint Water Commission. This is creating issues amongst the JWC. This may push projects on the board out, and will keep the EDC updated on the results of future discussion.

Times Litho is moving forward. Tokola Properties still is in talks.. The Post Office is up for auction as well which may be of interest.

7. STAFF & BOARD MEMBER COMMUNICATIONS:

Ms. Kramer reminded the board about having a training regarding the links on the website and where to find information. It also presents an opportunity to train the ambassadors of the board on where potential businesses can access the information. It would be nice to have Cobb from H&H Outfitters to come back and give his opinion on the ease of access through the EDC website.

Ms. Marks passed out information regarding the A Taste of Washington County event taking place Thursday, June 18 from 5:30-9:00pm.

8. ANNOUNCEMENT OF NEXT MEETING:

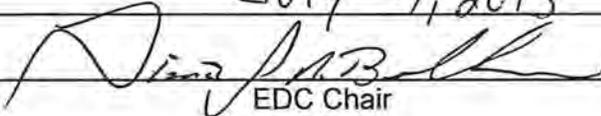
Jeff King announced that the next meeting of the EDC will be on Thursday, July 9 at 12:00 noon in the Alice Inkley Room at McMenemy's Grand Lodge.

9. ADJOURNMENT:

A motion was made to adjourn the meeting by Mark Nakajima, James Draznin seconded. The meeting was adjourned at 1:45 p.m.

Approved by the Forest Grove Economic Development Commission:

Date: July 9, 2015

Signed: 
EDC Chair

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APPROVED

Meeting Minutes

ATTENDEES: Tim Budelman, Chair; Hope Kramer, Vice Chair; Brian Wilbur; Kelly Marks; Mark Nakajima; Howard Sullivan; Guy Storms; Jon-Michael Kowitz; John Hayes; James Draznin

CITY STAFF: Jeffrey King, Cassi Bergstrom, George Cress

ALSO ATTENDING: City Councilor Elena Uhing

1. CALL TO ORDER:

The meeting was called to order at 12:12 p.m. by EDC Chair Tim Budelman.

2. CITIZEN COMMUNICATION:

None.

3. APPROVAL OF JUNE 4, 2015 SUMMARY MINUTES:

James Draznin moved to accept the meeting minutes as presented. Howard Sullivan seconded the motion. The minutes passed unanimously.

4. ADDITIONS/DELETIONS & STAFF SUMMARY:

Jeff gave the following update on Staff Summary:

The city is continuing to work with a food processor regarding the Kerr site off Elm Street. This could be a 60,000 sq ft building leading to 60 more jobs. The road construction cost is an issue. They could potentially add a second 60,000 sq ft facility. Also got news from Lieb foods landing contracts for a \$2.5 million investment, and hoping to tap into the lot that is owned by Gene Zurbrugg.

Downtown has a Thai restaurant (Thai House 2) going in the former Izgara site. The city is hoping to update the business listed panel kiosk downtown soon, just waiting to hear on the plans of four restaurants.

The ongoing issue regarding the industrial lands report: Group McKenzie will present to the city council on August 10 to discuss the findings and issues with the industrial sites, transportation costs are the highest cost items particularly affecting the Woodburn/Kerr and Haworth site on Elm St.

A kick off meeting was held with a web developer for a farms/food and drink website. The CEP grant has allowed for a map to be created regarding farms/food/drink amenities and to be incorporated within the website.

Ms. Kramer asked the question if an additional staff person has been approved in the budget and the time frame. Mr. Cress answered that a job description has been drafted for Sustainability and Economic Development and hoping to post soon. It is a permanent, full time position labeled as Program Coordinator funded by Light and Power, Engineering and Community Development.

5. BUSINESS:

A. McMENAMIN'S -HOST UPDATE:

None.

B. FOREST GROVE CHAMBER OF COMMERCE UPDATE:

Howard Sullivan updated the board on the following:

Amy Pearl spoke at a Chamber Luncheon in May regarding the HATCH program local Oregonians can invest small amounts in local Oregon businesses. Legislation now allows this alternative for businesses to get funding. She will be speaking at a luncheon on July 14th from 7-8:30 to have businesses meet up with people who have actually done this.

July 23rd from 5-7:30p will have a free training event at H& H Outfitters where Mr. Hudjohn will show his skills and how he reaches thousands of people within the social media networks.

Mr. Sullivan just came out of a meeting regarding the phone upgrades, and not sure if the chamber can afford it. Remodeling will be going underway as well.

Mr. Jon-Michael Kowitz spoke on the acknowledgment on the Chamber's work with Amy Pearl. It really frees things up for businesses and funding availability. Ms. Marks commented on the legislation allowing this funding to finally happen.

C. AMBASSADOR TRAINING-RESOURCES, INCENTIVES, MARKETING:

Mr. King spoke on the Ambassador Training:

Mr. King described the overall message of Forest Grove economic development, services offered, specific incentives and small business start-ups.

Looking in the packet, Mr. King will start off by explaining why businesses should locate in Forest Grove. The four cost advantages are the low power/energy costs, the water quality and quantity as well as pricing, the low land costs and availability,

and finally the quality of life. The one challenge Forest Grove has is the access and distance issue. On the commercial side, there is a growing population. The website has a Youtube video under the Economic Development tab that points out the message of Forest Grove that was played for the board. Forest Grove is part of the Silicon Forest and has direct access to other businesses through public transportation.

The city messages in two ways: Success stories of local businesses and availability of land. The availability of existing industrial space is running low. Lease rates will soon support new construction. There is new, affordable single family residential land come available. Businesses get community support from a collective approach. Fact sheets online need updated, and will work with the Sustainability Commission to get that done. Mr. King asked if there were any questions/comments regarding the overall message of Forest Grove?

Councilor Uhing asked how many sites are available in the industrial core, shovel ready 50 acres plus? Mr. King spoke on the business services and what Forest Grove can provide. On the website there is an updated list of available sites with the acreage, and Mr. King went over the sites available with the board. Napa will be moving out, making that site available soon.

The Business Incentive Program (BIP) has been proven to be a valuable marketing tool. It has provided businesses with several small incentives such as a reduction or waive entirely in building permit fees, waives city business license fee, reduces sign permit fee, reduces site plan review fee, and system development charges can be paid in installments. Ms. Kramer made comment that the Business Incentive Program has been approved by the city council to be extended 3 years. Another business service that Forest Grove offers is the development and permitting services. The city works with the health department and building department and act as the business owners advocate. Often an explanation is given of what the process is, and accommodate businesses through the process in Planning Commission meetings, permit processes, etc.

Mr. Budelman asked Mr. King if there was anything as far as an e-commerce zone? Mr. King answered that there is a state program more directed towards industrial. Chaucer took advantage of the federal program due to the poverty numbers in that area (census tract). Mr. Cress commented that a recent email from the state economic development that Oregon was designated for certain programs for economic development. Ms. Uhing stated that is a strong package of tools for rural communities. Mr. King went on to say there are a number of programs that we fall in and out of due to different criteria. Mr. Cress stated that Chaucer is getting a check

for \$170,000 from BPA conservation for installing low emitting, energy efficient lighting.

Mr. King went on to discuss the cost issues and incentives/financing. Mr. King recently met with ViaSystems and Chaucer on their work force needs. Infrastructure is based on finding as much data as possible. Staying updated is beneficial because the numbers are always changing, same as economic data. Demographic/labor information reveals gross income, sales price income, housing, poverty rates, etc.

Ms. Uhing stated that the Enterprise Zone was just extended by council so it doesn't have to be renewed every year. Mr. King went on to say that the Enterprise Zone is valuable for the existing businesses to expand. The Enterprise Zone is doubling employees within a business, eliminating property taxes for up to three years. High wage can be up to 5 years if negotiated with city council. Ms. Uhing has noticed pushback from taxpayers in other larger communities based on the definition of Enterprise Zone and big technology businesses taking advantage. Each entity follows guidelines; wage level is determined by jurisdiction. Forest Grove wage level is based off ten percent. Mr. King went on to say that it is unfortunate that some of the bigger communities are taking advantage of this (Beaverton/Hillsboro) because it was intended for smaller, needier communities such as Forest Grove. For businesses to get to 4-5 year tax deferral, the average wage has to be \$59,468. The point is not to just create minimum wage jobs. Ms. Uhing stated that the council was much tighter on specifications, keeping the pay scale at a higher rate. Mr. King went on to say it could create incentives for store front improvements. The Urban Renewal Zone is targeted more toward commercial. Times Litho could throw off a lot of property tax considering it is publicly owned.

Mr. King stated that the city works with programs such as state incentives, SBA programs and state tax credits. The Starting a Business thumb drive is almost updated, and contains information for starting a business in Forest Grove. It contains a guide, brochure, secretary of state guide, resources, and programs. It is customized the steps for starting a business in Forest Grove. Ms. Uhing commented that this guide is an excellent resource to outreach for people coming to look in Forest Grove. All of the pieces are the brain child of the mission of the city. Mr. King continued to discuss the brochure and the need for it to get out into the community. It is available in Spanish as well. Local providers of different services (accountants, engineers, banks, attorneys, etc.) are also listed on the drive along with business information.

Mr. King discussed the articles and the different categories to determine the broader issues. Small business training programs are available with contracts through PCC. King's Head, Sugar Momma's Bakeshop and Curves are taking advantage of the program. The Economic Gardening Program (under MESO) provides assistance to

businesses by looking at market opportunity. MESO has access to a lot of powerful business research engines. Ms. Uhing commented that there is a new term for the economic gardening due to patent rights. Mr. King stated it is called Grow Oregon in the state. Mr. Kowertz made comment that this is a powerful tool that everyone needs to know about. Going forward, Mr. King will give everyone a thumb drive when complete and the basic brochure.

Mr. King stated that in the future, the ED Board will need to review our marketing approaches. Mr. Cress went on to say that the future program coordinator will be designated towards marketing.

6. COUNCIL COMMUNICATIONS:

Ms. Uhing gave the following update:

Measure 91-Legalized Marijuana has been being discussed regarding how it will affect businesses, how cash will be handled because banks will not accept cash from the dispensaries. The federal government is hopefully going to come down and create regulations to go by. Before going forward, work with legal people, HR professionals, talk to your banks regarding using/renting property as a marijuana dispensary. In the month of July the county will be working on their chip seal program from Oak St to Highway 47 so expect delays.

July 20-July 26 Mayor Truax, Councilors Kidd and Wenzl will be representing Forest Grove at the Nyuzen Delegation Trip.

July 3-August 1 the Oregon Mayors Association Conference will take place in Cottage Grove.

August 4 is the National Night Out from 4-8pm on Pacific University campus.

August 22 from 9am-3pm is the Birds and Brew at the Fernhill Wetland. McMenemy's is hosting their special Fernhill brew.

Follow www.drought.oregon.gov for the conversation across Oregon regarding the drought status with the federal government. There is a push to move Oregon into the drought designation.

August 15th is the Forest Grove Uncorked event from 4-9pm on Main Street.

The police facility is being assessed for remodel and upgrades or creation of a whole new building.

Added GIS services and created a great opportunity for the city.
Parks and Recreation has approved a proposal from Pacific University regarding a larger score board.

Aquatic Center is offering free swim on Saturdays from 6-7:30pm. This was a gift provided by a generous donation from the Susan Davis family.

Susan and Tom Dieter-Robinson have generously donated \$100,000 to the parks department for a children's playground in Rogers Park in memory of their two daughters.

Light and Power have projects going on David Hill and Purdin Road for extension and pole relocation along with underground cable replacement.

Community Development is working on the Westside Planning Project with the Planning Commission and the community on how they visualize that area growing and what kind of businesses will be created.

E-permitting will take place in August and is a huge step for the building department. There have been three inquiries on medical marijuana dispensaries along the Pacific Ave corridor, one regarding a grow site in the industrial corridor.

The Westside Economic Alliance did a presentation on commercial property. Right now the city is in a period that it is a land owners market. There are not enough properties, making the market demanding creating a boom period. In some areas, up to 50% of income is going into housing and rental costs.

The City Manager has a job offer and conditions of employment. Hopefully August/September we will have the new City Manager in place.

7. STAFF & BOARD MEMBER COMMUNICATIONS:

None.

8. ANNOUNCEMENT OF NEXT MEETING:

Jeff King announced that the next meeting of the EDC will be on Thursday, September 10 at 12:00 noon in the Alice Inkely Room at McMenamin's Grand Lodge.

9. ADJOURNMENT:

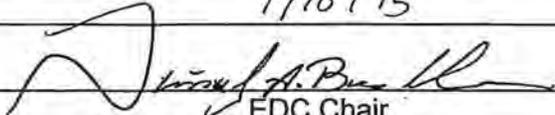
A motion was made to adjourn the meeting by Brian Wilbur, Guy Storms seconded. The meeting was adjourned at 1:37 p.m.

Respectfully submitted by: Cassi Bergstrom

ECONOMIC DEVELOPMENT COMMISSION
THURSDAY July 9, 2015
McMENAMIN'S GRAND LODGE – ALICE INKELY ROOM
PAGE 7

Approved by the Forest Grove Economic Development Commission:

Date: 9/10/15

Signed: 
EDC Chair

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APPROVED

Meeting Minutes

ATTENDEES: Tim Budelman, Chair; Hope Kramer, Vice Chair; Don Jones; Justin Norman; Mark Nakajima; Howard Sullivan; Guy Storms; Bruce McVean; John Hayes; James Draznin; Dick Stenson

CITY STAFF: Jeffrey King, ED Coordinator; Cassi Bergstrom, Admin Specialist; Jesse Vanderzanden, City Manager

ALSO ATTENDING: City Councilor Elena Uhing; Kristen, Framer's Touch; Cobb Hugjohn, H&H Outfitters

1. **CALL TO ORDER:**

The meeting was called to order at 12:17 p.m. by EDC Chair Tim Budelman.

2. **CITIZEN COMMUNICATION:**

None.

3. **APPROVAL OF JULY 9, 2015 SUMMARY MINUTES:**

Ms. Kramer moved to accept the meeting minutes as presented. The minutes passed unanimously.

4. **ADDITIONS/DELETIONS & STAFF SUMMARY:**

New city manager, Jesse Vanderzanden, introduced himself to the EDC board. His background includes working for US Senators focusing on federal appropriation issues and land use, and manager of an airport in Alaska doing \$250 million in capital projects in ten years. Mr. Vanderzanden lived in Alaska for 12 years and is glad to be back home in Oregon.

Jeff gave the following update on Staff Summary:

Jeff has started meeting with staff regarding the Industrial Land Study and the 5 sites reviewed on how to address the gap in cost issues. The cost of transportation, infrastructure, and permitting will exceed the cost of market rate on the property. The group is also talking with state for funding and property owners to move forward. Forest Grove is running out of building space and needs to see how they can acquire more land. Three potential parties are looking at the Matsushita building.

Chaucer is looking to adding "tunnels" to increase their capacity. That will add jobs to the 85-90 they currently have available. Leib Foods is going to be doing another expansion within their footprint. Currently working with Clean Water Services and Gene Zurbrugg to save some money on the costly SDC fees.

The ten year anniversary of the Enterprise Zone is coming up. The city will reapply in order to receive the incentive that helps provide a competitive advantage by leveling the playing field when competing against other communities.

In regards to the smaller businesses, there are three restaurants to be created and have been through the health department process. The restaurants to be created are a Thai House 2, Hawaiian restaurant, and a teriyaki/Chinese restaurant. Connie's Corner Café is closing, the property owners are getting older. The property owners are planning to renovate the building. Ms. Kramer asked if the owners thought about selling the business. Mr. King stated that they had not, and the business just became too much for them.

Ms. Uhing asked for an update in regards to the Times Litho building. Mr. King answered that the city has received the most recent design being 77 units with commercial space. An updated estimate on SDC fees and building fees has been created so builders have a more accurate picture of what the costs are. Demolition is to start and the building will become more marketable then. Ms. Uhing stated that the committee who reviewed the property a few years ago had consultants come in, and they made it clear that the property needed to be demolished so the people had a clear vision of what the property could become. Mr. King went on to say that a tax credit was approved for the mixed-use vertical housing. Ms. Uhing stated that a similar mixed-use property in Hillsboro filled very quickly. Mr. Budelman commented that a dental office was converted into an apartment on Main Street in Forest Grove and leased out very quickly at a high rate.

5. BUSINESS:

A. McMENAMIN'S -HOST UPDATE:

Mr. King stated that there is a new general manager at McMEnamin's, and hoping she will be down at some point to speak with the committee.

B. FOREST GROVE CHAMBER OF COMMERCE UPDATE:

Howard Sullivan updated the board on the following:

The 51st Annual Corn Roast will be happening on September 19 at Pacific University. Three thousand pounds of Mike and Debbie's corn is ready to be roasted by the fire department.

Monday, September 21st at 12:15pm is the Chamber luncheon. Gene Moss, chief of police with the Washington County Sheriff's Department in Cornelius, is hosting a lesson on emergency preparedness. He delivers a presentation on how well your business is prepared for any kind of emergency.

C. SMALL BUSINESS PROGRAMS:

Mr. King gave the update on the small business programs offered:

The city has many programs and incentives to attract small businesses and entrepreneurs to the town, and support/strengthen them when they come into the city. Programs offered have been focused on business training, and the problem can be that they are offered in Downtown Portland which is not feasible for local businesses to travel that far. PCC now offers business training in their Small Business Development Center. One of the courses being based around small business management and another course particularly focused on retailers. The city offers a scholarship for business owners to attend these trainings.

The city also has been approached to work with Mercy Corp NW that does both non-traditional loans for small businesses and trainings as well. With this program, the city is looking forward to doing a six week course in Forest Grove about January 2016 for aspiring businesses.

Also, the city has been working with the PCC Small Business Development Center in providing small businesses with one-on-one business counseling at no cost.

Ms. Uhing asked Mr. King if he has reached out to Senior Work programs. They are able to provide relief for business owners to go to classes, and doing a partnership with them will be beneficial.

Mr. King went on to discuss the MESO link in Oregon. It was called the economic gardening program. They have a location in Portland as well as one in Beaverton. They do something called MarketLink, which is a spin-off of economic gardening. It provides small businesses identifying a new idea with powerful market research engines online. The online research can identify the market, opportunities, competition, etc. for future business ideas. Forest Grove signed a contract with MESO to offer financial incentives to small businesses in the area.

Starting a Small Business guides are available throughout the city to help small businesses know where to start. The city is trying to make sure the guides are updated and accurate annually.

Another program offered by the state is called HATCH Oregon. It is an Oregon small business crowdfunding website based around true equity. Allows people to invest in a business in small amounts and helps to promote community efforts.

The Business Incentive Program offered in the city offers incentives for small businesses such as a reduction in building permit fees, eliminate sign permit cost,

site plan review and cost of city business license. The City Council has renewed the BIP for three years.

Sometime in November, working with SBA Oregon, the city would like to have a small business seminar to discuss the needs, resources, and incentives available.

D. SMALL BUSINESS PANEL—H & H OUTFITTERS, A FRAMER'S TOUCH:

Mr. Budelman introduced two local small business owners: Kristen, owner of A Framers Touch that has been in the community for 13 years; and Mr. Hugjohn, owner of a newer business in Forest Grove called H&H Outfitters. The EDC board would like to know how the community has supported them, as well as what may attract more businesses in Forest Grove.

Kristen started off by saying that she is frustrated by seeing the same empty buildings for 13 years. It is a struggle to get community members to shop in downtown Forest Grove due to the lack of variety and diversity of shops. The new growth happening is exciting, but why build new buildings when half of downtown is empty. The retail needs to be at walking level to attract more people to the store.

Another struggle is the fact that the University feels like an entity to itself. They don't include the community of Forest Grove within the university community. Kristen has spoken to professors, and some of the students are not even aware of where the post office in town is. The students are being bused out to other big cities instead of keeping them buying within the community.

Lastly, when the movie crew was in town it created excitement. The movie set shops and stores had merchandise, flowers were decorating the set, and it created an inviting town. This shows that marketing our sidewalk with merchandise will slow people down. Mr. Budelman stated that merchandising does attract people to wander into the store.

Mr. King asked Kristen how to cope with business change, growth, and change in marketing. Kristen stated that marketing is her biggest struggle. She has started a large email database and sent out newsletters to market her store. Redevelopment of her website was going to cost around \$3,000 and she couldn't spend that sort of money so she did it herself. Social networking is also an important aspect in marketing her store. The city had a class with Michelle and Shawna that she attended, and Kristen pays her once a year to come in and spend half a day in the store to report on what could change within the store. Ms. Uhing made comment that those same ladies were the ones to bring the idea of marketing out on the street, and it was such a great idea. Mr. King spoke on the fact that before the city had a consultant speak on the importance of street signs, and how to get that fact to stick

with other businesses. Kristen stated that there is a miscommunication between the city and business owners on front signage. Another business owner was asked to take down a sidewalk sign with a flag in it because it was not in ordinance with the city code. Ms. Uhing stated that their needs to be a staff conversation to figure out a more creative way of enforcing the signage rules. Mr. Nakajima stated there is a sign code what has been changed recently.

Ms. Uhing agreed with Kristen regarding Pacific University. The university needs to be a guest again to the EDC meetings so we can discuss how the students are unfamiliar with the community. Ms. Kramer stated representation from the university has been very, very sparse the last year. Mr. Jones suggested that a small subcommittee be started to start the conversation with Pacific University. Mr. Budelman asked if Pacific had a student union building. That would be a good place to start discussing the benefits of the community with them. Mr. Sullivan stated that the students are out and about, they just head away from the core of the city. They are heading toward Safeway, Cornerstone, and Dutch Brothers. Kristen stated this is why the city downtown core needs more variety. Mr. Hayes spoke on his perspective from working at Pacific for 12 years, and the fact they need to recruit more students who pay. The surrounding community should be an attraction, and doesn't understand why graduate students and the university aren't taking advantage of the empty stores. Creating a business that is an attraction to the students will make students more likely to shop and want to attend the university. The empty storefronts and businesses should be a university concern.

Mr. Hugjohn spoke on his experiences being a small business owner within Forest Grove. Mr. Hugjohn works with other small businesses counseling them out how to run and market their business, talking with the business owners and their challenges running a business in Forest Grove. H & H Outfitter's embraced the college, and has a fantastic relationship with them. As a community, we don't embrace the school so why would they want to embrace us. Businesses need to be more inviting and reach out to the university students in order for them to want to shop at their stores. Mr. Hugjohn has gone to the art department and now is doing thousands of screen printings for the school.

The community is fragmented and lacks an identity. All businesses are in it together, and need to work as a community instead of adversely against each other. Living near McMinnville, he sees how they work together to create an outstanding community. As far as the signage issues, Mr. Hugjohn just doesn't ask. He is trying to run a business and is busy doing so. He loves the community and that is the sole reason he wanted to start business here. The community's fragmentation has lead us to not identify as a community.

Mr. Budelman asked how we can bring that point across to create a sense of community. Mr. Hugjohn stated that we need an identity. What are we? Forest Grove needs a logo or a brand to identify commonly within. Kristen went on to say that she believes everything that Mr. Hugjohn said, and struggling with fellow merchant hours is a challenge. Carlton has aggressive commercials are coming out to attract people to the city. Ms. Kramer said they know exactly what they want and are targeting. Mr. Hugjohn stated that the industrial businesses are just as important. Mr. Budelman stated that we are on the cusp of a lot of great businesses coming to Forest Grove. Collectively the city is getting organized and together. Teambuilding can get the city to the next level.

Ms. Kramer commented that we have all these great ideas, but who are the actual do-ers of these ideas? Hopefully the new city staff member that is being brought on can focus more on the retailers and show them the flyers, incentives available, and create databases. Mr. Hugjohn stated that the Oregon Self Employment Assistance Program is a great incentive to help start a small business.

Mr. Budelman asked Ms. Uhing how she felt the city council would feel about the branding of Forest Grove. She stated that she hasn't felt that branding in the past has fit the city at all. The city needs a brand unifying all of us. Downtown business owners are hard to wrangle together, and an identity/brand will help.

Mr. King stated that tourism targets the Home of Pinot, and extensive field work was done on it to make it successful. How do we keep something we thought we had from disappearing? Mr. Hugjohn stated that the specificity of the logo makes it so that it doesn't have mass appeal. Being so specific, as like pinot wine, creates an adversary and a logo needs a more broad identity to attract more people. Forest Grove is right at the doorstep of the Tillamook Forest, so the 'Gateway of Tillamook Forest' creates a mental picture. Kristen is concerned about where the 'Gateway of Tillamook Forest' logo puts us. People think then that we are really far from the Portland Metro area. Ms. Uhing went on to say that Forest Grove's mental image is that we are near the coast, when it is really not that far from the metro area. Ms. Kramer stated that we don't need consultants telling us what we need to know, because we already have the answer. Mr. Nakajima went on to say that Forest Grove should be utilizing the business students from the university to help the community come up with a brand/logo. Mr. Budelman had the idea of everyone on the EDC board coming up with branding/logo ideas for the next meeting and bring it up to Mike at Pacific University to have them think about the rebranding and identity of the city.

6. COUNCIL COMMUNICATIONS:

None.

7. STAFF & BOARD MEMBER COMMUNICATIONS:

None.

8. ANNOUNCEMENT OF NEXT MEETING:

Mr. Budelman announced that the next meeting of the EDC will be on Thursday, October 1 at 12:00 noon in the Alice Inkley Room at McMenemy's Grand Lodge.

9. ADJOURNMENT:

The meeting was adjourned at 1:44 p.m.

Respectfully submitted by: Cassi Bergstrom

Approved by the Forest Grove Economic Development Commission:

Date: 10/1/15

Signed: [Signature]
EDC Chair

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APPROVED

Library Commission approved minutes as amended on date Oct 13, 2015.

1. CALLED TO ORDER AND ROLL CALL:

Pamela Bailey, Chair, called the meeting of the Library Commission to order at 6:30PM on Tues September 15, 2015.

Members Present: Pamela Bailey, Chair; Doug Martin; Jon Youngberg, Secretary; Kathleen Poulsen, Vice-Chair; Mitchell Faris, Student

Members Absent: Nickie Augustine;

Staff: Colleen Winters, Library Director

Council Liaison: Malynda Wenzl (not present)

Others: None.

2. ADDITIONS/DELETIONS: The newly redone Circulation Policy will be considered for approval.

3. APPROVE LIBRARY COMMISSION MEETING MINUTES OF (Aug 11, 2015):

MOTION: Doug moved, seconded by Kathleen, to approve the August 11, 2015 minutes as presented. **MOTION CARRIED** by all.

4. CITIZEN COMMUNICATIONS: None.

5. INFORMATIONAL ITEMS:

New student member of the Library Commission: Mitchell Faris was introduced as a new student member of the Library Commission. He attends Forest Grove High School. Two other Library Commission vacancies remain.

5a. FOUNDATION REPORT: Colleen Winters reported about the Library Foundation of Forest Grove:

- a) Next meeting of the Foundation Board is to be next week.
- b) The 2015 Friends and Family night (fundraiser dinner) was held at McMenemy's (outside dining only) on Tues Sept 1 for all diners after 5pm. 50% of

the proceeds were be donated to the Foundation. \$2070 (an average amount) was raised. Attendees had a nice time, with music too. The rain cooperated, waiting until about 9pm. Next year, will try to include both inside and outside dining.

c) Remaining current campaign effort is to raise \$75,000 for a list of desired improvements including better signage and seating, in the older portion of the library. Will approve more new children's furniture for placement in the early literacy area, soon. Other future projects include replacing the heavy tables and chairs in the Adult Fiction area, and adding blinds and a speaker's podium for the Rogers Room.

d) The "Sense of Arrival" into the Children's area is a separate project. Design and construction would be done locally.

e) See the Library Foundation of Forest Grove's web site (www.fglf.org).

5b. FRIENDS REPORT: Colleen Winters reported about the Friends of the Forest Grove Library:

a) The Friends Board met recently. They are looking to recruit a new board member. They approved their budget for their next fiscal year, including funds to be used by the library staff for the Summer Reading program, etc.

b) The Cultural Series first event was Sept 1 with sculptor Diana Lubarsky. 24 people attended. The next event is Oct 6, with magician Rudy Tinoco. The Friends Board is still looking for replacements to take over the running of the Cultural Series starting Fall 2016, as both of the current people in charge are stepping down.

c) The Fall Used Book Sale is coming up, the week of Oct 26 thru Oct 31. Set up for the used book sale starts Oct 20 or 21. Kim Reynolds and Susan Schubothe will help with shifts during the sale and set up. Mitchell Faris and a Forest Grove High School club (25-30 students) are going to help with the used book sale set up, as part of a community service volunteer project. This will be a big help and will be greatly appreciated.

d) The Friends web site is at: fglibraryfriends.org.

5c. COUNCIL LIAISON REPORT :

a) None

5d. **LIBRARY DIRECTOR'S REPORT:** Colleen Winters reported these items:

- a) Colleen handed out a two-page report on the completed 2015 Summer Reading program. The numbers participating in the children, teens, and adult programs were all up.
- b) Amy is a newer employee, focusing on teens. New teen programs are planned.
- c) \$5000 was recently spent on new teen-centric (colorful and comfortable) furniture for the Young Adult area of the library. Teens helped choose the new furniture.
- d) Colleen once again described a big change to the Pre-School book area of the Children's Library. It has been reorganized so that the books are now grouped by subject (and not by author name, etc.). For each of the new 15 or so subject areas (such as "Dinosaurs", "Things That Go", "Sparkly", "Colors", and "Farm Friends") there is a sign with an appropriate picture. She will monitor comments and circulation numbers after this reorg is completed.
- e) County Library Levy update: Colleen has made at least 5 presentations (explaining and educating) at events, about the upcoming levy. Mike Smith helps advocate and campaign at such talks. Some handouts and pamphlets about the levy will be available at the library very soon. Information will be presented at a booth at the Corn Roast.
- f) Last Sunday afternoon, in the Rogers Room, a Public Arts Commission fundraiser was held. One hundred \$10 tickets were sold for a piano recital! This was considered to be a great success. Discussion about the library filling some of the duties of a "Community Center" (those that make sense for a library). Discussed the difficulty in holding events at the library when the library itself is closed (such as on a Sunday afternoon).
- g) A reception for the new City Manager, Jesse VanderZanden, will be held Fri Sep 18 from 5–7PM for those who are on the City's Boards and Commissions.

6. DISCUSSION OF ITEMS:

a) Circulation Policy: Robyn Cram discussed a proposed change to the library's Circulation Policy at the previous Library Commission meeting. The Circulation Policy was last changed in 1995. WCCLS has since made consistent rules for all county libraries. All libraries use the same software & the collection directory (owned by WCCLS). What is left for our library's policy document is to clearly list any separate or different policy decisions.

MOTION: Doug moved, seconded by Kathleen, to approve the proposed change to the Circulation Policy as presented. **MOTION CARRIED** by all.

b) "Future of the Forest Grove City Library" Strategic Planning process continues.

1) The first big Community Planning Committee meeting was held Sat Sep 12, 9am to 1pm in the Rogers Room. All 16 invited people came and had great ideas. The next step is for library staff to take the large amount of ideas and make a list of action plans, for the next 3 years, and to present this to the Library Commission at its next meeting.

2) Colleen thought that the most important areas of ideas written up by the committee were: "Promote the library as a Cultural Center", "Help with Technology", "Teen and Tweens Outreach", and "Latino Outreach and Services".

3) Colleen mentioned how well that Tom Beck handled the meeting as facilitator, the welcome coffee and refreshments that Pam arranged for attendees, and how Pam and Jon had helped with ideas for running the meeting.

4) The first meeting was seen by those who attended as very positive, about enhancements to the library. The assumption was that people were happy about the library now. Doug commented that proposed enhancements would be seen as improvements to what the library is doing now.

5) In comments at the Saturday planning meeting, Nancy Combs, who was once Chair of the Library Commission, said that we need to "remember our roots". That we need to remember this is a library, after all.

6) The shorter follow-up meeting is planned for Sat Oct 17 at 9am.

7. ANNOUNCEMENT OF NEXT MEETING:

The next Library Commission meeting will be held on Tues Oct 13, 2015 at 6:30PM in the Rogers Conference Room at the Forest Grove Library.

8. ADJOURNMENT:

Hearing no further business, Chair Bailey adjourned the meeting at 8PM.

Minutes respectfully submitted by:

Jon Youngberg, Library Commission Secretary

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APPROVED

PUBLIC SAFETY ADVISORY COMMISSION
Forest Grove Police Department
2102 Pacific Avenue
July 15, 2015
Page 1 of 5

Approved as amended by the Public Safety Advisory Commission on 9-23-2015

1. ROLL CALL

Meeting called to order by Chairman Seable at 7:36 am

Members Present:

Chairman Nathan Seable, Tim Rippe, Drue Garrison, Glenn VanBlarcom and Anne Niven

Members Absent: Martin Goldman, Robert Mills

Liaisons Non-Voting Representatives Present:

Councilor Ron Thompson

Liaisons Non-Voting Representatives Absent:

Guy Storms

Others Present:

Police Chief Janie Schutz and Sharon Cox

2. INTRODUCTIONS

3. CITIZEN COMMUNICATIONS

None

4. APPROVAL OF MINUTES

There was a motion by Tim Rippe and a second by Anne Niven to approve the minutes of the June 24, 2015 meeting as emailed.

MOTION CARRIED 5-0 Robert Mills and Martin Goldman absent

5. ADDITIONS/DELETIONS

None

6. STAFF REPORTS

Police Department – Chief Schutz said the quarterly Coffee with a Cop was held on July 1st. The next one is scheduled for October 7th at BJ's Coffee.

CSO Teresa Kohl worked a booth at the First Wednesday event talking about Neighborhood Watch and the upcoming National Night Out. Teresa's last day

was July 9th.

They received 152 applications for Police Officer positions. They will invite 41 to an interview panel beginning July 17th thru July 23rd.

The Department will be rejoining the Transit Police team in the Spring of 2016.

Four officers were awarded the "Life Saving Award" at the City Council meeting on July 13th for performing CPR on a patient in December 2014. Another officer's quick action to apply a shock with an AED saved the life of a 41 year old woman that had no pulse and was not breathing.

Chief Schutz will be interviewing applicants for Reserve Officer in the next 2-3 weeks.

The Police Department and Fire Department have applied for a safety grant through Nike and the Oregon Community Foundation for safety vests, red safety flashers and bicycle helmets along with an educational campaign on bike safety.

Fire Department – Chief Kinkade was on vacation. He had sent his report prior to the meeting.

City Council – Councilor Thompson reported the Council met in a work session on the Employee Handbook.

They also met with the Sustainability Commission. The Commission wanted the right to endorse groups. The Council said they could make recommendations to Council.

Code Enforcement got involved with a beekeeper whose hive was bothering a neighbor. They may have to work on an ordinance in the future.

The Public Hearing on the Times Litho development will be August 10th. A contract for demolition has been issued. Environmental issues have been taken care of.

They have finalized the City Manager's agreement.

Cruisin' the Grove, Habitat for Humanity Open House and the Concours are all happening this weekend.

7. **OLD BUSINESS**

National Night Out – Tim Rippe said Chief Schutz, Captain Herb, Anne Niven and himself met yesterday to discuss all of the volunteer tasks for the NNO.

He said they do not have a commitment for the PSAC Booth.

Tim indicated that there is a meeting scheduled for tomorrow at 1:00 pm with Captain Herb, Pacific University, the City and someone from the Fire Department to go over more of the details in regards to equipment displays.

Kurt Mueller from the Knights of the Pythias organization has promised a donation of at least \$1,000.00.

8 bicycles have been donated by Target, Fred Meyer and Walmart. They are still looking for a donation of helmets but could buy them if they have to.

They are also looking for cloth bags for trinkets.

Activities and displays will be:

A climbing wall

Light & Power will bring their bucket truck for rides

Fire Department will have their ladder truck as a static display & spray water

ODF will have a fire truck & Smokey the Bear

Police Department will have their Command Center, Motorcycle & squad cars

Police will demonstrate their motorcycle (2 times)

Police will demonstrate a DUII arrest (2 times)

Fire will demonstrate CPR

Scavenger hunt

Raffle will be for the donated bicycles and you have to be present to win

Ice Cream

Exhibitors include:

ODF, WCCCA, Washington County Domestic Violence, Washington County Food Safety, Pacific University Security, Washington County Mosquito Control, Doernbecher Children's Hospital, MADD, Washington County Vaccinations, The Red Cross, ODOT, City of Forest Grove Traffic Safety, Aquatics, Library, Light & Power, Parks & Recreation, Adelante Mujeres, Forest Grove Chamber of Commerce and Allstate. Anne said she would like to get the Senior Center but have not been able contact anyone. Councilor Thompson said he would

contact the Director.

Chief Schutz is finalizing the insurance for the climbing wall.

Chief Schutz wants a little swimming pool filled with sand with buckets and shovels for the little kids section. Nathan Seable said he would get the plastic pools and the sand. The Commission said he could spend up to \$100.

She also wants to have a "duck pond" for the kids. Kids would pick out a duck from the pond and then get a trinket that corresponds to the number on the bottom of the duck.

Nathan said he would have his inmate crew to set up their tents around 2 pm then come back to tear down at 8:30 pm.

Tim said they want everyone ready by 3:45 pm including the food vendors.

Glenn VanBlarcom said he would man the PSAC Booth. He said that Guy Storms would also be willing to help. Chief Schutz said they plan to ask Engineering to make a Public Safety Advisory Commission sign and put together "fun facts" for both the Police and Fire Departments. Other talking points will be the levy, its expiration and information about what the levy does for Public Safety. Copies of the PowerPoint that Nathan did for the annual Commissions dinner regarding what the PSAC is and does would also be helpful.

Drue said he is now available and would be able to assist with the booth as well.

Chief Schutz said the working group will be meeting again tomorrow – Police, Fire, Pacific University and Engineering. The next meeting before NNO for the working group will be on July 28th.

Chief Schutz left at 8:45 am.

Nathan reported that the following food carts will be present: Mexican, 5 Star BBQ, Gonzo's Gyros, Kettle Corn and Sugar Mamas. The hot dog cart went out of business. There was discussion about inviting Migets as well.

Tim mentioned that if there are any donations to please let him know. He is keeping a list of donors so they can thank them and reference for next year.

Anne said that Washington County Food Safety wants to bring their hand washing booth as a demonstration but would need water. They will check with Pacific University to see if she could use some water.

Nathan said it would be great if they could get t-shirts made for all of the PSAC members. There was discussion about what logo they would put on them. Anne suggested they wear a "uniform" like a black shirt and then make up a lanyard that has their name on it. *They decided that next year they would get polo shirts made for the members.*

For the Good of the Order – Tim Rippe said that he would like for the PSAC to be invited and make an appearance at Council meetings whenever there are recognition ceremonies for Police or Fire personnel.

8. NEW BUSINESS

None

- 9. ANNOUNCEMENT OF NEXT MEETING** – The next meeting will be August 26, 2015.

10. ADJOURN

The meeting was adjourned at 9:06 am.

Recorded & submitted by:
Sharon Cox, Administrative Assistant

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APPROVED

Approved by the Public Safety Advisory Commission on September 23, 2015

1. **ROLL CALL**

Meeting called to order by Glenn VanBlarcom at 7:36 am

Members Present:

Tim Rippe, Glenn VanBlarcom and Anne Niven

Members Absent: Martin Goldman, Robert Mills, Drue Garrison and Nathan Seable

Liaisons Non-Voting Representatives Present:

Councilor Ron Thompson

Liaisons Non-Voting Representatives Absent:

Guy Storms

Others Present:

Fire Chief Michael Kinkade, Captain Kevin Ellingsburg, Director of Administrative Services Paul Downey, Newstimes reporter Travis Loose and Records Specialist Carol Lorenz.

2. **INTRODUCTIONS**

3. **CITIZEN COMMUNICATIONS**

None

4. **APPROVAL OF MINUTES**

Minutes from July 15, 2015 were not approved due to lack of quorum.

5. **ADDITIONS/DELETIONS**

None

6. **STAFF REPORTS**

Police Department – Captain Kevin Ellingsburg said that Chief Schutz had her report emailed to the PSAC prior to the meeting.

National Night Out was held on August 4th. It was a huge success with many positive comments from the community.

The Police Department received national attention after ESPN interviewed Derrick Malone Jr., previously with Oregon Ducks and Atlanta Falcons. 2 FGPD officers helped him changed a flat tire on I-5.

The PD received 115 applications for their Community Outreach position.

Two officer candidates are in the background process to fill two vacant positions.

Forest Grove will be joining the Transit Police in March of 2016.

Five reserve officer applicants are in the background process.

They will be adding a child safety seat technician to join the fire department in running future car seat clinics.

The department will be filling a Records Specialist position being vacated by Amy Erickson.

An internal process to fill an empty detective position has been held and Officer Lazenby has been offered the position effective October 1, 2015.

Officer Maslen has been offered a Sergeant position effective January 1st.

The Body Worn Camera Pilot Program is in its 4th month.

Fire Department – Chief Kinkade said that we sent personnel and apparatus to the Warm Springs conflagration. There have been multiple fires in our area as well.

The department participated in NNO.

There was a major fire in Cornelius at the debris recycling business.

3 Firefighters have been hired – 2 in Cornelius and 1 in Forest Grove. They started on July 1, 2015.

Met with Mayor Truax and are setting up a visioning group to proceed with the Cooperative Services Study plan.

Frames have been installed for the art work on the south wall of the station.

The unveiling is scheduled for the Sidewalk Chalk Art Festival in September.

City Council – Councilor Thompson reported the Council met on August 11th. He asked Paul Downey to discuss the Police Facility findings. Paul said that one of the Council goals was to do a review of the Police Facility. The architects have finished the preliminary needs assessment and have presented 3 options to the Council. The first option is to utilize the existing building, remodel and add on to it. The second option is to demo the existing building and rebuild on the same site. The third option is to relocate the Police facility to a new location. They will be discussing these findings further at the Council meeting on September 28th. They will have to ask taxpayers for a General Obligation Bond. The PSAC will be included in the process as it moves forward.

Councilor Thompson said that he wants to make sure the building will be sufficient for the next 50 years.

He also said they passed a Resolution declaring the City of Forest Grove a Purple Heart City. Elks Lodge members made a presentation.

WCCLS will be asking for an additional .05/\$1,000 at the next election and passed a resolution supporting the upcoming Washington County Public Safety levy.

They passed a Resolution authorizing an additional full-time police officer to be added to the Transit Police next spring.

7. OLD BUSINESS

National Night Out – Tim Rippe said that an after action review was conducted on August 10, 2015 with Chief Shutz, Captain Herb, Brandi Walstead, Carol Lorenz, Anne Niven, Ray Arkus and himself.

He said that he had sent this review to the PSAC members.

Due to lack of quorum this will be added to the next agenda for discussion.

8. NEW BUSINESS

Captian Ellingsburg said the Police Department has been updating/reviewing

Chapter 2 (Government and Administration) and Chapter 5 (Public Protection) of their Municipal Code.

Chapter 2 had a couple of minor changes where Chapter 5 had several changes relating to chronic nuisances, nuisance abatement procedures, abatement hearing, costs and liens, civil penalty schedules and other minor language adjustments.

They added the Washington County Curfew Code and Animal Services Code. A new code has been added called Exclusion from City Facility or Property. If someone violates a code (for example at the skate park) they could be excluded for up to 90 days at that particular property.

The Graffiti Code has added unlawful to aid and abet code and penalties.

The Noise Code added regulations prohibiting acts including barking dogs and prohibiting construction activity on Sunday.

9. **ANNOUNCEMENT OF NEXT MEETING** – The next meeting will be September 23, 2015.

10. **ADJOURN**
The meeting was adjourned at 8:35 am.

Recorded by Carol Lorenz, Records Specialist
Submitted by Sharon Cox, Administrative Assistant



Memorandum

To: Mayor Truax and City Councilors

From: Anna D. Ruggles, CMC, City Recorder
Jesse VanderZanden, City Manager

Subject: Accept Resignation on Public Arts Commission

Date: October 30, 2015

Yasmine Weil-Pourfard, Student Advisory, Public Arts Commission (PAC), Term Expiring December 31, 2015, informed the PAC that she has moved out of state. The PAC is requesting that Council accept this resignation and deem her seat vacant.

STAFF RECOMMENDATION:

Staff recommends Council accept the above-noted resignation and deem the seat vacant.

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Monthly Building Activity Report

September-15

2015-2016

Category	Period: September-14		Period: September-15	
	# of Permits	Value	# of Permits	Value
Man. Home Setup				
Sing-Family New	17	\$ 3,697,132.84	19	\$ 4,694,995.01
SFR Addition & Alt/Repair	6	\$ 57,247.84	5	\$ 93,587.79
Mult. Fam. New/At				
Group Care Facility				
Commercial New			2	\$ 859,920.80
Commerical Addition				
Commercial Alt/Repair	5	\$ 173,667.15	6	\$ 900,100.00
Industrial New				
Industrial Addition				
Industrial Alt/Repair				
Gov/Pub/Inst (new/add)				
Signs	1	\$ 4,000.00		
Grading	1		3	
Demolitions			4	
Total	30	\$3,932,048	39	\$6,548,604

Fiscal Year-to-Date

2014-2015		2015-2016	
Permits	Value	Permits	Value
84	\$11,482,539	88	\$13,386,702



Permits Issued- September 2015

Permit Issued, Building, Commercial, Alarm or Suppression Systems

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000083-FIRE	1250 BASELINE ST, CORNELIUS, OR 97113	9/29/2015	\$2,000.00

Permit Issued, Building, Commercial, Mechanical

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000077-MECH	267 N 10TH, CORNELIUS, OR 97113	9/22/2015	\$1,000.00

Permit Issued, Building, Commercial, Plumbing

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000069-PLM	1317 S IVY, CORNELIUS, OR 97113	9/9/2015	\$0.00
197-15-000076-PLM	267 N 10TH, CORNELIUS, OR 97113	9/22/2015	\$0.00

Permit Issued, Building, Commercial, Structural

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000066-STR	267 N 10TH, CORNELIUS, OR 97113	9/22/2015	\$147,000.00
197-15-000074-STR	106 N 20TH AVE, CORNELIUS, OR 97113	9/16/2015	\$2,200.00

Permit Issued, Building, Residential, Demolition

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000067-DEMO	1235 N CLARK, CORNELIUS, OR 97113	9/1/2015	\$0.00

Permit Issued, Building, Residential, Mechanical

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000072-MECH	388 N 30TH, CORNELIUS, OR 97113	9/10/2015	\$3,100.00
197-15-000075-MECH	927 N 27TH, CORNELIUS, OR 97113	9/14/2015	\$3,410.71
197-15-000078-MECH	230 S HEATHER, CORNELIUS, OR 97113	9/18/2015	\$6,500.00
197-15-000079-MECH	2740 N CLARK CT, CORNELIUS, OR 97113	9/22/2015	\$7,200.00
197-15-000080-MECH	570 N 10TH AVE, CORNELIUS, OR 97113	9/23/2015	\$0.00
197-15-000081-MECH	738 N ADAIR ST, #1, CORNELIUS, OR 97113	9/23/2015	\$0.00
197-15-000084-MECH	381 S 13TH, CORNELIUS, OR 97113	9/30/2015	\$0.00

Permit Issued, Building, Residential, Plumbing

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000070-PLM	738 N ADAIR ST, #1, CORNELIUS, OR 97113	9/9/2015	\$0.00
197-15-000071-PLM	807 N 26TH, CORNELIUS, OR 97113	9/9/2015	\$0.00

Permit Issued, Building, Residential, Structural

RECORD ID	ADDR FULL LINE#	DATE STATUS	JOB VALUE
197-15-000053-STR	470 N 14TH, CORNELIUS, OR 97113	9/4/2015	\$0.00

197-15-000068-STR

420 S 8TH, CORNELIUS, OR 97113

9/8/2015

\$9,000.00



Cornelius - Oregon's Family Town

www.ci.cornelius.or.us

FEE PAYMENT BY ACCOUNT SUMMARY

9/1/2015 00:00:00 to 9/30/2015 23:59:59

CITY OF CORNELIUS
1924 Council St.
Forest Grove, OR 97116
Phone: 503-992-3229

cd@forestgrove-or.gov

Account Number	Current Period Amount	YTD Amount
01-1050-3480 Cornelius CET	90.00	90.00
205-32-10-450074 Building Permit Fee	1,699.80	1,699.80
205-32-10-450078 Plumbing Permit Fee	534.05	534.05
205-32-10-450080 Mech. Permit Fee	298.60	298.60
205-32-10-450082 Building State Surcharge	191.98	191.98
205-32-10-450086 Plumbing State Surcharge	64.09	64.09
205-32-10-450088 Mech. State Surcharge	35.86	35.86
205-32-10-450106 Building Plan Review	944.66	944.66
205-32-10-450110 Mech. Plan Review	52.21	52.21
205-32-10-450112 F&L Safety Review	488.52	488.52
Totals:	\$4,399.77	\$4,399.77

3K

QUARTERLY STATISTICS REPORT 15-16	Current Quarter			Same Quarter Previous Year		
	July 2015	Aug 2015	Sept 2015	July 2014	Aug 2014	Sept 2014
	Days Open	25	26	25	26	25
Door Count	12,666	12,023	12,335	13,339	13,070	12,754
New Registrations	113	118	117	131	141	141
Circulation Desk Check-outs	10,494	9,357	8,501	30,893	27,836	29,394
Self check-out	10,357	9,351	8,548	2,489	2,378	2,343
Renewals	9,157	8,894	7,827	NA	NA	NA
Check-in	21,674	20,978	18,542	24,248	21,856	20,945
3M Cloud Check- out	340	427	470	NA	NA	NA
Library 2Go check- out	1,469	1,416	1,305	NA	NA	NA
Computer Sessions	1,937	1,930	1,777	2,336	2,190	2,130
WiFi Sessions	7,276	8,050	4,686	NA	NA	NA
Holds loaned	9,714	9,755	9,495	9,352	9,430	9,619
Holds borrowed	9,390	9,154	8,412	10,387	9,406	10,347
ILLIS requested	77	86	74	118	89	114
Reference Questions	1,242	1,263	1,141	1,399	1,317	1,235
# of Adult Programs	1	4	3	1	2	2
Total Attendance at Adult	5	345	34	5	28	12
# of Children's Programs	10	3	10	8	3	11
Total Attendance at Children's	939	249	229	975	341	213
Teen Programs	1	1	1	1	0	1
Total Attendance at Teen's	16	38	3	25	0	15
Rogers Room Reserved Hours	67	64	53	NA	NA	NA
# of Volunteers	41	48	31	44	41	39
Total Volunteer Hours	285	323	249	289	279	264

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October 30, 2015

REPORT ON CITY OF FOREST GROVE UTILITY BILLING PROCEDURES TO ASSIST CUSTOMERS IN AVOIDING TERMINATION OF UTILITY SERVICES FOR NON-PAYMENT AS REQUIRED BY HOUSE BILL 2599

Project Team: Paul Downey, Director of Administrative Services
Linda Christensen, Administrative Services Manager
George Cress, Light and Power Director
Jesse VanderZanden, City Manager

ISSUE STATEMENT: House Bill 2599, passed during the 2015 Oregon legislature and signed into law by the Governor, requires a utility to report on the utility's processes that mitigate, for nonpayment of a delinquent account, the termination of electric or natural gas service to a residential customer belonging to a protected class if the termination would occur under certain conditions. Municipal utilities, such as Forest Grove, are required to provide this report to its governing body no later than November 1, 2015. This is the report that meets the requirement of HB 2599.

BACKGROUND: During the Oregon Legislative session, there was a proposed legislation under House Bill 2599 to prohibit disconnects to certain customers during a portion of the year. Originally, this bill would have prohibited public utilities from terminating electric or natural gas service to certain residential customers in a "protected class" during certain peak usage periods such as the winter heating season and under certain severe weather circumstances. City staff's understanding is that the intent behind the original legislation was to offer heating assistance to portions of the more vulnerable population and that some legislators were concerned that utilities may not be providing options for payment arrangements or other customer service practices to assist customers. The City of Forest Grove has a long track record of assisting customers with low income energy assistance and offering payment arrangements.

After much discussion and testimony, the original version of HB 2599 was replaced with language that required both public and private electric and gas utilities to report on the processes offered to certain residential customers to avoid termination of services for failure to pay. Public utilities will report to the Public Utility Commission, and each electric cooperative, municipal utility, and people's utility district will report to its governing body no later than November 1, 2015.

A residential customer is in a protected class as defined by HB 2599 if customer receives federal/state heating assistance and who is:

- A low-income senior citizen
- An active duty member of the Armed Forces of the United States
- A customer whose household includes a seriously ill individual or a person with a disability
- A customer whose household includes a child under the age of 12 months
- A customer who belongs to a household where the member of the household whose earnings are the primary source of support for the household has died within the last six months
- A customer who belongs to a household where the member of the household whose earnings are the primary support for the household has lost a job within the last six months

HB 2599 requires the utility to report on its processes if the termination of services to a residential customer in a protected class would occur:

- During the heating season which is defined by HB 2599 as billing periods which include days between December 1 and February 15; and
- On any date for which the National Weather Service forecasts that a temperature of a location both within the state and the service territory of the utility will exceed 100 degrees Fahrenheit or be less than 32 degrees Fahrenheit for a period of more than 12 hours.

The City of Forest Grove discusses delinquent electric accounts and minimum shut-off procedures in City Code Section 4.210 which reads:

.. (4) Delinquent Accounts. All charges for electric energy shall be due and payable 15 days after the date of the bill. If not so paid, they shall become delinquent and service may be disconnected. If a consumer violates City rules and regulations or fails or neglects to pay the amount due each month, within 10 days after the delinquent date, service may be discontinued. Prior to shutting off service, the City shall notify the consumer in person or by mail of the intended shut-off. If the amount due is not paid before the scheduled shut-off date, the City shall not be obligated to give or provide any further notice prior to discontinuing the service and shall not be liable to the consumer upon the discontinuance for non-payment as set out in this Code. Any consumer whose service has been disconnected shall not have their service reinstated until the full amount of the delinquent utilities have been paid or payment contract executed. In addition, the consumer shall pay a service fee to be fixed by Council resolution for failure to pay, reinstatement and/or service connection. The City Manager or designee may refuse service until all unpaid charges for electric service have been paid.

All of the utility services provided to the customers both inside and outside the City limits are billed by the Administrative Services Department. The City bills for electric, water,

sewer, surface water management, other non-metered fees. This report concerns the process for termination of electric services for nonpayment.

DISCUSSION: The City of Forest Grove serves 8,506 residential electric meters. The City disconnects approximately 28 electric meters per month. In most instances, meters are reconnected the same day that they are disconnected. The numbers of meters disconnected for nonpayment has decreased each of the last five years. Staff attributes this to the implementation of the 24-hour door hanger which is placed at the service address 24 hours before disconnect. The door hanger process has helped to reduce the number of disconnects by about eighty percent (80%) since the process was implemented.

Example of the utility billing schedule for a billing period is:

September 1st: September bill is generated (service period 07.15.15 – 08.15.15)

September 18th: Bill is due

September 24th: Reminder Notice is generated; September bill is considered past due

October 5th: October bill is generated (service period 08.15.15 – 09.15.15)

October 8th: Final Notice for September bill is generated with cut-off date of 10.14.15 at 9:30 a.m.

October 13th: Courtesy reminder automated phone call for September bill is sent

October 14th: 24-hr Door Hanger is placed at service address (Door Hanger fee applied at 9:30 a.m.)

October 15th: Service is disconnected after 9:30a.m. if past due balance for September bill is not paid or if suitable payment arrangements were not made by this date and time. (Service fees applied at 9:30 a.m.)

October 22nd: October bill is due

The disconnect process is an important process, but there are a number of significant steps taken where Utility Billing customer service staff works with customers, including protecting vulnerable consumers and households to help the customers avoid disconnection of services. Energy Assistance is offered to low-income customers through Community Action Organization/LIHEAP and Forest Grove Utilities and Services/CAPE fund. Priority is given to seniors, people with disabilities, customers in crisis situations, and customers with pending cut-off notices or in cut-off status. Community Action Organization/LIHEAP is used first when it is available and then the City's CAPE funds are used. Customers have to qualify with Community Action Organization in order to receive City CAPE funds. Extended payments arrangements may be granted to customers who

are on a wait list at Community Action to avoid disconnection of service and additional fees.

The following information is comprised of practices that are consistent with Forest Grove Utilities and Services policies.

1. Payment Extensions and Exceptions

December 1, 2014 thru February 15, 2015 - 1,079 payment extensions were granted to customers during that two and half month period.

- a. FG Utility Billing Office does not place a limit on the number of reasonable payment extensions for customers. Customers can request and receive a payment extension every month.
- b. FG Utility Billing Office doesn't require that the customer's account stay current. Customers are allowed to pay only the past due amount when making reasonable payment extensions.
- c. FG Utility Billing Office grants approximately 400 payments extensions per month.
We disconnect approximately 28 electric meters per month. In most instances, meters are reconnected the same day they are disconnected. The number of meters disconnected (for non-payment) has decreased each year for the past 5 years.
- d. Customers may contact Utility Billing staff up to the date and time of scheduled disconnect to receive a payment extension or enter into a time-payment agreement. Customers can request a one time-payment agreement in a 12-month period, in addition to the standard unlimited payment extensions. Staff grants payment extensions or time-payment agreements so electric service will remain on.

2. Medical Certificate Program

Eleven residential customers are currently on this program. This program is intended to support the eligible customer as he/she develops long-term financial alternatives to support regular payment of utility bills during the period when someone in their household is experiencing serious health problems requiring electricity as a medical necessity.

- a. Customers are informed of this program upon notification to Forest Grove Utilities and Services that such a condition exists and they need to apply for this program before their services are disconnected.
- b. Customer is required to submit written certification from a Qualified Medical Professional stating that disconnection could significantly endanger the physical health of an occupant.
- c. Special consideration for a period of 12-months is granted to any residential customer that submits a Medical Certificate. Certification must be renewed annually to remain valid.

- d. A customer submitting certification is not excused from paying for utility services. Customers are required to enter into a time-payment arrangement with Forest Grove Utilities and Services where an overdue balance exists. Failure to abide by the terms of the payment arrangement will result in the past due balance becoming due immediately. If past due balance is left unpaid, standard disconnection policies and procedures shall apply.
- e. Forest Grove Utilities and Services may verify the accuracy of the Medical Certificate. If it is determined that a customer does not qualify, or no longer qualifies for a medical certificate, the Utility may terminate or disconnect the service of the customer, if bill is left unpaid.

3. Extreme Weather Conditions

- a. Forest Grove Utility Billing Office will not disconnect services if the temperature is not expected to get above 32 degrees in a 24-hour period in Forest Grove.
- b. Forest Grove Utility Billing Office will not disconnect services if the temperature is expected to reach 90 degrees or higher during the day in Forest Grove. This is lower than the 100 degrees threshold in HB 2599.
- c. Forest Grove Utility Billing Office will also make additional exceptions on accounts for other extreme weather conditions (snow, flooding etc., but temperatures are higher than 32 degrees) in the Forest Grove service territory.

4. Days without Disconnections

- a. Fridays
- b. Weekends
- c. Day before a holiday, City of Forest Grove holiday or Bank recognized holiday
- d. Days where extreme weather conditions exist or are being forecasted as described above

The above policies and processes describes how the City of Forest Grove works with its residential customers, including those in the protected classes under HB 2599, to help those customers avoid termination of services for nonpayment. HB 2599 is a statute which required these reports. There is no action required by the City Council at this time. Staff will continue to monitor any future legislation such as the original language of HB 2599.

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CERTIFICATE OF APPRECIATION

Awarded to

Linda Christensen

Administrative Services Manager

**In Recognition of 30 Dedicated Years of Service to the
City of Forest Grove and Citizens of Forest Grove**

The Forest Grove City Council sincerely thanks you for 30 years of dedicated service and is so very proud to have had you as the Forest Grove Administrative Services Manager since 1985.



**city of
forest
grove**

*Peter B. Truax, Mayor
Forest Grove City Council
October 30, 2015*

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Date: October 30, 2015

2015 WATERSHED TIMBER HARVEST UPDATE

PROJECT TEAM: Scott Ferguson, Trout Mountain Forestry
Mindy Laird-Garcia, Utility Worker, Parks Department
Robert Foster, Director of Public Works and Engineering
Jesse VanderZanden, City Manager

ISSUE STATEMENT: Activity in the City's watershed enters the second year of the new ten (10) year plan. Work has been progressing well this summer with a brief pause at the beginning because of the hot dry conditions. Staff would like to provide an update to the City Council.

BACKGROUND: Activities this year include an expanded monitoring program for the period 2015 -16. Staff has implemented operational plans for monitoring the impacts of the planned harvest and restoration actions on both water quality, juvenile fish populations. This is recognized as an important activity necessary for the continued improvement of forest operations and for maintaining public trust. In addition plans are being made for slope stabilization and future decommissioning of a section of unused road. The harvest activity is centered near Roaring Creek with both ground logging and cable logging.

FISCAL IMPACT: N/A

STAFF RECOMMENDATION: Both Scott Ferguson and Mindy Laird-Garcia will show slides and report on these and other activities at the special City Council meeting.

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District 4 Metro update

Forest Grove City Council

Councilor Kathryn Harrington
October 30, 2015

Storefront grants



- Metro's Enterprising Places program awarded \$353,000 in storefront improvement grants
- Recipients include Valley Art Gallery, Let's Play, the Marlys Center and more

Nature in Neighborhoods grants

More than \$2.8 million in grants awarded this year



Community planning grants



- \$4.7 million in community planning grants
- Recipients include Cornelius, Hillsboro, Tigard and Washington County

2015 Growth Mgmt Decision



- COO recommendation released in July
- Focus on the investments we need for today's communities
- Revisit our decision in 2018

Corridor work continues



Improving Regional Equity



- Ensuring a healthy, strong region for all of our residents
- Focusing on a strategic approach to improving outcomes

Minority, Women and Emerging Small Businesses (MWESB)



Oregon Zoo



- Conservation Center: a hub for the thousands of children who participate in zoo camps and classes each year
- Ground broken on September 1

Upcoming Fun at Venues



- Buena Vista Social Club on Oct. 4 at Arlene Schnitzer C.H.
- Tchaikovsky's Symphony No. 5 at the Schnitz Oct. 24-26
- Jeff Foxworthy & Larry the Cable Guy on Nov. 20



- Portland Fall Home & Garden Show Oct. 1-4
- America's Largest Antique & Collectible Show, Oct. 23-25
- RV & Van show Nov. 12-15

Your questions...

Kathryn Harrington

Metro Councilor, District 4

503-797-1553

kathryn.harrington@oregonmetro.gov

optin

PORTLAND-VANCOUVER AREA ONLINE PANEL



www.oregonmetro.gov

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October 30, 2015

**REPORT ON RESOLUTION AUTHORIZING THE CITY OF FOREST GROVE (CITY) TO
COMMENCE NEGOTIATIONS TO PARTICIPATE IN THE PUBLIC EMPLOYEES
RETIREMENT SYSTEM (PERS) FOR NEWLY HIRED POLICE OFFICERS AND
FIREFIGHTERS**

Project Team: Paul Downey, Director of Administrative Services
Brenda Camilli, Human Resources Manager
Jesse VanderZanden, City Manager

ISSUE STATEMENT: The City has reached agreement with the Forest Grove Police Association (FGPA) to put newly hired police officers into PERS and is negotiating with the International Association of Firefighters Local No. 1660 (IAFF) to put newly hired firefighters into PERS if both parties agree when agreement on a successor contract is reached. PERS requires that the City Council take formal action to notify PERS of intent to negotiate a coverage agreement.

BACKGROUND: The City currently has its own defined benefit plan for: 1) all regular full-time employees hired prior to July 1, 2011; 2) all sworn police officers and firefighters; 2) all regular full-time members of the International Brotherhood of Electrical Workers (IBEW); and all regular full-time non-certified members of the FGPA hired on or before June 30, 2012.

The City has a defined contribution plan for: 1) all other regular full-time employees; 2) regular part-time AFSCME members and non-represented employees hired on or after July 1, 2014, who are regularly scheduled to work at least 20 hours per week; and 3) effective January 1, 2015, part-time non-certified employees of the FGPA who are regularly scheduled to work at least 20 hours per week.

The City has been reviewing its defined benefit plan with respect to future contributions that may be required by the City based on needed changes in actuarial assumptions. Currently, the City's contribution rate to its defined benefit plan as of July 1, 2015, is twenty-four and three-tenths percent (24.3%). The City's actuarial consultant, Milliman, is recommending that the City make changes to mortality table assumptions that would increase the City's contribution rate to its defined benefit plan to thirty percent (30%). Staff and Milliman have been discussing how to best control the City's future retirement costs. After reviewing various options and presenting the options to Council and the public safety unions, staff is recommending that new police officers and firefighters be put into Oregon PERS.

There is no guarantee that this decision will result in lower overall retirement costs for the City. As staff has previously told Council, the decision to move these employees to PERS is a calculated risk that PERS will be better able to control costs over the long-term than the City will with its defined benefit plan. Most City employees going into PERS will go into the ORSRP Pension plan which was started in 2003 and is a hybrid defined benefit and defined contribution plan. It offers lower defined benefit retirement levels than the City's defined benefit plan but has the additional Individual Account Plan (IAP) which is the defined contribution portion of the plan.

DISCUSSION: Staff is requesting that Council authorize staff to negotiate with PERS to put newly hired police officers and firefighters into PERS. The FGPA has agreed to do this and the City is currently negotiating with the IAFF to put newly hired firefighters into PERS. Even though the firefighters have not agreed to this provision, staff wanted to include them in the resolution so staff can negotiate with PERS to include them. If the firefighters are not included in this resolution, staff would have to bring another resolution back to the Council to include them which would add more time to the negotiation process with PERS. If an agreement is not reached with IAFF to put newly hired firefighters into PERS, firefighters will be removed from the proposed coverage agreement. It is expected to take about four months to complete the coverage agreement with PERS and get it approved by the PERS and the City Council. Newly hired staff would not be eligible to go into PERS until after coverage agreement becomes effective. The HR Manager has spoken with the IAFF about this resolution and why the City is including the firefighters even though no agreement to do this has been reached.

The authorization today will only allow staff to start negotiations with PERS. The City and PERS are not bound by any coverage agreement negotiated before final approval by the City Council and the PERS Board. However, once the coverage agreement goes into effect, participation by the City in PERS for the covered classes of employees is permanent and irrevocable. By putting new police officers and firefighters into PERS, the City will not be required to do an equal-to-or-better-than test (ETOB) for those employees. The benefits for current employees are not changing so this process should not trigger an ETOB either.

PERS requires the City to include the following in its resolution declaring its intent join PERS:

- A contact person authorized to work with PERS to develop a coverage agreement.
- Whether the City will participate for all employees or for a specified class or classes of employees.
- Whether the City will provide the unused sick leave benefit for Chapter 238 members (can elect to provide the benefit at a later date).
- Whether the City will participate in the State and Local Government Rate Pool for Chapter 238 members (can elect to join the pool at a later date).

- Whether the City will pay the six percent IAP contributions on employees' behalf.

The City Manager, HR Manager, and the Director of Administrative Services will be working on the coverage agreement with PERS. Paul Downey will be the designated contact person for PERS since he is the person at the City with the most knowledge of the City's defined benefit plan and PERS. The City's defined benefit plan will also have to be modified if the change to PERS is implemented.

As discussed above, the covered classes of employees will be newly hired police officers and firefighters, including non-represented police officers and firefighters. This would include newly hired police and fire command staff unless those hires are already existing City employees covered by the City's defined benefit plan.

The City is electing to include the unused sick leave benefit for Chapter 238 members as this is similar to the sick leave conversion at retirement for employees covered by the City's defined benefit plan. Chapter 238 members (commonly known as Tier 1 or Tier 2 members) are those members who worked for a PERS employer before August 29, 2003. All other are OPSRP members. The City is anticipating hiring few employees who would be Tier 1 or Tier 2 members except potentially at the command staff level.

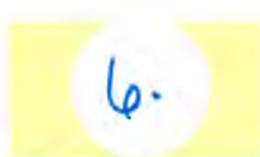
The City is electing not to participate in the State and Local Government Rate Pool (SLGRP) for Chapter 238 members. The City will most likely not participate in the SLGRP for OPSRP members either. The purpose of not participating in the SLGRP is so the City does not have to help pay for the accumulated liabilities of other PERS employers. PERS estimated the beginning employer contribution rate will be 12.65% of police and firefighter payroll although this rate is subject to change based on periodic actuarial valuations just as with the City's current defined benefit plan.

The City is electing to pay the six percent IAP contribution on the employees' behalf as the City is currently paying the seven percent employee contribution to the City's defined benefit plan.

FISCAL IMPACT: The fiscal impact is difficult to determine. As stated earlier in this report, the decision to move these employees to PERS is calculated risk that PERS will be better able to control costs over the long-term. The estimated initial PERS employer rate of 12.65% is lower than the City's current defined contribution rate of 17.3%. However, the PERS rate is based on total compensation less some adjustments while the City's rate is calculated on base compensation. The fiscal impact will also depend on the rate of turnover of current City staff.

STAFF RECOMMENDATION: Staff recommends the City Council approve the resolution so staff can begin negotiating the coverage agreement with PERS.

RESOLUTION NO. 2015-75



RESOLUTION AUTHORIZING THE CITY OF FOREST GROVE (CITY) TO COMMENCE NEGOTIATIONS TO PARTICIPATE IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS) FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS

WHEREAS, the City and the Forest Grove Police Association (FGPA) have agreed to put newly hired police officers into PERS; and

WHEREAS, the City and the International Association of Firefighters Local No. 1660 (IAFF) are negotiating to put newly hired firefighters into PERS; and

WHEREAS, PERS coverage would be effective for police officers and firefighters hired after the effective date of the PERS coverage agreement; and

WHEREAS, PERS requires formal government body approval to begin the process of negotiating a coverage agreement including designating a City contact person with PERS; and

WHEREAS, the City Council will be required to approve the negotiated coverage agreement before it is effective.

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

Section 1. The City of Forest Grove intends to participate in PERS for sworn police officers and firefighters hired after the effective date of a negotiated PERS coverage agreement. The City understands that participation is permanent and irrevocable once the coverage agreement goes into effect.

Section 2. The City designates Paul Downey, Director of Administrative Services, as the contact person authorized to develop a coverage agreement.

Section 3. The City will provide the unused sick leave benefit for Chapter 238 members.

Section 4. The City does not intend to participate in the State and Local Government Rate Pool for Chapter 238 members at this time.

Section 5. The City will pay ("pick up") the six percent Individual Account Plan (IAP) contribution on applicable employees' behalf.

Section 6. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 30th day of October, 2015.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 30th day of October, 2015.

Peter B. Truax, Mayor

October 30, 2015

**REPORT ON RESOLUTION AUTHORIZING A LABOR AGREEMENT BETWEEN
THE CITY OF FOREST GROVE AND FOREST GROVE POLICE ASSOCIATION
(FGPA), EFFECTIVE JULY 1, 2015, AND EXPIRING JUNE 30, 2018**

Project Team: **Jesse VanderZanden, City Manager**
 Brenda Camilli, Human Resources Manager

Issue Statement: The current labor agreement expired June 30, 2015. The new labor agreement has been modified, ratified by bargaining unit members, and needs to be approved by the Council.

Background: Representatives of the City of Forest Grove and FGPA met during recent months and have reached tentative agreement on certain modifications to the agreement, pending approval of the City Council. The parties agreed to a three year agreement (July 1, 2015 – June 30, 2018). Revisions were made to 12 article of the collective bargaining agreement, but the substantive agreement modifications are as follows:

- **Wages:** Cost of living adjustments were negotiated for all classifications covered within the agreement at the following rates: 3.0% effective 7/01/2015; 2.7% effective 7/01/2016 and 2.3% effective 7/01/2017. Additionally, spot adjustments of an additional 1.0% will be made to the Records Specialist position and 0.5% to the Property and Evidence position Specialist effective 7/01/15 and 7/01/16.
- **Retirement:**
 1. All regular, full-time employees hired into sworn peace officer positions on or after the effective date of the Oregon PERS coverage agreement shall be enrolled into the Oregon Public Employees' Retirement System (PERS). The City shall pay the Employee's 6% contribution. All other terms and conditions will be in accordance with PERS.
 2. All regular, part-time (20 or more hours per week) employees shall be eligible to enroll in the City of Forest Grove's Defined Contribution Plan under the terms and conditions of the current plan effective January 1, 2016.

- **Health & Welfare:** The following changes were agreed with reference to the health insurance premium sharing structure:
 1. Effective January 1, 2016 the medical and dental plan caps will be separated out as follows: The City will pay 95% of the premium for either medical plan and 95% of the Dental II (Delta Dental) dental premium; and
 2. Effective January 1, 2017 the City will pay 95% of the Regence BC medical plan premium and 93% of the Kaiser medical plan premium.
- **Incentive and Premium Pay:** Effective upon approval of the agreement, the assigned Detective Sergeant will receive an increase from 2.5% premium pay to 5.0% premium pay.
- **Term:** Extends the term of the agreement for three years, expiring June 30, 2018.

Fiscal Impact: The costs to implement this agreement are within the parameters set by Council. The Fiscal Year 2015-2016 Budget appropriated some of the funds in the Police Budget and General Fund Contingency may be used to find any costs in excess of what was budgeted. These increases will be updated into the City's 5-year General Fund projection.

Staff Recommendation: Staff recommends the City Council approve the attached resolution authorizing the City Manager to execute the labor agreement between the City and FGPA attached as Exhibit A.

RESOLUTION NO. 2015-76**RESOLUTION AUTHORIZING EXECUTION OF A
LABOR AGREEMENT BETWEEN THE CITY OF FOREST GROVE
AND FOREST GROVE POLICE ASSOCIATION (FGPA)
EFFECTIVE JULY 1, 2015, AND EXPIRING JUNE 30, 2018**

WHEREAS, representatives of the City of Forest Grove and the Forest Grove Police Association (FGPA) have met in good faith and negotiated a labor agreement between both parties effective July 1, 2015, through June 30, 2018; and

WHEREAS, the labor agreement provides for certain compensation and fringe benefit adjustments.

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

Section 1: The City Council of the City of Forest Grove hereby approves and authorizes the City Manager to execute the labor agreement (Attached as Exhibit A) between the City of Forest Grove and Forest Grove Police Association (FGPA).

Section 2: That the compensation plan contained in this agreement is approved, effective July 1, 2015, and expiring June 30, 2018.

Section 3: That the fringe benefits contained in this agreement are approved, effective July 1, 2015, and expiring June 30, 2018.

Section 4: This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 30th day of October, 2015.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 30th day of October, 2015.

Peter B. Truax, Mayor

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AGREEMENT
BETWEEN THE
CITY OF FOREST GROVE, OREGON
AND
FOREST GROVE POLICE ASSOCIATION
JULY 1, 2015 TO JUNE 30, 2018

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PREAMBLE

This Agreement entered into by the City of Forest Grove, Oregon, hereinafter referred to as the "City," and the Forest Grove Police Association, hereinafter called the "Association," made and entered into for the purpose of fixing the wage scale, schedule of hours, employee relations as defined by statute and conditions of employment affecting members of the bargaining unit.

ARTICLE 1 - RECOGNITION

1.1 The City recognizes the Association as the sole and exclusive bargaining agent for the purpose of establishing salaries, wages, hours and other conditions of employment for all regular employees to include the following positions;

- Sworn Sergeants
- Sworn Police Officers
- Property and Evidence Specialist
- Code Enforcement Officer
- Community Outreach Coordinator
- Records Specialists

of the Forest Grove Police Department, excluding supervisory, confidential, managerial, and temporary employees. For the purpose of this Agreement, sworn shall be defined as police sergeants and police officers. A regular part-time employee shall be defined as one who is regularly scheduled to work twenty (20) or more hours of work in a workweek, but less than full-time. A regular full-time employee shall be one who is regularly scheduled to work forty (40) hours of work in a workweek. Part-time employees shall earn sick, vacation, and holiday hours on a pro-rated basis. Maximum accruals shall also be pro-rated.

1.2 The City shall notify the Association of its decision to change any of the bargaining unit classifications. If the successor classification is not significantly altered or changed from the existing classification, the new classification shall be automatically recognized as part of this Agreement.

1.3 New classes may be developed within the Police Department by the City and a wage scale assigned thereto. The City shall forward a new class and wage scale to the Association for their review of the wage scale. Within ten (10) days, the Association may request to bargain on the wage scale; but in any event, the City shall not be barred from implementing the position or positions during the term of negotiations.

ARTICLE 2 - MANAGEMENT RIGHTS

2.1 It is understood and agreed that the City possesses the sole right to conduct the City's business and carry out its obligations and that all management rights repose in it, but that such rights are subject to such conditions, requirements and limitations as may be applicable under law, and must be exercised consistently with the provisions of this Agreement. The power or authority which the City has not officially abridged, delegated or modified by this Agreement is retained by the City.

2.2 Excluding those rights which are superseded by this agreement, management shall enjoy, but not be limited to, the following rights:

- A. To utilize personnel, methods, and procedures and means in the most appropriate and efficient manner possible.
- B. To manage and direct the employees of the Police Department, to enforce department rules, regulations, procedures, and guidelines; and to assess employees' job performance.
- C. To hire, schedule, promote, transfer, assign, train or retrain employees in positions within the Police Department.
- D. To suspend, demote, discharge or take other appropriate disciplinary action against employees for just cause. Scheduling of disciplinary days off will be at the convenience of department operations. The City has the right to discharge probationary employees for any reason without recourse to the grievance procedures of this Agreement.
- E. To determine the size and composition of the work force and to lay off employees.
- F. To determine the mission of the City and the methods and means necessary to efficiently fulfill the mission, including: transfer, alteration, curtailment, addition or discontinuance of any services; establishment of acceptable standards of job performance and qualifications; and purchase and utilization of equipment.
- G. The City has the right to schedule overtime as required in the manner most advantageous to the City and consistent with the requirements of municipal employment in the public interest.
- H. The City retains the right to establish job descriptions, work rules and rules of conduct.
- I. The exercise of management rights, except where abridged by specific provisions of this Agreement, are not subject to challenge by the grievance procedure.
- J. The City shall have the right to take any and all actions necessary in the event of an emergency. An emergency is an unexpected event demanding immediate action which must be declared by management.

2.3 The parties recognize the City may need to make operational changes in areas not covered by the above management responsibilities. In the event the City desires to make a change in a mandatory subject of bargaining, for which bargaining is mandated by the Public Employee's Collective Bargaining Act, the City shall give the Association at least fourteen (14) days notice of the desired change in writing. The Association may request bargaining of the issue, and the City thereafter will meet with the Association in an effort to resolve the issue. Should resolution not be achieved, either party may request the assistance of an ERB mediator. If mediation is unsuccessful within thirty (30) days after a mediator is assigned, the issue will be taken expeditiously to interest arbitration if arbitrable.

2.4 Nothing in this article shall have the effect of nullifying agreements entered into under other sections of this Agreement, provided that management rights and prerogatives, except where abridged by a specific provision of this Agreement, are not subject to the grievance procedure specified in Article 22. It is further agreed that the City retains all rights, powers, and privileges not expressly specified in this section.

ARTICLE 3 - EMPLOYEE RIGHTS

3.1 It is recognized that employees have the right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of employee relations. Employees covered by this Agreement also shall have the right to refuse to join the activities of the Association or any other employee organization. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against by the City or by the Association because of their exercise of these rights.

3.2 The provisions of this Agreement shall be applied equally to all employees in the bargaining unit without discrimination as to marital status, sex, race, color, national origin, age, religion, pregnancy, ancestry, veteran's status, sexual orientation, Association affiliation or political affiliation. Discrimination on the basis of relationship or mental or physical disability are prohibited except in the instance of valid occupational qualification and under the provisions of the Americans with Disabilities Act.

3.3 All references to employees in this Agreement designate both sexes and, whenever the male gender is used, it shall be construed to include male and female employees.

ARTICLE 4 - PEACEFUL PERFORMANCE OF CITY SERVICE

4.1 During the term of this Agreement, there shall be no strike, slowdown or recognition of any picket line while in the performance of official duties. For purposes of this section, "strike" means an employee's conduct in concerted action and includes failing to report for duty, or stoppage of work, or deviation in whole or in part from the regular, ordinary and/or consistent, full, faithful, and proper performance of duties of employment, for the purpose of inducing or coercing a change in the conditions, compensation, rights, privileges, or obligations of employment. The Association agrees to inform its members of their obligations under this Agreement and to direct them to attend to and fully perform duties as City employees.

4.2 In the event of a violation of this Article by the Association or employees in the bargaining unit, the City may, discipline any employee involved in such activity. Nothing herein shall preclude recourse by the City to such other legal or equitable remedies as may be available.

ARTICLE 5 - ASSOCIATION SECURITY

5.1 Membership or non-membership in the Association shall be the individual choice of the employees covered by this Agreement. Employees who are not members of the Association shall make payments in lieu of dues to the Association. Such payments shall be in an amount determined by the Association in accordance with constitutional and statutory requirements.

5.2 The City agrees to deduct from the paycheck of each employee Association dues or "fair share". The City shall not be held liable for checkoff errors, but shall make proper adjustments with the employee and the Association for errors as soon as practicable and upon notification from the Association. The Association agrees to indemnify and hold harmless the City from any action arising from this article. The amounts to be deducted shall be certified to the City by the Treasurer of the Association as needed

5.3 An employee who is a member of a church or religious body having bona fide religious tenets or teachings which prohibit association with a labor organization or the payment of dues to it shall pay an amount of money equivalent to the fair share amount described in Section 5.1. Such payment shall be made to a non-religious charity or another charitable organization mutually agreed upon by the employee affected and the Association. The employee shall furnish written proof to the City that payment has been made.

5.4 The City agrees to continue to furnish bulletin board space for Association use of at least 22 inches by 36 inches in dimension in an unobstructed place to be used and maintained by the Association and restricted to Association business and training or education or announcements. The Association shall limit its posting of notices and bulletins to such bulletin board. The Association shall periodically clear the board of outdated material and shall restrict posting to matters of Association business, which are of a non-inflammatory nature.

5.5 The City shall notify the Association of all new hires within the bargaining unit within two (2) weeks of their having been employed, furnishing the Association with the new employee's name, mailing address and position for which he was hired.

5.6 Use of the City's E-Mail System

a. The parties recognize that the City's email system is the sole property of the City. This resource is provided or assigned to employees to facilitate the orderly and efficient conduct of the public's business. Permitted email uses constitute public business in conducting labor relations activity. In general, all such communications may be subject to disclosure, and the parties recognize that the City does not have an obligation to assert any exceptions or exemptions from disclosure as to public records that happen to contain information relating to Association activity by City employees. The parties recognize that the City may review all City emails in the City system at any time.

b. Certified Association Officers may use the City's email system to conduct labor relations business for the limited purposes of:

i. Notifying Association members of meetings and scheduling meetings (date, time, place and agenda);

- ii. Scheduling meetings among Association Officers (date, time, place and agenda); and/or
- iii. Filing official correspondence with the City (i.e., grievance documents, demand to bargain notices), provided however that timelines for grievance responses shall run from receipt (the date an email is opened).
- iv. Communication between the Association attorney, Certified Association Officers and City Officials.

Such City email communications shall be specifically identified in the Subject Line as Labor Relations Business in addition to any other topic.

c. The City retains control over the City email system and may restrict or revoke permission to use the City email for labor relations purposes at any time after meeting and discussing such decision and the City's reasons. Association officers and members will keep on duty use of email for labor relations purposes (sending/reading) to a minimum.

d. The parties recognize that misuse of the City's email system is considered a violation of policy and the parties agree that any violation of this limited exception for the use of the City's email system may result in discipline, up to and including termination.

e. From time-to-time, the Association will certify to the City's HR Manager or designee and the Chief of Police or designee an up-to-date list of Association Officers.

ARTICLE 6 - HOURS OF WORK

6.1 The workweek shall consist of seven (7) days with four (4) consecutive ten (10) hour shifts followed by three (3) consecutive days off. Solely at the discretion of the Chief or his designee, a schedule consisting of five (5) consecutive eight (8) hour shifts followed by two (2) consecutive days off may be established. Shift rotations shall be implemented within two consecutive work weeks, during which time an employee shall work no more than 80 hours and five (5) consecutive days or four (4) consecutive days, depending on schedule without one (1) day off.

6.2 The regular hours of each workday shall be consecutive with interruptions for rest periods and lunch periods. The workday shall commence at the start of the employee's scheduled shift and continue for twenty-four (24) hours. Employees shall be scheduled a minimum of ten (10) hours off between regularly scheduled shifts.

6.3 Each employee shall be scheduled to work on a regular shift. Each employee shall have regular starting and quitting times.

6.4 Work schedules showing employee's work day and hours shall be posted on the Department bulletin board. Schedule changes that are not requested by an employee shall be made only after other options are evaluated. Except for emergency situations and for the duration of the emergency, any changes in work schedules shall be posted a minimum of ten (10) days prior to the effective date of the change. An "emergency" is an unexpected event demanding immediate action, which must be declared by management. Work schedule changes, resulting from employee attendance in training courses, shall require 24-hour notification to the affected employees. Schedule changes for the convenience of the employee, by mutual agreement or after other options are evaluated, shall not be subject to the notification requirements set forth above.

Employees who are undergoing FTEP are exempt from the scheduling notification requirements herein and may be reassigned by the City with a minimum of three (3) calendar days notice in order to accommodate the efficient and effective completion of their training. Individual employees may voluntarily waive the three (3) calendar days notice requirement at the City's request.

6.5 Rest periods of fifteen (15) minutes shall be provided when practicable for all employees during each half shift which shall be scheduled by the City in accordance with the operating requirements of each employee's duties and shall be considered on-duty time.

6.6 All employees shall be granted a thirty (30) minute meal period during each work shift to the extent consistent with operating requirements of the Department. Each meal period shall be scheduled in the middle of the work shift or as near thereto as possible when practical.

6.7 Travel to and from work, whether in a personal or City vehicle, shall not constitute hours worked unless the employee is otherwise on duty.

6.8 Employees in the same classification may trade shifts subject to the advance written approval of the affected shift supervisors(s). Prior to requesting approval for a shift trade, probationary employees must have completed all DPSST mandated training, including FTEP. Trades are at the sole option of the employees who shall be solely responsible to reciprocate the trade. The City shall not record hours worked on a trade; both employees records of hours of work shall be maintained as if each employee worked the regular

hours assigned, and shall be paid accordingly.

6.9 Community Service Officers shall not be subject to the scheduling restrictions provided for in this Article. The parties agree to continue their current practice of flexible scheduling of this position.

6.10 Safety Release. An employee who is required by the City to work fifteen (15) or more hours in any twenty-four (24) hour work day and who is scheduled to work a shift in the next twenty-four (24) hour work day shall be guaranteed at least nine (9) hours off before being required to return to active duty status. The Police Chief retains the authority to suspend this provision upon declaring a public safety emergency.

ARTICLE 7 – OVERTIME

7.1 The City shall have the right to assign overtime work as required in a manner consistent with the requirements of the Police Department. Employees required to work beyond forty (40) hours per work week, or eight (8) hours on any work day for employees on a 5 day/8 hour schedule, or ten (10) hours on any work day for employees on a 4 day/10 hour schedule, shall be compensated at the rate of one and one-half (1½) times their regular rate of pay in either cash or compensatory time. Under no condition shall such compensation be received twice for the same hours. Management will notify the Association of overtime needs of the department and the Association will be responsible for filling the overtime needs of the department.

When an employee's attendance is required or mandated for a work related event or assignment that occurs during their regular scheduled work hours (regular scheduled work hours is defined as the employee's work days and work hours derived from the most recent shift bidding process) and the employee has requested time off; the following procedure will be followed:

- Notice of required or mandated attendance prior to time off request:
Time off request may be denied.

- Notice of required or mandated attendance after time off request is approved:
If the start time for the required or mandated event occurs during the employee's regularly scheduled work hours and the employee has scheduled and approved time off, the employee time off account will be credited for the hours worked and will be compensated at a rate of time and one half (1 ½) in accordance with the call back requirements set forth in section 7.4.

7.2 Employees shall be allowed to accrue compensatory time to a maximum of forty (40) hours and such accrual may continue as long as the employees' accrual is below the maximum. Compensatory time-off must be scheduled with the approval of the supervisor. Overtime in excess of forty (40) hours shall be paid on the next regularly scheduled paycheck.

7.3 Overtime shall be computed to the nearest one-quarter (1/4) hour. For purposes of compensating authorized off-duty communications to an employee, cumulative work performed in excess of 7.5 minutes within an eight (8) hour period will be rounded up in 15 minute increments at the employee's overtime rate of pay except for telephone calls relating to the employee's schedule and remedial calls shall not be compensated.

7.4 Employees called back to work shall be compensated at a rate of time and one-half (1½) for a minimum of four (4) hours. This section only applies when call back results in hours worked which do not fall within two (2) hours before or after the beginning or end of the workday which shall be treated as a shift extension and not as a call back. More than one (1) court appearance scheduled within the applicable minimum shall be considered a single call back under this section. Any work performed beyond the minimum shall be applied as added time. If a subsequent call back is scheduled with more than the applicable call back interval, it shall be applied as a separate call back.

7.5 When an employee is authorized to attend school or training course not required by the City on the employee's regularly scheduled day(s) off such attendance will be considered hours worked and will be compensated if attendance was required by the City. If the employee volunteers to attend and so

requests in writing, and the City and the employee mutually agree to arrangements related to representation, expense reimbursement, accounting for the time involved, and shift coverage, the employee will be paid wages and/or reimbursed as agreed by the City and the employee. The employee will be compensated at the appropriate regular or overtime rate of pay for training activities, including travel time, as required by the FLSA. Any overtime remedial work shall be exempt from the minimum callback provision in Article 7.4.

7.6 Requests for overtime compensation shall be submitted to the employee's supervisor within seventy-two (72) hours of the overtime being worked.

ARTICLE 8 - SICK LEAVE

8.1 Employees shall accumulate eight (8) hours of sick leave per month, beginning with the date of employment and prorated for partial months worked. Accrued sick leave shall not exceed fourteen hundred (1400) hours.

8.2 Employees may utilize their accrued sick leave when unable to perform work duties by reason of illness, injury, disability or necessity for medical or dental care. Employees may utilize their accrued sick leave by reason of illness or injury in the employee's immediate family when the employee's attendance is required. The definition of "immediate family" for this article includes spouse, same-sex domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, parent-in-law, and parent of same-sex domestic partner or a person with whom the employee is or was in a relationship of in loco parentis. It also includes the biological, adopted, foster, or stepchild of an employee or the child of an employee's same-sex domestic partner, grandchild, or grandparent of the employee.

8.3 Sick leave shall not be used for absence due to illness or injury which is the result of outside employment.

8.4 An employee unable to report for work due to illness or injury, shall notify the on-duty supervisor of the absence at least two (2) hours prior to his reporting time. When an employee cannot be reasonably expected to know the illness or injury exists two (2) hours prior to the scheduled reporting time, the on-duty supervisor must be notified as soon as practicable.

8.5 Employees may be required after three (3) consecutive days of sick leave usage to furnish a certificate issued by a licensed physician or practitioner or other satisfactory evidence of the illness or injury. If the employee's sick leave usage warrants possible discipline or corrective action or the employee has been disciplined, a supervisor may require a doctor's certificate for less than three (3) days' absence. The City will reimburse the employee co-payments, co-insurance, deductions or other payment to the health care provider or other expenses incurred as a direct result of the application of this provision which will result in no cost to the employee.

8.6 Proven abuse of sick leave shall be grounds for disciplinary action.

8.7 The City will comply with federal and Oregon family leave laws. Paid leaves of absence permitted under this Agreement shall run concurrently with statutorily protected family leaves, which are defined by federal and Oregon law, and explained fully in City personnel policy. For parental leave the employee may designate the order in which the leave banks are used.

8.8 Unused sick leave is applied as a credit as part of the City retirement plan. Refer to Article 13 relating to Retirement.

8.9 On June 30 of each year during the term of this Agreement, a review of sick leave use by members covered by Agreement will be made. Eight (8) hours of leave will be converted from sick leave to vacation leave for those employees not having used more than eight (8) hours of sick leave for any purposes other than qualifying FMLA/OFLA leave for the immediate twelve (12) month period preceding June 30. Employees must have completed 12 months of employment by June 30 to be eligible for sick leave incentive.

8.10 Donated Leave: Employees who are members of the Association may request donated leave to cover absences from work that meet the criteria outlined in this Article.

1. Employee must be a member of the FGPA to request, receive, or donate leave under this article.
2. In order to request donated leave the employee must not be eligible for the City's donated leave program outlined in the Sick Leave section, currently Section 9.2, of the City of Forest Grove's Employee Handbook.
3. The reason for the request for donated leave must meet the requirement of a "serious medical condition" that is certified in writing by a physician. "Serious medical condition" for the purposes of this article shall be defined as the employee being unable to perform the duties of his/her job, or that a member of the employee's immediate family requires the employee's attendance and care due to a serious medical condition. The attending physician must also estimate the time the employee will be away from work.
4. "Immediate family" will be defined as outlined in the current Collective Bargaining Agreement, Article 8.2.
5. Employee may apply for donated leave if he/she has less than 100 hours of total paid leave accrued; but must exhaust all of his/her own paid leave prior to receiving any donated leave.
6. Only accrued vacation leave, holiday leave and/or compensatory time may be donated to another employee.
7. All donations of leave must be voluntary.
8. All other provisions will be the same as outlined in the Donated Leave Policy in Section 9.2, Sick Leave, of the current City of Forest Grove Employee Handbook.

ARTICLE 9 - ON-THE-JOB INJURY

9.1 Employees who are injured while in the performance of duty shall report such injury to the on-duty supervisor as soon as practicable, but normally no later than the end of the employee's work shift.

9.2 Employees who sustain an injury or illness compensable by Worker's Compensation and who are unable to perform their normal duties as a result of such injury or accident will be compensated by the City's insurance carrier for the period of time loss. The City will pay the difference between the employee's regular salary net after taxes and the compensation benefits for lost time for a period of 90 days following the injury or illness.

9.3 If an employee is off work beyond 90 days as a result of a work injury, accrued days of sick leave may be used on a pro rata basis to supplement the employee's insured disability income until such leave is exhausted. Such supplement shall not exceed the amount of an employee's net base pay while in active status. An employee may request in writing at the time of notifying the department that he is taking leave and that he does not want the leave charged against his accrued sick leave. In this event, the leave shall not be paid by the City.

9.4 The employee may use his accrued compensatory time, holiday credits and vacation credits after the use of any accumulated sick leave. Medical progress reports may be required prior to approval of such payments.

9.5 It is in the mutual interest of the parties to return an injured employee to work as soon as practicable. The City may provide limited duty assignments for injured employees, to the extent consistent with the operating requirements of the City. With the concurrence of the attending physician, when a limited duty assignment is made available to an employee, the employee shall return to work in the limited duty assignment until such time as he is released for normal duties. In no instance will a limited duty assignment extend beyond sixty (60) days without the express approval of the Chief or designee.

ARTICLE 10 - LEAVE OF ABSENCE

10.1 In the event of the death of a member of an employee's immediate family (spouse, same sex domestic partner, parent, child) or household, including grandchildren, grandparents, brothers, sisters, and parent in-laws, the Police Chief may grant leave with pay, not to exceed one (1) work week, to provide sufficient time to make funeral arrangements if necessary and to attend the funeral. Leave with pay of up to four (4) hours may be granted when an employee serves as a pallbearer.

10.2 Oregon Family Leave Act (OFLA) BEREAVEMENT LEAVE (unpaid). Employees may request additional time off (up to 2 weeks in total) as allowed by the state OFLA provisions effective January 1, 2014. Bereavement Leave taken under the provisions of Section 10.1 and this Section, 10.2, will be combined and credited against the employee's 12 weeks of family leave allowed under OFLA. All of the rules for requesting, accounting for and accruing OFLA leave as incorporated into the City of Forest Grove Employee Handbook will apply.

10.3 When an employee is called for jury duty or is subpoenaed as a witness as a result of his employment with the City, he shall not suffer any loss in regular pay from such absence. However, he shall remit to the City any compensation or fees received for such duties. Upon being excused from jury duty for any day, an employee shall immediately contact his supervisor for assignment for the remainder of his regular workday. If the employee is assigned to swing shift or mid shift and the employee is called for jury duty immediately before or after a regularly scheduled work day, then the time spent serving as a juror will be viewed as hours credited towards time for the Safety Release.

10.4 Military leave shall be granted in accordance with state and federal law. An employee taking military leave for training shall be entitled to reimbursement of an amount equal to the difference between the daily military salary and regular rate of pay in accordance with state and federal law.

10.5 Upon written application by the employee, parental leaves without pay may be granted in instances of a birth or adoption of a child within the immediate family. Such leave request shall not exceed 180 calendar days. The approval of such leave shall be at the sole discretion of the City Manager or a designee and shall be in accordance with any pertinent statutory provisions.

10.6 The City shall consider a written application for leave of absence without pay not to exceed 180 calendar days if the City finds there is reasonable justification to grant such a leave and that the work of the department will not be seriously jeopardized by the temporary absence of the employee. Such leaves shall not be approved for the purpose of accepting employment outside the service of the City. The City may also deem a resignation in the event that the employee has accepted employment outside the service of the City, entered into a full-time business or occupation, or has not complied with the terms of his application for such leave.

10.7 Employees granted a leave without pay may maintain their medical insurance coverage through the City by remitting premium payments to the City on a schedule provided by the City.

ARTICLE 11 - OUTSIDE EMPLOYMENT

11.1 Employees shall receive approval from the Police Chief based on Article 11.2 prior to engaging in outside employment. Such request and approval shall be made in writing and may be rescinded in writing by the Police Chief.

11.2 In order to be approved, outside employment shall:

1. Be compatible with the employee's adherence to the Police Officer's Code of Ethics;
2. In no way detract from the efficiency of the employee in City duties;
3. Not take preference over extra duty required by City employment;
4. Not present a legal or ethical conflict of interest with the police profession.

ARTICLE 12 – HEALTH & WELFARE

12.1 The City shall provide health insurance benefits to the employee and their dependents comparable to Blue Cross Copay Plan B-PPP, including Well-Baby care and Physical Examination riders, Plan II dental insurance, and the VSP Vision insurance through the EBS Trust. The City shall also offer Kaiser medical, prescription, dental, vision and alternate care insurance as an alternative to Blue Cross.

The City's premium for full-time employees shall be set at the following rates:

A. Effective 1/01/16:

Medical: The City's premium for full-time employees shall be set at ninety five percent (95%) of either the full Blue Cross medical plan premium cost or the full Kaiser medical plan premium cost as elected by the employee during benefits enrollment.

Dental: The City's premium for full-time employees shall be set at ninety five percent (95%) of the full Dental II plan premium cost.

B. Effective 1/01/17:

Medical: The City's premium for full-time employees shall be set at ninety-five percent (95%) of the full Blue Cross medical plan premium cost or ninety-three percent (93%) of the full Kaiser medical plan premium cost as elected by the employee during benefits enrollment.

The City's premium for part-time employees shall be fifty percent (50%) of the caps established for full-time employees.

Cadillac Tax Review: The City will evaluate medical premiums and contributions in May 2017. In the event the aggregate medical contributions provided by the City for either plan offered, including payments for VEBA and FSA or similar, and including employee cost share contributions for premiums, exceed thresholds for the 2018 Cadillac Tax, as provided under the Affordable Care Act, the City will provide notice to the Union to reopen Article 12. If agreement is not reached by September 30, 2017, the parties agree to initiate mediation to resolve the issue.

If no agreement is reached by December 1, 2017, beginning January 1, 2018 and thereafter, if any excise tax under the Affordable Care Act is imposed with reference to the "Cadillac Plan Tax", the individual employee and the City will split the equivalent of the taxable amount imposed equally through payroll deductions.

12.2 The City agrees to offer a Section 125 plan.

12.3 Upon retirement from City service, employees may elect to continue their group medical insurance coverage at their own expense as provided by COBRA and the CCIS or City insurer's retiree program in effect at the employee's date of retirement.

12.4 The City shall provide the following insurance benefits and shall pay all premium costs for the duration of this Agreement:

1. Life and accidental death in an amount equal to the employee's annual salary rounded to the nearest \$1,000.
2. Worker's compensation.
3. Long-term disability after a 90-day waiting period, with a maximum of sixty-six and two-thirds percent (66 $\frac{2}{3}$ rds) of the first \$7,500 of monthly salary up to a maximum of \$5,000 per month up to age 65 or until the employee is able to return to work.

Part-time employees shall not receive life insurance, long term disability insurance or retirement benefits.

12.5 The City shall provide self-insurance or liability insurance coverage and defense of claims arising out of acts committed by employees in the discharge of their duties and in the course of their employment, in accordance with the Oregon Tort Claims Act, excluding acts constituting malfeasance in office or willful or wanton neglect of duty.

12.6 The City agrees to reimburse an Association member for the reasonable, usual and customary legal fees charged by an attorney as a direct result of criminal charges or a grand jury appearance against the Association member arising out of the Association member's involvement in the proper performance of duty as an employee for the City. The City's obligation of reimbursement is subject to the following:

- A. To receive reimbursement under this Article, the Association member must select an attorney from a list of attorneys that has been mutually agreed upon by the Forest Grove Police Officers' Association and the City. Neither party shall unreasonably oppose the inclusion of an attorney on the list. Within sixty (60) days of the execution of this Agreement, the Association shall submit to the City the names and professional biographies of the attorneys the Association proposes for inclusion on the list. If the City Attorney does not object, in writing, to an attorney on the list within twenty (20) working days, the attorney shall be included on this list. The names on the list shall be reviewed every six (6) months upon the request of either party. If no attorney on the list is available to represent an Association member, the Association member may obtain another attorney of choice, however, the City's obligation to reimburse will arise only if the City receives written notice of the selected attorney from the Association within three (3) calendar days of the Association member or Association learning of the lack of availability of an attorney from the predetermined list.
- B. Following the initial meeting between the Association member and the attorney, the Association shall arrange for an attorney to provide the City, at no cost to the City, a preliminary estimate of the anticipated legal fees, costs and expenses. This preliminary estimate shall be directed to the City Attorney, the Chief of Police, and the Association.
- C. Before becoming obligated under this Article, the City shall be presented with a sworn affidavit by the attorney listing an hourly breakdown of the time spent and a brief description of the purpose of such time. The attorney shall account for and value time at the attorney's most favorable rate, not to exceed \$160.00 per hour. If the City, in its

discretion, feels the charges exceed the reasonable, usual and customary fees normally charged, the parties shall submit the matter to the Oregon State Bar Fee Arbitration program for resolution. The decision of the OSB fee arbitrator or arbitration panel shall be final and binding as to the City's obligation under this Article. Under no circumstances shall the provisions of this Article give rise to a claim of any sort against the City by the attorney retained or selected by the Association member.

- D. Reimbursement will not be made in those instances where:
1. The Association member is convicted by verdict or plea, or pleads no contest to any criminal charges arising out of the incident;
 2. The Department sustains any disciplinary charge(s) on the basis of the Association member's actions which formed any part of the basis for the possible criminal liability unless the Department's disciplinary action is wholly set aside on grievance appeal;
 3. The City shall have no obligation to reimburse an Association member, the Association or counsel for the Association for costs or legal fees in any instance where the Association member or the Association elect to have counsel for the Association represent the Association member involved in the incident at any stage of the criminal proceeding, including, but not limited to, any grand jury proceeding;
 4. The City shall have no obligation to reimburse an Association member, the Association, or counsel for the Association for costs or legal fees associated with representation at pre-disciplinary procedures; and
 5. The City shall have no obligation to reimburse an Association member, the Association, or counsel for the Association for fees associated with representation at or in conjunction with the filing of a civil claim, except in accordance with the indemnity requirements of the Oregon Tort Claims Act.
- E. Any reimbursement required by the City shall be made only at the conclusion of all criminal and disciplinary proceedings against the Association member relating to or arising out of the incident and are subject to the following monetary maximums:
- A. Legal fees relating to a grand jury investigation and/or appearance: \$5,000.
 - B. Legal fees relating to post-grand jury indictment or other charging instrument: an additional \$5,000.

12.7 Voluntary Employees' Beneficiary Association (VEBA)

- A. Effective July 1, 2005, the City will established a medical savings account Voluntary Employees' Beneficiary Association (hereinafter VEBA) plan, under Section 501 (c) (9) of the Internal Revenue Code for each employee of the Association who is eligible for, and enrolls in, one of the City's Health Insurance

Plans as described in Article 12. The City shall make monthly contributions equal to one percent (1%) of the employee's base salary to said account.

- B. Effective July 1, 2005, once an employee's sick leave accruals reaches one thousand (1000) hours, the cash equivalent of two (2) hours of sick leave accrued will automatically be paid into the employee's VEBA account each month. The remainder of the monthly accrual of sick leave will continue to accrue up to the maximum established in Article 8, Section 1.
- C. Effective July 1, 2005, when an employee's holiday accruals reach forty eight (48) hours, the City shall contribute the cash equivalent of all additional holiday hours accrued in excess of forty eight (48) hours into the employee's VEBA account. If an employee's holiday accruals fall below forty eight (48) hours, the VEBA contributions will cease until the employee has the minimum of forty eight (48) hours accrued.

12.8 Physical Fitness Incentive. Recognizing that physical fitness is beneficial to the health and wellbeing of Employees, in addition to lowering the potential costs of healthcare and work related injuries, a physical fitness incentive was established beginning July 1, 2008.

Effective upon adoption of the contract the City will pay up to \$20.00 (twenty dollars) per month toward membership at a fitness facility of the City's choice for all Association members who elect to participate. Joining the fitness facility will be optional. If the facility the City chooses goes out of business or is no longer available, the Police Chief, or his/her designee, will call a meeting with the Association's Executive Board to discuss alternatives. The parties agree to open this Article of the contract if any revisions are required.

The parties recognize that the City will reflect any and all amounts paid as allowances, bonuses, and/or incentives as subject to the IRS and Oregon payroll tax deductions.

Recognizing that participation in this incentive program is purely voluntary, those employees who opt not to participate will not receive discipline, will not be denied promotions or special assignments, or be negatively treated by the City of Forest Grove, or its supervisors, for this choice.

ARTICLE 13 – RETIREMENT

13.1 The City will afford members participation in one of the following retirement programs based on eligibility as outlined below:

- A. the City of Forest Grove Retirement Plan for regular full-time employees who are:
 - 1) DPSST certified peace officers hired as police officers on or before June 30, 2015 and are already members of the City of Forest Grove Retirement Plan:
 - or,
 - 2) regular full-time employees hired on or before June 30, 2012 and are already members of the City of Forest Grove Retirement Plan.

For police officers covered by the City of Forest Grove Retirement Plan, the retirement benefit for police officer shall be equal to or better than that provided by the Public Employees Retirement System (PERS) as determined in accordance with Oregon law. ~~13.3~~The City shall pay the employee's contribution to the City of Forest Grove Retirement Plan. ~~13.4~~ Sick leave at retirement will be administered consistent with the terms of the City of Forest Grove Retirement Plan. ~~13.5~~The City will not amend or reduce the sick leave conversion at retirement aspects of the City of Forest Grove Retirement Plan without notice to the bargaining unit and bargaining.

- B. All other regular full-time employees hired as full-time employees on or after July 1, 2012, shall be enrolled into the City of Forest Grove Defined Contribution Plan. The employer shall contribute an amount equal to ten percent (10%) of base wages to the employee's account in the City of Forest Grove Defined Contribution Plan. Additionally, the City will match dollar for dollar any additional contribution the employee makes into the employee's deferred compensation account, up to a maximum of 2% of base wages. The City's match payment will be paid into the Defined Contribution Plan. Eligibility for retirement benefits and waiting period requirements continues under the existing criteria for regular (full-time 40 hour/week) employees only and a six month waiting period. There is no sick leave conversion in the City of Forest Grove Defined Contribution Plan.
- C. All DPSST certified peace officers hired as police officers on or after the effective date of the Oregon PERS coverage agreement shall be enrolled in the Public Employee's Retirement System (PERS). The City shall pay the employee's 6% contribution to that plan. Retirement benefits will be determined by PERS.

13.2 The retirement benefit for police officer shall be equal to or better than that provided by the Public Employees Retirement System (PERS) as determined in accordance with Oregon law.

13.3 The City shall pay the employee's contribution to the City of Forest Grove Retirement Plan.

13.4 Sick leave at retirement will be administered consistent with the terms of the City of Forest Grove Retirement Plan.

13.5 The City will not amend or reduce the sick leave conversion at retirement aspects of the City of Forest Grove Retirement Plan without notice to the bargaining unit and bargaining.

13.6 All other regular full-time employees hired as full-time employees on or after July 1, 2012, shall be enrolled into the City of Forest Grove Defined Contribution Plan. Effective January 1, 2016 eligibility for retirement benefits under the City of Forest Grove Defined Contribution Plan will include all regular employees regularly scheduled to work twenty (20) or more hours per week. The employer shall contribute an amount equal to ten percent (10%) of base wages to the employee's account in the City of Forest Grove Defined Contribution Plan. Additionally, the City will match dollar for dollar any additional contribution the employee makes into the employee's deferred compensation account, up to a maximum of 2% of base wages. The City's match payment will be paid into the Defined Contribution Plan. Eligibility for retirement benefits and waiting period requirements continues under the existing criteria for regular (full-time 40 hour/week) employees only and a six month waiting period. There is no sick leave conversion in the City of Forest Grove Defined Contribution Plan.

ARTICLE 14 - VACATION

14.1 Vacation shall be credited at the following rates:

<u>Length of Continuous Service</u>	<u>Vacation Hours Earned p/Month</u>	<u>Vacation Days p/Year</u>
1 - 24 Months/ 1+ - 2 Years	6.67	10
24+ - 60 Months/ 2+ - 5 Years	8.00	12
60+ - 120 Months/ 5+ - 10 Years	10.00	15
120+ - 180 Months/ 10+ - 15 Years	13.34	20
180+ Months/ 15+ Years	16.67	25

14.2 "Continuous Service" is defined as that service which is unbroken by separation from City service other than by the Military, Peace Corps, or any other paid leave allowed under this Agreement. Time spent on other types of authorized leave will not count as time of continuous service; except that employees returning from such leave or employees who are laid off, shall be entitled to credit for service prior to the leave or layoff.

14.3 Employees are eligible to take vacation time after the completion of the Field Training Evaluation Program; exceptions may be made by the Chief of Police for emergency situations. Employees shall be responsible for planning, initiating requests for, and using vacation credit. Accrued vacation may be utilized in one (1) hour increments. In case of conflicts between employees concerning the scheduling of vacations, refer to Article 19.

14.4 Employees may not accrue over three hundred sixty (360) hours of vacation time without the approval of the City Manager.

14.5 Upon termination of employment for any reason, or in the event of an employee death, the beneficiary shall be paid a lump sum of all earned but unused vacation hours.

ARTICLE 15 - HOLIDAYS

15.1 All sworn employees shall accrue holiday time at the rate of eight (8) hours per month. An employee may elect to take off the accrued holiday hours at a time mutually agreeable to the employee and the supervisor, or to receive pay in lieu of time off during the pay period in which the holiday time is earned.

15.1.1 Sworn employees may accrue up to forty eight (48) hours of holiday time. See Article 12, Section 7 for additional VEBA information.

15.3 Upon termination of a sworn employee for any reason, or in the event of death, the employee or the employee's beneficiary shall be paid a lump sum for all earned but unused holiday hours.

15.4 Non-sworn employees shall observe designated holidays listed below:

New Year's Day	Veteran's Day
Martin Luther King Jr.'s Birthday	Thanksgiving Day
Memorial Day	Friday after Thanksgiving Day
Independence Day	Christmas Day
Labor Day	

15.5 For non-sworn employees, when a holiday falls on a Sunday, it will be observed on the following Monday. A holiday that falls on a Saturday will be observed the Friday preceding the holiday.

15.5.1 In the event an employee is required to work on a holiday, all hours worked will be paid at one and one-half times ($1\frac{1}{2} \times$) the base rate of pay and the employee will receive another day off.

15.5.2 Employees assigned to work a 4/10 schedule whose normal day off falls on the holiday shall schedule another day off during the same pay period of the holiday. The day taken off shall be agreed upon and scheduled in advance.

ARTICLE 16 - PERSONNEL FILE

16.1 Each employee shall have the right upon request to review and obtain at his own expense copies of the contents of his personnel file exclusive of materials received prior to the date of his employment by the City. The official personnel file shall be maintained by the personnel director.

16.2 Following the date of employment, no material shall be placed in an employee's personnel file without the knowledge of the employee. An employee may respond in writing to any item placed in his personnel file and said response shall become part of his personnel file.

16.3 Upon request of the employee, all documentation up to and including letters of reprimand shall be removed after twelve (12) months, or earlier by approval of the Police Chief, provided there is no subsequent letter(s) of reprimand or disciplinary action taken during the intervening period of time.

ARTICLE 17 - PROBATIONARY EMPLOYEES

17.1 The probationary period for non-sworn represented employees shall be twelve (12) consecutive months of employment within the classification. The probationary period for police officers shall be eighteen (18) consecutive months of employment within the classification. The probationary period may be extended for no more than three (3) months in individual cases by mutual agreement between the City and the Association.

17.2 During the probationary period, an employee may be disciplined or discharged at the sole discretion of the City without any reason or cause being shown and without recourse to the grievance procedure. Any employee who is returned to his former classification shall not be discharged without just cause.

ARTICLE 18 – SENIORITY

18.1 Bargaining Unit seniority shall mean the length of an employee's service within a bargaining unit in the police department. Classification seniority shall mean the length of an employee's service within the classification in the police department. Department seniority shall mean length of service in the police department. An employee shall attain seniority after completing the probationary period, at which time the employee shall be credited with the seniority accrued during the probationary period. For purposes of this article, seniority shall be defined as continuous time within a classification. For the purpose of establishing seniority for Association members hired on the same date and job classification, seniority shall be based on candidate overall ranking as established by Human Resources prior to the Chief's interview. The candidate ranking shall be kept on file and copies shall be made available to employees.

Employees who are promoted to positions within the Department that are outside the bargaining unit, but are returned to bargaining unit positions by the City will return with the seniority they had accrued at the time of their promotion. The time an employee spends in such a position will not however, be applied toward his/her seniority. Instead, the employee's seniority date will be adjusted by an amount equal to the time he/she served in the non-bargaining unit position.

18.2 The City shall provide the Association with an updated seniority list of members annually and upon request of the Association.

18.3 A non-probationary bargaining unit employee who resigns voluntarily and chooses to request reinstatement within ninety (90) days of termination may be granted reinstatement to a vacant and available position if the City approves. The reinstated employee will receive the vacation and sick leave accrual rates which applied at the date of termination. This section shall not operate to require the City to fill a vacant position which the City has elected to hold vacant. An employee/former employee may not request reinstatement under this Article 18.3 more than once.

18.4 In the event of a staff reduction, the City will lay-off in inverse order of bargaining unit seniority by job classification. Laid off employees may bump to any lower classification for which the employee is qualified and displace an employee with less bargaining unit seniority. An employee promoted outside the bargaining unit may use department seniority to displace the junior employee in the bargaining unit.

18.5 An employee who is laid off due to reduction of staff shall have preference for recall based upon seniority. Employees laid off shall retain such right of recall for eighteen (18) months. Employees so recalled by the City shall be reinstated with seniority rights accumulated as to the date of their lay off. Any laid off employee who is recalled by the City shall have ten (10) days from mailing of notice by Certified mail, sent to the last address provided to the City by the employee, in which to accept the assignment and two (2) weeks to report if employed elsewhere unless otherwise mutually agreed. Return of the notice as undeliverable because the employee has moved without notifying the City shall constitute rejection of the assignment. A laid off employee who is recalled by the City and who rejects the assignment shall relinquish all rights provided for within this article and Agreement.

18.6 Classification seniority shall be used for shift and days off.

ARTICLE 19 - VACATION SCHEDULING

Priority vacation scheduling shall be by department seniority for requests which are submitted between December 1st and December 31st for the upcoming year. Such exercise of seniority shall be limited to one (1) selection for each calendar year. Priority requests submitted by December 31st shall be approved or denied as soon as practical. Subsequent requests will be approved or denied on a first come, first served basis within twenty-one (21) calendar days. Seniority time off requests, which can only be made for the following twelve month period, will be approved by the shift supervisor of the shift that will be affected at the time the leave is to be taken.

ARTICLE 20 - DISCIPLINARY ACTION

20.1 Disciplinary Measures. Disciplinary action shall be for just cause. Discipline shall include the following actions as well as additional actions as are appropriate to the circumstances of the violation. These include: verbal reprimand (which may be documented in writing), written reprimand, reduction in pay, suspension without pay, demotion and dismissal, as warranted by circumstances and the nature of the offense. The City shall not impose a reduction in pay, suspension without pay, demotion or dismissal of a non-probationary employee without due process. Counseling and coaching are not considered disciplinary action.

Verbal reprimands over one (1) year old shall not be the sole basis for progressive disciplinary actions. Verbal and written reprimands are not subject to the grievance procedure beyond Step 2. The employee or the Association may submit a written rebuttal to a verbal or written reprimand which shall be maintained with the record of reprimand.

20.2 Due Process. Pre-disciplinary “due process” means written notice of the charges, and the facts which the charges are based, notice of the maximum range of discipline under consideration, and an opportunity to meet with the decision maker or his/her designee.

20.3 Avoidance of Embarrassment. If the Chief of Police or designee has reason to discipline an employee, the Chief of Police or designee shall make a reasonable effort to impose such discipline in a manner that will not unduly embarrass the employee before other employees or the general public.

20.4 Association Representation in Interview and Disciplinary Process. The City acknowledges the right of the employee to have a representative of the Association present at meetings with the employee which could lead to discipline greater than a verbal reprimand.

20.5 Use of Deadly Force Situations. Employees directly involved in the use of deadly force shall be advised of their rights to and shall be allowed to consult with an Association representative or attorney prior to being required to give an oral or written statement about the use of deadly force. Such right to consult with a representative or attorney shall not delay the giving of the statement more than twenty-four (24) hours.

20.6 Police Officer’s Bill of Rights. Internal investigations shall be conducted within the law as expressed by statute and case decisions. The rights of the individual shall be protected, and shall include the following:

- A. The officer under investigation shall be informed in writing of the nature of the investigation prior to any interview.
- B. Interviews shall be conducted at a reasonable hour, preferably at a time when the officer is on-duty, or during the normal waking hours of the officer, unless the seriousness of the investigation requires otherwise.
- C. The interview shall be for a reasonable period, taking into consideration the gravity and complexity of the issue being investigated. The person under interview shall be allowed to attend to his own personal physical necessities.

- D. If prior to or during the interview it is deemed that the officer may be charged with a criminal offense, the individual shall be immediately informed of constitutional rights.

ARTICLE 21 - SUBSTANCE ABUSE POLICY

21.1 The City and the Association agree that the City may engage in reasonable suspicion drug and alcohol testing in accordance with the provisions of the City Drug Free Workplace Policy as revised periodically. Many elements of this policy are mandatory subjects of bargaining and changes that relate to a mandatory subject may be bargained if the Association so requests.

ARTICLE 22 - GRIEVANCE PROCEDURE

22.1 It is the intention of the parties to this Agreement that all disputes between said parties regarding the application, meaning, or interpretation of this contract be settled by their submission to the established grievance procedure as herein provided.

Step I. After first attempting to resolve the grievance informally, the Association or any employee with notice to the Association may claim a breach of this Agreement in writing to the employee's immediate supervisor within fifteen (15) days from the occurrence thereof or the employee's knowledge thereof. The notice shall include: (1) a statement of the grievance and relevant facts; (2) provisions of the Agreement violated; and (3) remedies sought. The supervisor shall respond to the grievance in writing within ten (10) days with a copy to the Association.

Step II. If, after ten (10) days from the date of submission of the grievance to the supervisor, the grievance remains unadjusted, the grievance may be submitted within five (5) days to the Police Chief. The Police Chief may meet with the aggrieved party, who may request Association representation at the hearing. The Police Chief shall respond to the grievance within ten (10) days with a copy to the Association.

Step III. If, the grievance remains unadjusted after the Police Chief's response at Step II, the grievance may be submitted within ten (10) days of the Chief's response to the City Manager or designee. The City Manager shall meet with the aggrieved party, the Police Chief, and an Association representative at a mutually agreeable time and shall respond to the grievance in writing within twenty (20) days following the meeting.

Step IV. If the grievance is not resolved after the City Manager's response at Step III, the Association may submit it to arbitration within ten (10) days of the City Manager's response. The arbitrator shall be selected by mutual agreement of the parties. If the parties cannot agree upon an arbitrator within ten (10) days, he shall be chosen in the following manner:

- A. A list of thirteen (13) Oregon or Washington arbitrators from the State Employee Relations Board shall be requested and the parties shall alternately strike one (1) name from the list until only one (1) name is left. A coin toss shall occur to determine who will strike first. The parties shall strike names, and the one remaining shall be the arbitrator.
- B. The arbitrator shall render a decision within a reasonable time. The decision of the arbitrator shall be binding on both parties.
- C. The cost of the arbitrator shall be borne equally by both parties, as designated by the arbitrator. Each party shall be responsible for costs of presenting its own case to arbitration.
- D. The arbitrator shall be limited to the interpretation and application of the specific provisions of this agreement and shall have no authority or jurisdiction to add or revise the agreement of the parties.

The appeal of a discharge may be taken up at Step III of the Grievance Procedure contained in this Article. All other disciplinary actions may be appealed beginning at Step II of the Grievance Procedure. The information required in Step I must be included in the grievance regardless of the Step at which the grievance process is entered.

Any time limits specified in the grievance procedure may be waived by mutual consent of the parties. Failure to submit the grievance in accordance with these time limits without such waiver shall constitute abandonment of the grievance. If the grievant fails to respond in a timely fashion, the grievance shall be deemed waived. If the party being grieved against fails to respond in a timely fashion, the grievance shall advance to the next step. A grievance may be withdrawn at any time upon receipt of a signed statement from the Association or the employee that the matter has been resolved.

For purposes of this Article, “day” shall mean “business day”, and shall not include Saturdays, Sundays or legal holidays on which the City’s administrative offices are closed.

22.2 If a grievance arbitration hearing is postponed or canceled by mutual agreement, any fee charged by the arbitrator shall be split equally between the parties. If the postponement or cancellation is not by mutual agreement and a fee is incurred, then the party taking the action shall be responsible for payment of such fee.

ARTICLE 23 - ASSOCIATION BUSINESS

23.1 An Association attorney and an Executive Board member shall be allowed to attend grievance meetings and *Weingarten* interviews without loss of pay. Association representatives shall be allowed to attend labor management meetings without loss of pay. Association representatives shall be permitted access to the Forest Grove Police Department for purposes of representation activity which is conducted off duty or with the prior authorization of a supervisor.

23.2 Members of the bargaining unit selected to serve as authorized representatives shall be certified in writing to the City.

ARTICLE 24 - CONTRACT RENEWAL SESSIONS

24.1 The City and the Association shall make reasonable efforts to schedule negotiating sessions at a time that does not interfere with the operation of the Police Department. Two (2) on-duty employees shall be permitted to attend negotiating sessions. The dates, times, and places of these negotiating sessions shall be established by mutual agreement between the parties.

ARTICLE 25 - WAGES AND SALARIES

25.1 Salaries covered by this Agreement shall be in accordance with the schedule set forth in Appendix A attached and incorporated in this Agreement. Each employee shall be paid at one of the steps in the range prescribed for the job classification.

25.2 Eligibility for advancement in the salary range shall be based upon demonstration of satisfactory performance as documented in the annual performance appraisal. (Performance appraisal shall not be subject to the grievance procedure.) A new employee or promoted employee is eligible for advancement to the next step of the salary range following completion of twelve (12) months of service. An employee is eligible for additional step increases at twelve (12) month intervals of continuous service until the employee reaches the top step of a salary range.

25.3 Employees assigned the duties and responsibilities of a higher classification for one (1) hour or more shall be paid five percent (5%) premium on their base salary for the total time of such assignment. Employees assigned as "Senior" officer or OIC (Officer In Charge) shall have four (4) years of law enforcement experience and two years of service with the City and shall receive a five percent (5%) premium on their base salary for all hours worked as "Senior" officer or "OIC".

Effective July 1, 2015, the base salary rates in effect on June 30, 2015 for Property and Evidence Specialist shall be increased by 0.50% and Police Records Specialist shall be increased by a 1.00% market adjustment.

Effective July 1, 2015, wage rates for all classifications covered by this Agreement shall be increased by 3.00%.

Effective July 1, 2016, the base salary rates in effect on June 30, 2016 for Property and Evidence Specialist shall be increased by 0.50% and Police Records Specialist shall be increased by a 1.00% market adjustment.

Effective July 1, 2016, wage rates for all classifications covered by this Agreement shall be increased by 2.70%.

Effective July 1, 2017, wage rates for all classifications covered by this Agreement shall be increased by 2.30%.

ARTICLE 26 – INCENTIVE AND PREMIUM PROGRAM

26.1 Incentive Qualification. The City agrees to pay incentives set forth below to those employees who qualify under the following terms:

1. Have completed the probationary period.
2. Received an “Acceptable” or better rating on their last performance review.

Eligible employees shall be paid three percent (3.0%) of base salary for Oregon DPSST Intermediate Certificate or six percent (6.0%) of base salary for Oregon DPSST Advanced Certificate. Employees who earned a college degree and submitted proof of certification of degree from an accredited educational institution to the Human Resources Office and who have obtained DPSST certification of Intermediate level or above will be eligible for incentive pay as outlined in the chart below. Under Article 26 the total amount of incentive and premium pay an employee may receive is capped at 14%.

INCENTIVE	DPSST CERTIFICATION	EDUCATIONAL ACHIEVEMENT
3%	Intermediate	
4%	Intermediate	AA/AS
5%	Intermediate	BA/BS
6%	Advanced	
7%	Advanced	AA/AS
8%	Advanced	BA/BS

26.2 Incentive Application. The employee must make application upon receipt of DPSST certification, or education achievement to receive incentive pay and there shall be no retroactivity. An application shall be approved or denied within seven (7) working days. Incentive awards shall commence the first of the month following approval by the Police Chief.

26.3 Bi-Lingual Pay Premium. An employee that demonstrates proficiency in speaking and understanding a second language shall be eligible to receive a premium of two and one-half percent (2.5%) of the employee’s base salary if the employee provides the Department with proof on a bi-annual basis of proficiency. An employee that demonstrates fluency in speaking and understanding a second language shall be eligible to receive a premium of five percent (5.0%) of the employee’s base salary if the employee provides the Department with proof on a bi-annual basis of fluency. The Chief of Police will designate which languages are eligible for the Bi-lingual premium, based on operational needs of the Department.

26.4 Other Premiums. The City shall pay premiums based on the employee’s regular rate of pay (base salary) for the following assignments except for sergeants:

Investigations	5.0%
FTO	5.0% for time spent working with a recruit
Bike Officer	2.5% for time spent on bike patrol
Motorcycles	5.0%
School Resource Officer	5.0%
Detective Sergeant	5.0% when assigned by Police Chief or designee

In no event will an employee be entitled to pay under Article 26 for incentive and/or premium pay in excess of 14%. Each premium shall be paid during each month an employee serves in an assignment as determined by the City.

Premiums shall be computed based upon the employee's base salary. All work performed for the assignment beyond the regular shift must be approved by the Chief or a designee and properly recorded by the officer performing the assignment. The Chief makes assignments and may reassign officers from such assignments.

26.5 Educational Reimbursement. Those employees in the bargaining unit who during the term of this Agreement satisfactorily complete (received a grade of C or higher or, if only offered a Pass/No Pass, a grade of Pass) pre-approved, job-related, college courses at an accredited four (4)-year college or university, or equivalent, and transferable two (2)-year college courses, and provide evidence to the City of such satisfactory completion, shall receive payment to defray tuition for up to eighteen (18) pre-approved credit hours per fiscal year in an amount not to exceed \$100 per credit hour. The parties do not intend to require pre-approval of a particular number of credit hours, or to require the allocation of a particular level of funds. Pre-approval and payments under this Article are conditioned on the availability of funds in the police budget as determined by the Chief or his/her designee. At the discretion of the Chief of Police, payments under this article may be deferred to the next City of Forest Grove Budget year.

ARTICLE 27 - DEFERRED COMPENSATION PLAN

27.1 Employees shall have the option of participating in a deferred compensation plan sponsored by the City. The deferred compensation plan shall be of no direct cost to the City and employee participation shall be voluntary. Employees shall have the option of having deferred compensation deductions withheld from their paycheck as a percentage of gross wages upon completion and submission of appropriate paperwork to the City.

ARTICLE 28 – UNIFORMS & EQUIPMENT

28.1 The City shall provide basic uniforms for new Police Officers hereinafter employed. Those presently employed shall be provided any replacements or additions to the present uniform which may be required by the City. After the initial fitting, employees are responsible for their own alterations.

28.2 The City shall provide a clothing allowance of two hundred ninety five dollars (\$295.00) twice annually for plain-clothes officers assigned as investigators. The clothing allowance is subject to mandatory withholdings under State and Federal tax regulations.

28.3 If an employee is required by the City to wear a uniform, protective clothing or any type of protective device, such uniform, clothing, or protective device shall be furnished to the employee by the City. The cost of repairing the uniform or protective clothing shall be paid by the City (including initial tailoring and repair). If a uniform requires dry cleaning, the City shall provide cleaning for one (1) uniform per week and one (1) jacket per month, maximum. The City may contract with a cleaner for dry cleaning, and may require all articles of clothing to be cleaned at City expense be cleaned by the contract holder.

28.4 The City shall reimburse employees for prescription eye wear of up to \$200 and wristwatches of up to \$50, and for other personal property which the police chief has pre-authorized in writing for on duty use by the officer in question and which is damaged or destroyed in the performance of the employee's duties.

28.5 The City shall provide one hundred fifty dollars (\$150.00) every other year for boots for sworn police officers and sergeants; community outreach coordinator, code enforcement officer and the property and evidence specialist to be used solely for City business. The style and other standards will be set by the Chief of Police. Proper maintenance of the appearance of the boot is the responsibility of the employee.

ARTICLE 29 - SHIFT BIDDING

29.1 Sworn staff shall be allowed to bid for shifts by classification seniority by division (operations, investigations, and administration) based upon the following:

- A. Shift Bidding Process. The bidding process for shifts will begin no later than November 1st of each year, at which time the list of available shifts and days off (shift slots) will be circulated. The shift/days off will be bid in order of seniority beginning with the most senior employee through the least senior until all shift slots are filled. The bidding process will be completed no later than November 30th of each year. The upcoming twelve (12) month schedule will be posted no later than December 15th of each year. The shift-days off selection process will be coordinated between representatives of the City and the bargaining unit each year.
- B. During the shift bidding process employees serving in the job classification of Sergeant will bid each of the available shifts (for example: day, swing, graveyard) and days off so that a Sergeant is scheduled to be on-duty during every 24 hour period beginning at 12:00 a.m. each day.
- C. Seniority Shift Re-Bids and/or Mid-Shift Replacements – An employee, who voluntarily leaves a specialty assignment prior to the agreed-upon separation date associated with the employee's special assignment and who returns to work in a position which bids for shifts, shall be placed into a shift slot by the Department based upon a good faith analysis of operational and/or personnel needs of the Department.

An employee who is removed from a specialty assignment or whose specialty assignment is eliminated, and who returns to work in a position which bids for shifts, shall be allowed to exercise their seniority to select a shift slot that the employee would have been able to bid into during the Annual Shift Bid. The Association and the City may mutually agree to a timely re-bid to be effective at the next shift rotation.

If a vacant shift slot is projected to be available prior to the next shift rotation, the Association and the City may mutually agree to a timely re-bid to be effective at the next shift rotation.

- D. The Chief will provide the Association President or designee with work schedules, which includes the blocks of days off and recruit shift assignments. Staffing will be such that there will always be a senior officer working at all times. "Senior" officer is defined as an officer with four or more years law enforcement experience and two or more years of service with the City of Forest Grove. The Association President or designee will be responsible for scheduling that meets the requirements set forth by Article 29. If the requirements are not met, the Chief has the option to reassign as outlined below.
- E. The decision to allow a new recruit to bid by seniority with less than two (2) years of service may be made at the Chief's discretion.
- F. In the event a shift becomes understaffed, the Police Chief may make any

adjustments necessary to insure an adequate staffing level.

- G. Sergeants shall rotate to another shift within a twenty four (24) month period for a three (3) month shift.
- H. During any three-month shift, the Police Chief or a designee may, for good cause and based upon a good faith analysis of operational and personnel needs of the Department, and due consideration of appropriate alternatives, reassign employees to a different shift. Except in emergencies, employees shall receive ten (10) days' notice of reassignment, which time may be waived by the employee on a non-precedent setting basis. Such good faith assignments shall not be grievable, but employees shall be afforded the opportunity to discuss the reassignment with the Police Chief upon request.

29.2 Members who serve in Special assignments (investigations, motorcycles, and full-time joint teams or task forces) shall accept shifts as assigned without regard to this shift bidding article. When multiple officers serve in the same special assignment, they shall exercise classification seniority to choose from shifts available to that assignment.

ARTICLE 30 - TRAVEL PAY

30.1 An employee is expected to use a City vehicle when required to report to work at another location whenever possible. If a City vehicle is not available, the employee shall be paid for the use of his personal transportation at the current authorized City mileage rate. Whenever required to travel as part of regular work activity, the employee shall be paid for actual meals and transportation expenses. Employees whose travel takes them away overnight, shall be compensated for actual lodging and for other expenses at the City's established policy which includes a per diem rate.

ARTICLE 31 - SAVINGS CLAUSE

31.1 Should any portion of this Agreement or amendment thereto be judged by a court of appropriate final jurisdiction to be in violation of any state or federal law, then that portion(s) shall become invalid and the remainder of the Agreement and amendments thereto shall remain in effect. The parties shall immediately enter negotiations for the purpose of replacing such invalid portion(s) of the Agreement.

Appendix A

Wages

Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
<i>Effective 7/1/2015</i>						
Records Specialist	3,404	3,540	3,683	3,829	3,982	4,142
Community Outreach Coordinator	3,753	3,903	4,060	4,222	4,391	4,566
Code Enforcement Officer	3,753	3,903	4,060	4,222	4,391	4,566
Property and Evidence Specialist	3,772	3,922	4,080	4,242	4,412	4,588
Police Officer	4,662	4,970	5,192	5,479	5,726	6,039
Sergeant	5,775	6,062	6,366	6,685	7,018	7,369

Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
<i>Effective 7/1/2016</i>						
Records Specialist	3,530	3,671	3,819	3,971	4,129	4,296
Community Outreach Coordinator	3,854	4,008	4,170	4,336	4,510	4,689
Code Enforcement Officer	3,854	4,008	4,170	4,336	4,510	4,689
Property and Evidence Specialist	3,893	4,047	4,211	4,378	4,553	4,735
Police Officer	4,788	5,104	5,332	5,627	5,881	6,202
Sergeant	5,931	6,226	6,538	6,865	7,207	7,568

Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
<i>Effective 7/1/2017</i>						
Records Specialist	3,611	3,755	3,907	4,062	4,224	4,395
Community Outreach Coordinator	3,943	4,101	4,266	4,436	4,613	4,797
Code Enforcement Officer	3,943	4,101	4,266	4,436	4,613	4,797
Property and Evidence Specialist	3,982	4,140	4,307	4,479	4,658	4,844
Police Officer	4,898	5,222	5,455	5,756	6,016	6,345
Sergeant	6,067	6,369	6,688	7,023	7,373	7,742

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